

WILLINGBORO TOWNSHIP COUNCIL

AGENDA

September 18, 2018

7:00 PM
Call to order
Flag Salute
Statement
Roll Call

MANAGER'S REPORT

RESOLUTIONS

- Res. 2018—130 RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH MITCHELL HUMPHREY SOFTWARE FOR PROPRIETARY WEB-BASED SOFTWARE AND SERVICES
- Res. 2018—131 RESOLUTION REGARDING FUNDING OF AFFORDABLE HOUSING REHABILITATION PROGRAM
- Res. 2018—132 EXECUTIVE SESSION (IF NEEDED)
- Res. 2018—133 RESOLUTION EXTENDING THE CONTRACT FOR CUSTODIAL SERVICES FOR THE WILLINGBORO TOWNSHIP MUNICIPAL COMPLEX, KENNEDY CENTER AND DEPARTMENT OF PUBLIC WORKS FOR THIRTY DAYS

RAFFLE APPROVAL

Pope John Paul II Regional School PTA

Public Comment
Council Comment
Adjournment

ALL BUSINESS ITEMS ARE TENTATIVE PENDING THE REVIEW AND APPROVAL OF THE LAW DEPARTMENT

Willingboro Township Council Meeting of September 18, 2018 was held in Council's Chambers,
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

7:00 P.M. meeting
Flag Salute
Required Statement
Roll Call

The Required statement was read.

In compliance with the Open Public Meeting Act, this is to announce that adequate notice of this meeting was provided in the following manner.

On January 1, 2018 advance written notice of this meeting was posted on the bulletin board in the Municipal Complex.

On January 1, 2018, advance written notice of this meeting was mailed to the Burlington County Times, Willingboro, the Trenton Times, the Philadelphia Inquirer and the Courier Post.

On January 1, 2018, advance written notice of this meeting was filed with the Township Clerk.

The Clerk is directed to enter into the minutes of this meeting this public announcement.

Roll Call:	Councilman Anderson	Present
	Councilwoman Jennings	Present
	Councilwoman Perrone	Absent
	Deputy Mayor Nock	Present
	Mayor Holley	Present

Interim Manager, Rich Brevogel; Jill Cyrus, Director Recreation; Wendell Bibbs, P.E. Remington & Vernick Engineer; Cristal Holmes-Bowie, Esq., Firm of Michael Armstrong, Township Solicitor; Walter Howard, IT Department; Greg Rucker, Director of Public Safety; Fire Chief Anthony Burnett

KIA (KILLED IN ACTION) FLAG PRESENTATION:

Burlington County Clerk, Tim Tyler, presented a KIA flag to the Willingboro Township Council, saying "all gave some, some gave all" which is attributed to the Korean War Veteran Howard William Osterkamp. Mr. Tyler said that on August 7, 2018, Burlington County hoisted a KIA flag in front of the county administration building; and that as part of an initiative his office decided to purchase flags for every municipal in Burlington County

Mayor Holley thanked Mr. Tyler on behalf of Council and the residents of Willingboro. Mayor Holley said that he will see to it all flags be flown at all our prominent municipal sites

Mayor Holley reminded council that polling was sent out regarding scheduling a meeting for the upcoming budget process and urged them to please comply.

MANAGER'S REPORT (SEE ATTACHED)

RESOLUTIONS

RESOLUTION NO. 2018-130

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH MITCHELL HUMPHREY SOFTWARE FOR PROPRIETARY WEB-BASED SOFTWARE AND SERVICES

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, the Township of Willingboro wishes to purchase a proprietary, web-based Software and services provided through a secure private cloud, including custom managed and application hosting; hosted email; and disaster recovery; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(dd) any contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, and shall be awarded by resolution of the governing body if (1) the subject matter thereof consists of the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software; and

WHEREAS, pursuant to its agreement with the Township, Mitchell Humphrey & Co., Software, LLC will supply, install, maintain and support its proprietary licensed product, including licensed web-based software and services provided through a secure private cloud, for the Township of Willingboro.

WHEREAS, the Township recommends the utilization of this contract on the grounds that it represents the best available price and meets the unique needs of the Township; and

WHEREAS, in accordance with N.J.S.A. 40A: 4-57, the Chief Financial Officer has certified the availability of the 2018 funds for the purpose of making the first installment payments, as indicated by the Chief Financial Officer's attached certification; and

NOW THEREFORE, BE IT RESOLVED in open public session on this 4th day of September, 2018, by the Township Council of the Township of Willingboro that Mitchell Humphrey & Co. of 1285 Fern Ridge Pkwy, St. Louis, MO 63141-4402, be awarded a contract for the supply, installation, and maintenance of certain proprietary web-based Software and services in accordance with the software Products License and maintenance Support Agreement.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute sign the contract documents necessary to enter into the Agreement, and the Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

Willingboro Township Council Meeting of September 18, 2018 was held in Council's Chambers, One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon passage for a term of one (1) year and may be extended up to two (2) times as approved by this governing body; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to the Finance Director, Township Manager and Mitchell Humphrey & Co. for their information and attention.

