



# MAYOR AND COUNCIL MEETING

## SEPTEMBER 26, 2007

A Regular Meeting of the Mayor and Council of the Borough of Atlantic Highlands will be held September 26, 2007 at 7:30 PM in the Borough Hall, 100 First Avenue Atlantic Highlands NJ. This meeting is in compliance with the Open Public Meetings Act. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Courier, by posting it in the Borough Hall on a bulletin board reserved for such announcements and by filing it with the Municipal Clerk of Atlantic Highlands, on 1/02/2007. This agenda is complete to the extent known and formal action will be taken.

1. Silent prayer
2. Pledge of allegiance
3. Roll call
4. Approval of previous meeting minutes - September 12, 2007
5. Reports - Council, Administrator, Professional, Other
6. Comments from the Public
7. Unfinished Business:
  - a. Ordinance 20-2007, \$1,100,000 Bond Ordinance -2007 Road Projects  
Public Hearing/ Possible Adoption
  - b. Ordinance 21-2007, Appropriating \$100,000.00 Skate Park Construction  
Public Hearing/ Possible Adoption
  - c. Ordinance 22-2007, Appropriating \$98,000.00 General Capital Improvements  
Public Hearing/ Possible Adoption
8. New Business:
  - a. Resolution 163-2007, Payment of Bills
  - b. Ordinance 23-2007, Storm Water Management  
Introduction
  - c. Ordinance 24-2007, Authorizing Acquisition of Property for COAH Compliance  
Introduction
  - d. Motion to Approve Raffle License's]:  
Raffle License -RL 4002- Rainbow Foundation. - Casino Night- October 20, 2007  
Raffle License -RL 2021 - Rainbow Foundation. - Off Premise 50/50- October 20, 2007  
Raffle License -RL 2022 -Mother Theresa PTA - OffPremise 50/50- November 01, 2007
9. Comments from the Public
10. Executive Session
11. Adjourn



## **MINUTES OF THE MAYOR & COUNCIL REGULAR MEETING OF SEPTEMBER 26, 2007**

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on September 26, 2007 in the public meeting room of Borough Hall, 100 First Avenue Atlantic Highlands NJ.

Mayor Donoghue called the meeting to order at 7:30 PM. After a silent prayer and the Pledge of Allegiance, the following roll call was taken: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton. Administrator Hubeny, Richard Leahy filled in for Bernard Reilly, Borough Engineer Dave Marks, and Municipal Deputy Clerk Merkel were also present.

Mrs. Merkel stated that notice of this meeting has been transmitted to the Asbury Park Press and the Courier, continuously posted in the Borough Hall on a bulletin board reserved for such announcements, and filed with the Municipal Clerk of Atlantic Highlands, on 1/04/2006. She read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

### **APPROVAL OF MINUTES**

Regular Meeting –September 12, 2007

This motion was offered and moved for passage by Council member Archibald and seconded by Council member Spatola.

This motion passed by the following vote.

AYES: Council members: Archibald, Dellosso, Doyle, Fligor, and Spatola

NAYS:

ABSTAIN: Council Member Sutton

### **REPORTS - COUNCIL MEMBER, COMMITTEE, PROFESSIONAL**

Council Member Dellosso thanked the Mayor for the Ethics Training seminar. He also noted that there were some conversations with the library board and they will be meeting next week, although he will be unable to attend. He had nothing else to report on at this time.

Council member Sutton reported that there was a leak on 2<sup>nd</sup> Ave. and the contractors have repaired the problem. He also reported that a contract was awarded to Allstate Power Vac for the Sewer rehabilitation project. There are 30 more days before they will be in town. There is no completion date known as of yet. The area involved will be E. Garfield Ave. between Grand and First, Wesley Ave. between East Ave. and Navesink, Seventh Ave between Asbury and Rte. 36, Ave. A between Center Ave and Part of South Ave. He had nothing else to report.

Council member Fligor spoke of the Police Department OT. He indicated that it has gone down except for 2004/05 because of a medical situation of an officer. He has a document he will copy to all members so they can see the numbers. He reported that Leonard Avenue with the Land Use restoration people have asked NJNG to finish off the property behind the Leonard Ave. property with plantings. He also reported that the houses that were moved are ready and they just need C/O.