On motion by Councilman Anderson

Seconded by Councilwoman Jennings

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Councilwoman Perrone	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

Motion carried. Resolution 2018—130 Approved

RESOLUTION- 131- 2018

RESOLUTION REGARDING FUNDING OF AFFORDABLE HOUSING REHABILITATION PROGRAM

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015)(Mount Laurel IV), on June 12, 2015, the Township of Willingboro (hereinafter "Willingboro Township" or the "Township") filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan, to be amended as necessary, satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel doctrine;" and

WHEREAS, the Township's adopted and endorsed 2018 Housing Element and Fair Share Plan (hereinafter "Fair Share Plan") includes addressing the Township's rehabilitation share through participation in the Burlington County Rehabilitation Program, and through its in-house Rehabilitation Program run by its Administrative Agent Triad Associates, which both create the opportunity for substandard rental dwelling units in Willingboro to be rehabilitated, provided the occupants of such units are or will be duly qualified low or moderate income households; and

WHEREAS, the Township has successfully participated in the Burlington County Rehabilitation Program, and has also successfully run its own in-house Rehabilitation Program for many years, and

WHEREAS, the Township's Fair Share Plan was approved by the Court via a Judgment of Compliance and Repose Order entered on June 7, 2018 (hereinafter "JOR Order"), after a properly noticed Compliance Hearing that same day; and

WHEREAS, the JOR Order approved six (6) rehabilitation credits that were created by the Township's in-house Rehabilitation Program since April 1, 2010, and

WHEREAS, the Township intends to continue to fund its in-house Rehabilitation Program with development fees collected in its Affordable Housing Trust Fund from residential and non-residential construction in the Township, which will be supplemented with State and/or Federal funding if and to the extent available; and

WHEREAS, one of the conditions of the JOR Order was the Court required the Township to adopt a resolution of intent to fund any shortfall in the Township's in-house Rehabilitation Program to show the Court that there is an adequate and stable source of funding for this municipally-sponsored affordable housing initiative in the Township's Fair Share Plan; and

WHEREAS, the Township Council is adopting this resolution to satisfy this condition of the Township's JOR Order;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, in the County of Burlington, New Jersey, as follows:

1. The Council anticipates that the majority of its Rehabilitation Obligation for Round 3 will be addressed by the Burlington County Rehabilitation Program, and that the Township's in-house Rehabilitation Program, which will be run by its Administrative Agent Triad Associates, will serve as a back up to the Burlington County Rehabilitation Program.

2. The Council also anticipates that the costs of the Township's in-house Rehabilitation Program, which will be run by the Township's Administrative Agent, Triad Associates, will be covered by existing and anticipated development fees collected in the Township's Affordable Housing Trust Fund, supplemented with State and/or Federal funding if and to the extent available.

2. In the event that collected development fees in the Township's Affordable Housing Trust Fund are inadequate to cover the costs of the Rehabilitation Program at the time such funds are needed and no (or insufficient) State and/or Federal funds are available to cover the shortfall in the costs of the Rehabilitation Program, the Township Council commits to covering the shortfall in the costs of funding the Rehabilitation Program through appropriations from the general fund or by bonding, if and to the extent necessary to cover the shortfall.

Willingboro Township Council Meeting of September 18, 2018 was held in Council's Chambers,
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

RESOLUTION NO. 2018 --132

AUTHORIZING

AN EXECUTIVE SESSION OF THE TOWNSHIP COUNCIL

WHEREAS, the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits a public body to exclude the public from portions of a meeting at which specific matters set forth in N.J.S.A. 10:4-12b are discussed; and

WHEREAS, a request has been made of the Township Council assembled in public session on this 18th day of September, 2018 to convene a closed Executive session consistent with the provisions of N.J.S.A. 10:4-12b; and

NOW, THEREFORE, upon motion duly made and seconded and passed by a vote of in favor and opposed, **BE IT RESOLVED** by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey that an Executive Session of the Township Council meeting shall be convened to discuss one or more of the following categories as noted:

- _____ 1. Any matter which, by express provision of federal law, state statute or rule of court is rendered confidential or excluded from the public portion of the meeting.
- _____ 2. Any matter in which the release of information would impair the right to receive funds from the United States Government.
- _____ 3. Any material the disclosure of which constitutes and unwarranted invasion of privacy as set forth in N.J.S.A. 10:4-12b(3).
- _____ 4. Any Collective Bargaining Agreement or the terms and conditions which are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees.
- _____ 5. Any matter involving the purchase, lease or acquisition of real estate with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussions of such matters were disclosed.
- _____ 6. Any tactics and techniques utilized in protecting the safety and property of the public and any investigations of violations or possible violations of law.
- ___XX 7. Any pending or anticipated litigation or contract negotiations in which Township Council is or may become a party.

- _____ 8. Any matters falling within the attorney/client privilege to the extent that confidentiality is required for the attorney to exercise his/her ethical duties as a lawyer.
- _____ 9. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment and other categories set forth in N.J.S.A. 10:4-12b(8).
- _____ 10. Any deliberations occurring after a public hearing that may result in the imposition of specific civil penalty or the suspension of loss of a license or permit as set forth in N.J.S.A. 10:9-12b(9).

BE IT FURTHER RESOLVED that the general nature of the subject to be discussed relates to: Custodial Contract and Professional Services

BE IT FURTHER RESOLVED that the time when and the circumstances under which the discussion conducted in closed session will be disclosed to the public, in accordance with N.J.S.A. 10:4-14, and to the extent that it is not inconsistent with N.J.S.A. 10:4-12.

On motion by Councilwoman Jennings
Seconded by Councilwoman Perrone

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Councilwoman Perrone	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

Discussion

Cristal Holmes-Bowie, Esq.: Yes, there is executive session with regards to the Custodial contract, is one of the items, as well as professional services as well.

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Councilwoman Perrone	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

Motion carried. Resolution 2018—132 Approved.

Willingboro Township Council Meeting of September 18, 2018 was held in Council's Chambers,
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

RAFFLE APPROVAL—Pope John Paul II Regional School PTA

On motion by Councilwoman Jennings
Seconded by Councilman Anderson

Roll Call:	Councilman Anderson	Yes
	Councilwoman Jennings	Yes
	Councilwoman Perrone	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

Motion carried. Raffle Approved.

Public Comments

Ms. Pat Lindsey Harvey of Henderson Lane questioned the purpose of Resolution 2018—131.

Cristal Holmes-Bowie, Esq. explained that it was just for the purpose of funding.

Sharon B. of 70 Executive Lane wanted to know when the concrete project will start on Garfield Lane and when will JFK be done. She also said that she was having a problem with a solar panel company that she was using and wanted to know if solar companies required permits or licenses from the township.

Doug Johnson-(Remington & Vernick Engineer) answered that Garfield Drive will be done in the spring.

Mayor Holley explained that as for the JFK project, the bid on that project was rejected as per a resolution.

Beulah Williams—6 Botany Circle complained that the amount that she was being charged by our Inspections Department regarding the penalties on her rental property was outrageous. She said that she was told by the inspections department that they would be willing to negotiate the amounts, and she wanted to know what can council do about this matter.

Mayor Holley asked Ms. Williams to please leave her number with our Acting Manager, Rich Brevogel.

Council Comments

Councilwoman Perrone thanked everyone for coming out and she is looking forward to Fall season matters.

Councilwoman Jennings also thanked and welcomed all attending residents.

Councilman Anderson said that he dittoed both Councilwomen's remarks.

Deputy Mayor Nock mentioned that there were seven bidders interested in the Grand Market Place. He said that he contacted four of them and one bidder was interested in retail and the other three were interested in trucking issues.

Mayor Holley thanked everyone for coming out and announced that the township was having a Movie Night on October 29th. He also noted that Foster Military Lodge was having a blood drive. He said that Alpha Baptist Church was having a "Gun Buy Back". Mayor Holley also wanted all to know that on October 27th Mr. Ron Dash will be holding a veteran's event at Christy Park, which is in front of the JFK Building and that on November 11th the VFW of Willingboro, will also be having an event. Mayor Holley said that he would like to honor Cristal Langhorne on behalf of the Township for her achievements in the WMBA.

Executive session began at 7:35PM
Executive session ended at 8:22PM

Motion to return to public session was done by Councilwoman Jennings and seconded by Deputy Mayor Nock.

Motion was done in public session to extend the current custodial services company for an additional 30 days.

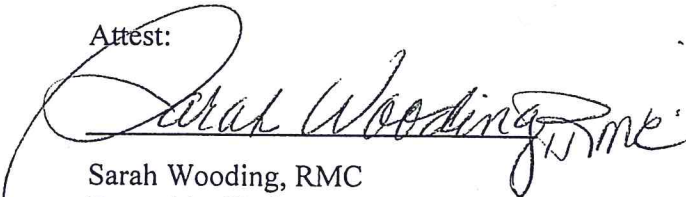
On motion by Councilwoman Jennings
Seconded by Councilwoman Perrone

Roll Call:	Councilwoman Jennings	Yes
	Councilwoman Perrone	Yes
	Deputy Mayor Nock	Yes
	Mayor Holley	Yes

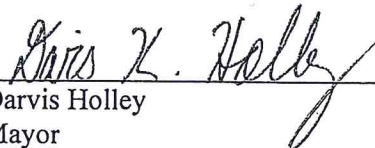
Motion carried.

There being no further discussion the meeting was adjourned at 8:30PM

Attest:



Sarah Wooding, RMC
Township Clerk



Darvis Holley
Mayor

Township of Willingboro

To: The Honorable Darvis K. Holley, Mayor
The Honorable Martin Nock, Deputy Mayor
The Honorable Jacqueline Jennings, Councilwoman
The Honorable Nathaniel Anderson, Councilman
The Honorable Rebecca Perrone, Councilwoman

From: Richard A. Brevogel,
Acting Township Manager

Date: September 18 2018

Re: Agenda

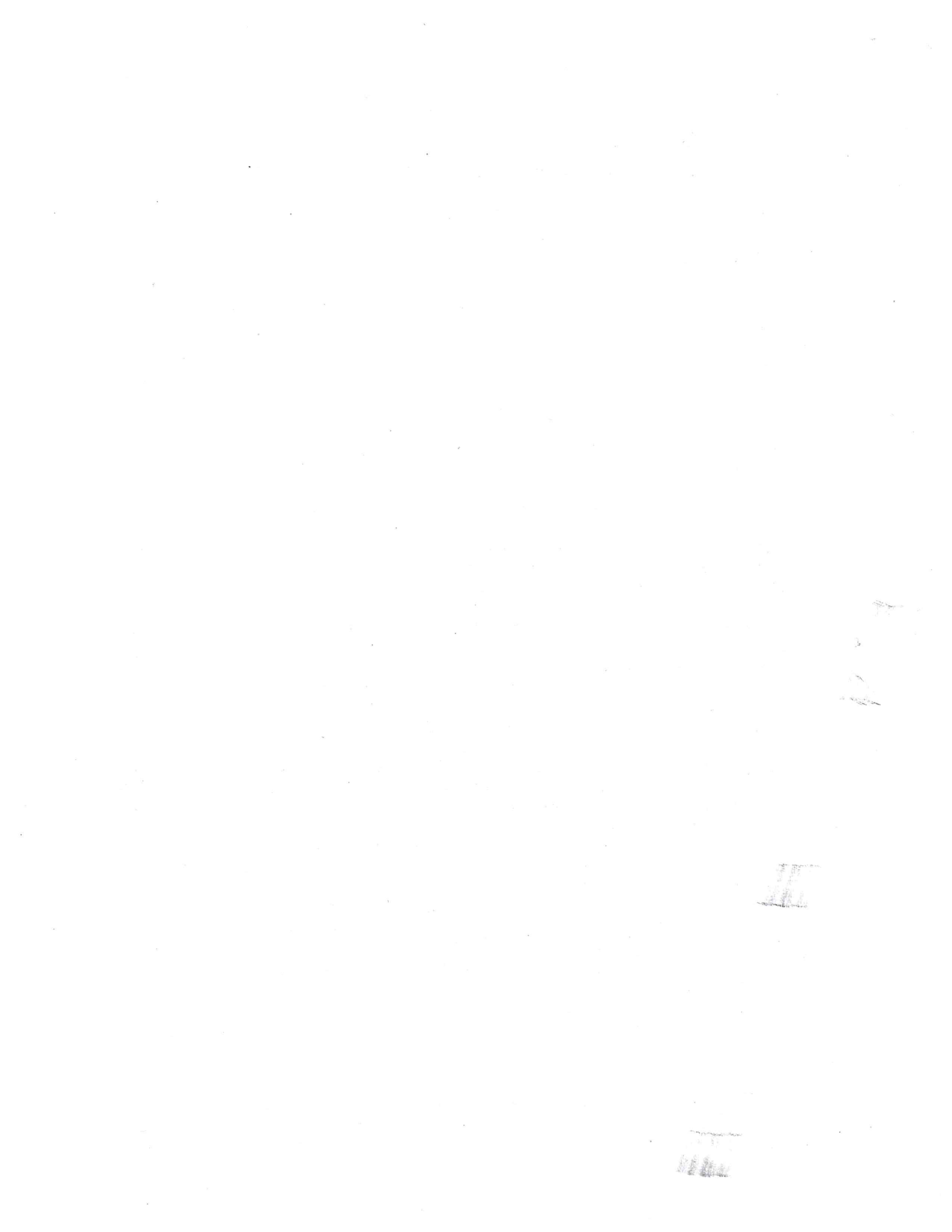
MANAGER'S REPORT

- New Storm Water Permit information
 - Presentation Tier A requirements
 - Ask you review the documents
 - Will present information in open session at next council meeting
- REMINDER:
 - The 8th Annual Del Payne Memorial 5k Run/Walk will be held on September 22 2018 in Millcreek Park. The event will begin at 8am. Additional information is available on the library website at www.willingboro.org.
 - Kids Fun Run will take place at the same location at 8:30am
- On September 29th (rescheduled from Sept 8th) there will be a "Movie in the Park" night at Millcreek Park. The movie will begin at dusk (approximately 8pm). Information is available on the Township Facebook page.
- Request dates for meetings regarding Capital Budget planning for future years
 - Council needs to be aware the township will be making application to the NJEIT for funding to support repairs required to infrastructure from June 10 and 11 Microburst storm and existing infrastructure repairs that we are aware of. The estimated costs of the June storm repairs is \$1,146,757 dollars. The additional work is estimated at \$750,000 to \$1,000,000 dollars. Evaluation is underway to see what can be delayed with minimum impact on the storm water system operation.
- 2019 Municipal Budget Preparation:
 - Directors asked to input budget worksheets by October 19th
 - Directors asked to develop departmental organization sheets with Employee Titles, Salary, and job function by October 19th
 - Pick dates for meetings with council and department heads to review requests for 2019
 - Individual Directors will discuss their submitted budgets
 - Suggest working session dates be established prior to the end of November.
 - Directors had been asked to update and supply their 5 year capital plan by October 19th.
- Presentation of KIA Flag to the Municipality

AGENDA ITEMS

RESIDENT QUESTIONS:

- Several residents inquired about sidewalk repairs. The township DPW takes each request and prioritizes it against other requests. The worst ranked conditions are repaired first. The mentioned locations were passed on for inclusion in the list.



EXECUTIVE SESSION

- **Contracts**
 - **Custodial Contract**

Attachment A – Measurable Goals and Implementation Schedule for Existing Permittees

General

The following table specifies the Measurable Goals and Implementation Schedule of this Tier A MS4 NJPDES Permit for Existing Permittees. Each Measurable Goal and Implementation Schedule is associated with a permit citation and a summary of the associated Minimum Standard. The summary of Minimum Standard column represents a paraphrase of permit conditions. Actual Minimum Standards are found in Part IV of the permit.

An indication of whether the cited Minimum Standard is a new requirement is provided in the last column. Where a requirement is not new and not modified (and for some that are modified), the Existing Permittee is expected to be in compliance on the Effective Date of Permit Authorization (EDPA). For most new requirements (and for some modified requirements), additional time is provided for achieving compliance.

See below for specific Measurable Goals that shall be documented in the SPPP. **The SPPP shall be updated as required by Part IV.F.1.c, above.** The Implementation Schedule refers to the date that a Minimum Standard must be incorporated into the Tier A Municipality's stormwater program, along with any ongoing requirements. In addition to the requirements of Part IV.F.1 above, the SPPP shall identify and discuss the Minimum Standard of each Statewide Basic Requirement (Part IV.B, above) and Other Control Measures (Part IV.C, above) where the following information is required for each item:

- Describe the method of implementation;
- Include required recordkeeping;
- Include an implementation schedule, consistent with permit requirements, including interim milestones;
- Include any special diagrams required by the permit (e.g., stormwater facilities map); and
- Include inspection and maintenance schedules, as appropriate.

This table does not include Measurable Goals and an Implementation Schedule for the Notes and Definitions Part IV, Part IV.A (Permit Overview), Part IV.D (Additional Measures), IV.E (Optional Measures), IV.F (SPPP), and IV.G (Annual Report and Certification) because these are not Statewide Basic Requirements or Other Control Measures (see N.J.A.C. 7:14A-25.6). While not included in this table, Notes and Definitions Part IV, Part IV.A, D, E, F, and G are permit requirements and compliance is required.

Measurable Goals for Statewide Basic Requirements and Other Conditions of this Permit for Existing Permittees

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
Public Involvement and Participation Including Public Notice Provide for public notice under the Open Public Meetings Act, statutory procedures for enactment of ordinances, and Municipal Land Use Law when providing for public participation in the development and implementation of a stormwater program, and maintain records necessary to demonstrate compliance.	IV.B.1.a & d	Certify in each annual report that all public notice requirements have been met and relevant records kept. Reference in the SPPP the location of associated municipal records.	EDPA	No
Provide the current SPPP to the public upon request.	IV.B.1.b.i	Certify in each annual report that the SPPP was made available to the public.	EDPA	No
Post the current SPPP on the municipality's website.	IV.B.1.b.ii	Certify in each annual report that the SPPP has been posted on the municipality's website (to the extent required by Part IV.F.1.f) and that the posted SPPP is current.	EDPA + 90 days	Yes
Post the current Municipal Stormwater Management Plan (MSWMP) and related ordinances on the municipality's website.	IV.B.1.b.iii	Certify in each annual report that the MSWMP and related ordinances have been posted on the municipality's website and that the posted documents are current.	EDPA + 90 days	Yes
Local Public Education and Outreach				
Implementation of a Public Education and Outreach Program by conducting activities that total a minimum of 12 points on an annual basis.	IV.B.2.a	Certify in each annual report that the minimum point value has been met and report point totals in the Annual Report. Maintain records of materials and activities from Attachment B, including dates of activities and any other relevant documentation (e.g. brochures, pictures, sign-in sheets, press clippings).	EDPA	Modified
Label storm drain inlets, maintain the legibility of those labels, and replace labels that are missing or not legible along sidewalks that are adjacent to municipal streets; and within plazas, parking areas or maintenance yards operated by the municipality.	IV.B.2.b	Certify in each annual report that storm drains have been properly labeled and/or maintained. Records tracking storm drain inlet label status shall be kept with the SPPP.	EDPA	No

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
Advertise public involvement program(s) pertaining to education and outreach activities.	IV.B.2.c	Certify in each annual report that public involvement program(s) have been properly advertised on the website, through a mailing, through newspaper advertisement, or other similar means. Public advertisement records shall be kept with the SPPP.	EDPA + 12 months	Yes
Post Construction Stormwater Management in New Development and Redevelopment				
Develop, update, implement and enforce its post construction stormwater management program in new development and redevelopment to ensure compliance with the Stormwater Management rules (N.J.A.C. 7:8).	IV.B.4.a, b, c, d, e, f, g, h, i, j, l	Certify in each annual report that the Tier A Municipality has developed, and is implementing and enforcing a program to address stormwater runoff from new development and redevelopment projects. Records demonstrating compliance with Part IV.B.4 shall be kept, or their location shall be referenced, in the SPPP.	EDPA	No
For each structural and non-structural stormwater measure (e.g. basins), for which an application is made to the municipality after EDDPA, the municipality shall complete, update, finalize and maintain a Major Development Stormwater Summary.	IV.B.4.k	Certify in each annual report that Major Development Stormwater Summaries (Attachment D) have been completed and records have been maintained by the Tier A municipality. Records demonstrating compliance with Part IV.B.4 shall be kept, or their location shall be referenced, in the SPPP.	EDPA	Yes
Pollution Prevention/Good Housekeeping - Community Wide Ordinances				
Adopt and enforce a pet waste ordinance. Distribute pet waste ordinance information with pet licenses.	IV.B.5.a.i	Certify in each annual report the date the ordinance was adopted, that it is being enforced and that pet waste ordinance information is distributed with pet licenses. A log of enforcement actions and information distribution dates shall be kept in the SPPP.	EDPA	No
Adopt and enforce a wildlife feeding ordinance.	IV.B.5.a.ii	Certify in each annual report the date the ordinance was adopted and that it is being enforced. A log of enforcement actions shall be kept in the SPPP.	EDPA	No

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
Adopt and enforce a litter control ordinance.	IV.B.5.a.iii	Certify in each annual report the date the ordinance was adopted and that it is being enforced. A log of enforcement actions shall be kept in the SPPP.	EDPA	No
Adopt and enforce an improper disposal of waste ordinance.	IV.B.5.a.iv	Certify in each annual report the date the ordinance was adopted and that it is being enforced. A log of enforcement actions shall be kept in the SPPP.	EDPA	No
Adopt and enforce a containerized yard waste / yard waste collection program ordinance.	IV.B.5.a.v	Certify in each annual report the date the ordinance was adopted and that it is being enforced. A log of enforcement actions shall be kept in the SPPP.	EDPA	No
Adopt and enforce a private storm drain inlet retrofitting ordinance	IV.B.5.a.vi	Certify in each annual report the date the ordinance was adopted and that it is being enforced. A log of enforcement actions shall be kept in the SPPP.	EDPA	No
Pollution Prevention/Good Housekeeping - Community Wide Measures				
Develop and continue to implement street sweeping measures as specified at Part IV.B.5.b.i.	IV.B.5.b.i	Certify in each annual report that a street sweeping schedule is being maintained as well as records including the date and areas swept, number of miles of streets swept, and the total amount of materials collected in wet tons. Include totals in the Annual Report and keep records in the SPPP.	EDPA	No
Develop and continue to implement catch basin and storm drain inlet inspection and cleaning measures as specified at Part IV.B.5.b.ii.	IV.B.5.b.ii	Certify in each annual report that a catch basin and storm drain inlet inspection and cleaning schedule is being maintained, and a log indicating the number of municipally owned and operated catch basins and inlets within the municipality, the number of catch basins and inlets inspected, and the number cleaned is being maintained. Maintain records documenting the amount of materials collected in wet tons during cleaning activities in the SPPP. Include totals in the Annual Report.	EDPA	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
Develop and continue to implement storm drain inlet retrofit measures as specified at Part IV.B.5.b.iii.	IV.B.5.b.iii	Certify in each annual report that a record of the number and location of storm drain inlets retrofitted as well as the number and location of storm drain inlets exempted is being maintained. Include totals in the Annual Report and keep records in the SPPP.	EDPA	No
Pollution Prevention/Good Housekeeping - Municipal Maintenance Yards and Other Ancillary Operations				
Implement the BMP's found in Attachment E, including the Inventory of Materials and Machinery, and Inspections and Good Housekeeping practices, at Municipal Maintenance Yards and Other Ancillary Operations.	IV.B.5.c	Certify in each annual report that the SPPP includes all applicable requirements and that the requirements (including maintenance of inspection logs and tracking forms) of Attachment E have been met. Keep records required by Attachment E in the SPPP.	EDPA	No
BMPs shall be implemented for fueling operations.	IV.B.5.c.i	Certify in each annual report that BMPs in Attachment E have been implemented for fueling operations.	EDPA	No
BMPs shall be implemented for discharge of stormwater from secondary containment.	IV.B.5.c.ii	Certify in each annual report that BMPs in Attachment E have been implemented for discharge of stormwater from secondary containment.	EDPA	No
BMPs shall be implemented for vehicle maintenance.	IV.B.5.c.iii	Certify in each annual report that BMPs in Attachment E have been implemented for vehicle maintenance.	EDPA	No
BMPs shall be implemented for on-site equipment and vehicle washing and wash wastewater containment.	IV.B.5.c.iv	Certify in each annual report that BMPs in Attachment E have been implemented for on-site equipment and vehicle washing and wash wastewater containment.	EDPA	Modified
BMPs shall be implemented for salt and de-icing material storage and handling.	IV.B.5.c.v	Certify in each annual report that BMPs in Attachment E have been implemented for salt and de-icing material storage and handling.	EDPA	No
BMPs shall be implemented for aggregate material and construction debris storage.	IV.B.5.c.vi	Certify in each annual report that BMPs in Attachment E have been implemented for aggregate material and construction debris storage.	EDPA + 12 months	Yes

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
BMPs shall be implemented for street sweepings and catch basin clean-out material storage.	IV.B.5.c.vii	Certify in each annual report that BMPs in Attachment E have been implemented for street sweepings and catch basin clean-out material storage.	EDPA + 12 months	Yes
BMPs shall be implemented for yard trimmings and wood waste management sites.	IV.B.5.c.viii	Certify in each annual report that BMPs in Attachment E have been implemented for yard trimmings and wood waste management sites.	EDPA + 12 months	Yes
BMPs shall be implemented for roadside vegetation management.	IV.B.5.c.ix	Certify in each annual report that BMPs in Attachment E have been implemented for roadside vegetation management.	EDPA + 12 months	Yes
Pollution Prevention/Good Housekeeping - Training Program				
Provide training to municipal employees within 3 months of commencement of duties, and at least once every two years thereafter, to address all required components. The exceptions are Part IV.B.5.d.v, viii, and x which require annual training instead of once every two years.	IV.B.5.d	Certify in each annual report that employee training has been conducted, and maintain records including sign in sheet(s), date(s) of training, and training agenda(s). These records shall be kept in the SPPP.	EDPA + 12 months	Modified
Ensure that individuals that review development and redevelopment projects for compliance with N.J.A.C. 7:8 on behalf of the municipality complete Department approved training once every five years.	IV.B.5.e	Certify in each annual report that individuals reviewing projects have completed the required training, and maintain a list of the names and dates that individuals received training. This list shall be kept in the SPPP.	EDPA + 12 months	Yes
Ensure that current Municipal Board and Governing Body Members that review and approve applications for development and redevelopment projects complete the "Training Tool" on or before EDPA + 6 months, and by new members within 6 months of commencement of duties. Once per term of service thereafter, Municipal Board and Governing Body Members must review at least one of the tools offered under the Post-Construction Stormwater Management website.	IV.B.5.f	Certify in each annual report that municipal board and governing body members have completed the necessary training, and maintain a list of the names and dates that individuals completed training. This list shall be kept in the SPPP.	EDPA + 6 months	Yes

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
MS4 Outfall Pipe Mapping and Illicit Discharge and Scouring Detection and Control				
Develop, update and maintain an MS4 Outfall Pipe Map showing the location of the end of all outfall pipe which discharge to a surface water body.	IV.B.6.a.i	Certify in each annual report that the outfall pipe map is current at the end of the calendar year.	EDPA	No
Show the location (and name where known) of all surface water bodies receiving discharges from those outfall pipes.	IV.B.6.a.ii	Certify in each annual report that the surface water bodies associated with each outfall pipe end is located on the map.	EDPA	No
Include Outfall Pipe map in the SPPP	IV.B.6.a.iii	Certify in each annual report following the implementation deadline that the Outfall Pipe Map is included in the SPPP.	EDPA +12 months	Yes
Provide Outfall Pipe Map to the Department	IV.B.6.a.iv	Certify in each annual report following the implementation deadline that the Outfall Pipe Map and any new data points subsequently added to the map have been provided to the Department.	EDPA +12 months	Yes
Submitted the Outfall Pipe Map information to the Department electronically by December 21, 2020	IV.B.6.a.v	Submit the Outfall Pipe Map information to the Department using Department's designated electronic submission service by December 21, 2020.	12/21/2020	Yes
Develop, update and implement a program to detect, investigate and control localized stream scouring from stormwater outfall pipes.	IV.B.6.b	Certify in each annual report that municipally owned outfall pipes have received the required visual inspection at least once every five years and maintain a log indicating the number and location of outfall pipes inspected, repairs prioritized, and repairs scheduled or performed. Certify in the annual report that a repair schedule has been prepared for those that have not been completed. Keep records required by Part IV.B.6.b in the SPPP.	EDPA + 12 months	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
Develop, update, implement and enforce an ongoing Illicit Discharge Detection and Elimination Program.	IV.B.6.c	Certify in each annual report that the municipality has developed a program to detect and eliminate illicit discharges and has conducted inspections required at Part IV.B.6.c at least once every five years. Document all investigations and actions taken on the Department's Illicit Connection Inspection Report Form. Keep records required by Part IV.B.6.c in the SPPP.	EDPA	Modified
Adopt and enforce an ordinance that prohibits illicit connections to the MS4 operated by the Tier A Municipality.	IV.B.6.d	Certify in each annual report that the ordinance is being maintained and the date it was adopted. A log of enforcement actions shall be kept in the SPPP.	EDPA	No
Stormwater Facilities Maintenance				
Develop, update and implement a program to ensure adequate long-term cleaning, operation and maintenance of all stormwater facilities owned or operated by the Tier A Municipality.	IV.C.1.a	Certify in each annual report that the municipality has developed, updated and implemented a program to ensure adequate long-term cleaning, operation and maintenance of all municipally owned stormwater facilities. Records required by Part IV.C.1.a, a.i, a.ii, a.iii and a.iv shall be kept, or their location shall be referenced, in the SPPP.	EDPA	Modified
Inspect and maintain stormwater facilities pursuant to any maintenance plans, or more frequently as needed, to ensure proper function and operation of each stormwater facility.	IV.C.1.a.i	Certify in each annual report that inspections and maintenance was performed pursuant to any maintenance plans, or more frequently as needed, to ensure proper function and operation of stormwater facilities.	EDPA	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
Maintain a log sufficient to demonstrate compliance with this section; including but not limited a list of inspections and preventative and corrective maintenance performed, and a schedule for repairs to be made.	IV.C.1.a.ii	Certify in each annual report that a maintenance log is kept that, at a minimum, records the stormwater facility inspected, location information of the facility inspected (location information must be specific enough to locate and identify the stormwater facility in the field; e.g. geographic coordinates), name of inspector, date of inspection, findings, and any preventative and corrective maintenance performed.	EDPA	Modified
Certify annually that municipally owned or operated stormwater facilities are properly functioning.	IV.C.1.a.iii	Certify in each annual report that all municipally owned or operated stormwater facilities are properly functioning.	EDPA	No
If stormwater facilities were found not to be functioning properly and repairs not made, then necessary preventative and corrective maintenance shall be documented and prioritized and a schedule for maintenance shall be maintained.	IV.C.1.a.iv	Certify in each annual report that a prioritized schedule of necessary preventive and corrective maintenance exists for stormwater facilities inspected and found not to be functioning properly. The municipality shall prioritize this schedule as specified in Part IV.C.1.iv.	EDPA	Modified
Develop, update, implement and enforce a program to ensure adequate long-term cleaning, operation and maintenance of stormwater facilities not owned or operated by the Tier A Municipality, not subject to the conditions of another NIPDES stormwater permit and constructed after February 7, 1984.	IV.C.1.b	Certify in each annual report that the municipality has developed, updated, implemented and enforced a program to ensure adequate long-term cleaning, operation and maintenance of stormwater facilities not owned and operated by the municipality, not subject to the conditions of another NIPDES stormwater permit and constructed after February 7, 1984. Records required by Part IV.C.1.b, b.i and b.ii shall be kept, or their location shall be referenced, in the SPPP.	EDPA + 12 months	Modified

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
Ensure that stormwater facility inspection and maintenance is performed pursuant to any maintenance plans, or more frequently as needed to ensure proper function and operation of each stormwater facility.	IV.C.1.b.i	Certify in each annual report that maintenance was performed pursuant to any maintenance plans, or more frequently, to ensure proper function and operation of stormwater facilities not owned and operated by the municipality.	EDPA + 12 months	Modified
Maintain a log sufficient to demonstrate compliance with this section; including but not limited actions taken by the municipality to enforce compliance with the long-term cleaning, operation and maintenance program.	IV.C.1.b.ii	Certify in each annual report that a log is being kept that, at a minimum, records the actions taken by the municipality to enforce compliance with the long-term cleaning, operation and maintenance program; the stormwater facility that was the subject of the action; location information of the facility that was the subject of the action (location information must be specific enough to locate and identify the stormwater facility in the field; e.g. geographic coordinates); the name of person taking the action; the date of the action; and the findings.	EDPA + 12 months	Modified
Maintain copies of all maintenance plans for stormwater facilities approved by the municipality, and make them available to the Department upon request.	IV.C.1.c	Certify in each annual report that copies of all maintenance plans are kept on file. Records required by Part IV.C.1.c shall be kept, or their location shall be referenced, in the SPPP.	EDPA + 12 months	Yes
Total Maximum Daily Load (TMDD) Info.				
Annually review approved or adopted TMDD reports to identify stormwater related pollutants listed therein and associated with any segment of surface water wholly or partially within or bordering the Tier A Municipality.	IV.C.2.a.i	Certify in each annual report that approved or adopted TMDDs have been identified and reviewed and stormwater related pollutants identified. Records required by Part IV.C.2.a.i, a.ii and a.iii shall be kept in the SPPP.	EDPA + 12 months	Yes

Summary of Minimum Standard (See Part IV for specific permit requirements)	Permit Cite	Measurable Goal (See Part IV for specific permit requirements)	Implementation Schedule	New Requirement?
Use TMIDL information identified in compliance with Part IV.C.2.a.i to: (1) assist in the prioritization of stormwater facility maintenance including schedules for repairs related to Stream Scouring and Stormwater Facilities Maintenance; and (2) identify and develop strategies to address specific sources of stormwater related pollutants contributing to discharges authorized under this Tier A MS4 NJPDES permit.	IV.C.2.a.ii	Certify in each annual report that the municipality has used information identified in compliance with Part VI.C.2.a.i to (1) assist in the prioritization of repairs as required at Part IV.B.6.b.iv (Stream Scouring) and IV.C.31.a.iv (Stormwater Facilities Maintenance); and (2) identify and develop strategies to address specific sources of stormwater related pollutants contributing to discharges authorized under this Tier A MS4 NJPDES permit.	EDPA + 12 months	Yes
Update SPPP to list information identified in Part VI.C.2.a.i and ii.	IV.C.2.a.ii	Certify in each annual report that the municipality has updated its SPPP to list information identified in Part VI.C.2.a.i and ii.	EDPA + 12 months	Yes
Incorporate any strategies identified in Part VI.C.2.a.ii(2) as an Optional Measure	IV.C.2.a.iv	Certify in each annual report that the municipality has incorporated any strategies identified in Part VI.C.2.a.ii(2) as an Optional Measure.	EDPA + 12 months	Yes

Environmental Alert



NJDEP ISSUES REVISED TIER A AND TIER B STORMWATER PERMITS

The New Jersey Environmental Risk Management Fund (EJIF) is dedicated to providing our members with continued regulatory updates to assist understanding the various environmental regulations that apply to your operations. Since 2004, the EJIF has been providing our member's with information relative to the NJDEP's Municipal Stormwater Regulation Program from its initial introduction, the performance of continuing education seminars to assist in completing Stormwater Pollution Prevention Plans and Stormwater Management Plans, and the development of a Stormwater Training Video adopted by NJDEP to satisfy the employee education component of the permit. In 2017, the EJIF continued providing assistance to these rules through the seminar, "Keeping Up With Changing Regulations," which focused on the proposed Tier A and B permit changes, along with some other topics. To continue along this tract, the following information provides a summary of those now adopted changes to the Tier A and Tier B stormwater general permits.

The NJDEP has issued the final municipal stormwater permit renewals for Tier A and B municipalities, which became effective **January 1, 2018**. New permit conditions have been included in the revised permits, which will need to be implemented to keep your municipality in compliance. There are a number of changes within the revised permits. Some are significant and others are subtle. We have done our best to summarize the most significant changes below, however, we urge all EJIF members to review the full permit by visiting http://www.nj.gov/dep/dwq/msrp_home.htm.

What do I need to do first?

Attachment A of the revised permits includes an implementation schedule for new permit conditions. Municipalities are required to revise their Stormwater Pollution Prevention Plans (SPPPs) in accordance with the new permit requirements and to ensure compliance with existing Municipal Stormwater Management Plans (MSWMP). Stormwater Pollution Prevention Plans, Municipal Stormwater Management Plans, and associated ordinances are required to be posted to the municipality's website by **March 31, 2019**.

What else is new for Tier A Municipalities?

Employee Training and Local Public Education

- Stormwater Management Design Review Training – for design engineers, municipal engineers & other individuals.
- Municipal Board and Governing Body Member Training - for members of municipal boards and applicable councils.
- Additional Public Education and Outreach Programs – advertise programs on website or in print.

Outfall Mapping and Illicit Connection Inspections

- Inspect outfalls once every 5 years for dry weather flows and evidence of illicit discharge.
- Provide outfall map to NJDEP by January 1, 2019 (Electronic submission required by December 21, 2020).

Review Total Maximum Daily Loads (TMDLs) for Surface Water Within or Bordering Your Municipality

- What is a TMDL? A TMDL is the calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet, and continue to meet, water quality standards for that particular pollutant. Annual review of Total Maximum Daily Load (TMDL) reports using the TMDL Look-Up Tool to prioritize areas with known water quality problems is required.
- Include TMDL information in SPPP.
- Identify and incorporate Optional Measures to address TMDL pollutants.

Stormwater Facility Maintenance and Pollution Prevention Measures

- Ensure proper maintenance of stormwater facilities owned by the municipality and adopt a program to enforce the proper maintenance of privately owned stormwater facilities.
- Maintain maintenance plans and inspection logs for stormwater facilities.
- Completion of the Major Development Stormwater Form.
- Implement best management practices for vehicle washing, yard trimmings, and wood waste management.

What is new for Tier B Municipalities?

Stormwater Facility Maintenance and Pollution Prevention Measures

- Ensure proper maintenance of stormwater facilities owned by the municipality and adopt a program to enforce the proper maintenance of privately owned stormwater facilities.
- Completion of the Major Development Stormwater form.

Employee Training and Local Public Education

- Stormwater Management Design Review Training – for design engineers, municipal engineers & other individuals.
- Municipal Board and Governing Body Member Training - for members of municipal boards and applicable councils.
- Additional Public Education and Outreach Programs – advertise programs on website or in print.

Some Subtle Changes

In addition to the above, there are a number of changes to the permits that appear to be minor, but can have a significant impact on your municipality's compliance. Some of these include, but are not limited to the following:

- Allowable non-stormwater discharges from **dechlorinated residential** swimming pools. The terms “residential” and “dechlorinated” have been added.
- Non-compliance with any permit conditions must now be reported to the NJDEP Spill Hotline. Previously only reported on the Annual Certification Report.
- Aggregate material and construction debris must now be managed properly at the Public Works facilities. Cold patch, clean fill, etc. requires incorporation into the SPPP and requires best management practices (BMPs).
- Changes to ordinances include removal of the refuse container/dumpster ordinance to an optional measure and removal of the fertilizer ordinance as a result of the State's adoption. These previously required ordinances can now be eliminated.

When will I receive my new permit?

Your municipality should have already received a renewal Notice of Authorization (NOA) or a renewal application from the NJDEP. There is no renewal fee; however the annual fee for the permit remains in effect. Copies of the revised permits are posted to the NJDEP's website: http://www.nj.gov/dep/dwg/msrp_home.htm.

Additional information can be found at:

Tier A Permit Requirements: www.nj.gov/dep/dwg/tier_a.htm

Tier B Permit Requirements: www.nj.gov/dep/dwg/tier_b.htm

Stormwater Training Materials: www.njstormwater.org/training.htm

Stormwater Facility Maintenance Guidance: www.nj.gov/dep/stormwater/maintenance_guidance.htm

In summary, these recent changes are the most significant since the inception of the Tier A and Tier B permits and will require municipalities to allocate time and money to ensure compliance. As stated previously, we urge our EJIF Members to make time to go through the permit in detail.

This newsletter is for information purposes only and does not represent legal or technical advice. If you need a more detailed explanation of this topic or need assistance in interpreting how it may impact your site, the EJIF suggests that you contact the EJIF environmental consultants for further information.

Members of the Bergen, Morris, South Bergen, Suburban Essex, and NJUA JIFs please contact Richard Erickson of First Environment, Inc. at rerickson@firstenvironment.com or 973.334.0003.

Members of the Camden, Monmouth, Ocean, PMM, Suburban, Central, TRICO and BURCLO JIFs, please contact Chris Gulics of PS&S at cgulics@psands.com or 732.430.7012.

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