Council member Doyle had nothing to report.

Mayor Donoghue commented on a flyer that was at his house, in regards to the fish in the Harbor and new regulations about not cleaning fish in the parking lot and uses only the designated stations.

Council member Spatola had nothing to report

Council member Archibald asked the Mayor if the fish flyer had any mention to violators. Mr. Hubeny indicated that it was currently being handed out to boat launchers. He also reported that

recreation's Halloween parade is in the works. There was a meeting between recreation and the Environmental commission in regards to the soccer field. The question came up for the field with or without lights. Discussion is on going. He reported that the clean up at Lenape Woods went well and he wanted to thank former Councilwoman Ladiana for all her work. Mr. Fligor also thanked the First Aid for being present.

Administrator Hubeny noted that a letter went to Green Acres for an additional Five hundred thousand for planning incentive. He also indicated that a letter went to the elementary school students updating the property and gas station property. Mr. Dougherty who is the Water/Sewer Superintendent has received some calls from residents wanting to know if the drinking water is contaminated. Mr. Dougherty and Mr. Rooney will be drafting another letter to send home with each student. He also indicated that the drinking water is not affected.

Mr. Hubeny also reported that we received a dividend from our MELJIF for good safety training and injuries have been minimal.

Reporting on the skateboard park there is a proposed award. The next meeting it will go before the Harbor Commission. Discussion is on going for a location, possibly the East or West of the tennis courts.

Letters went out to all Bayside Drive residents; bids were opened on September 26, 2007. Both bids were rejected, and the county is re-bidding the project. The water dept and the police are keeping their eye on the area.

Residents from Sears Landing have been invited to attend the October 10, 2007 meeting. Mr. Bucco will discuss some alternatives at that time.

Borough Engineer had nothing to report.

Borough Attorney Mr. Reilly was not present but Mr. Leahy had nothing at this time.

Mayor Donoghue wanted to thank all who attended the Ethics Training that was held on September 20, 2007.

#### **PUBLIC COMMENT SESSION**

Jake Hoffinan-Navesink Ave-Today in the harbor, there were 4-8 pound blue fish that drove bunkers up on the launching ramp. It was some sight to see if you were able to get down there.

#### **UNFINISHED BUSINESS**

##### **ORDINANCE 20-2007 \$1,100,000 BOND ORDINANCE-2007 ROAD PROJECTS**

This Ordinance was already introduced and read by title.

A Motion to open the Public Hearing was moved by Council member Sutton seconded by Council member Archibald and was unanimously approved.

#### **PUBLIC HEARING**

No member of the public came forward.

A Motion to close the Public Hearing was moved by Council member Sutton, seconded by Council member Archibald and was unanimously approved.

A motion to Adopt this Ordinance was made by Council member Archibald seconded by Council member Sutton and was approved by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton

NAYES:

##### **ORDINANCE 21-2007, APPROPRIATING \$100,000.00 SKATE PARK CONSTRUCTION**

This Ordinance was already introduced and read by title.

A motion to open the Public Hearing was moved by Council member Fligor, and seconded by Council member Doyle and was unanimously approved.

#### **PUBLIC HEARING**

No member of the public came forward.

A Motion to close the Public Hearing was made by Council member Fligor, and seconded by Council member Spatola and was unanimously approved.

A motion to Adopt this Ordinance was made by Council member Fligor, and seconded by Council member Doyle and was approved by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton

NAYS:

**ORDINANCE 22-2007, APPROPRIATING \$98,000.00 GENERAL CAPITAL IMPROVEMENTS**

This Ordinance was already introduced and read by title.

A motion to open the Public Hearing was moved by Council member Spatola, seconded by Council member Dellosso and was unanimously approved.

**PUBLIC HEARING**

No member of the public came forward.

A motion to close the Public Hearing was made by Council member Spatola, seconded by Council member Dellosso.

A motion to adopt this Ordinance was made by Council member Spatola, and seconded by Council member Rigor, and was approved by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton

NAYS:

**RESOLUTION 163-2007, PAYMENT OF BILLS TOTALING \$555,948.44**

This resolution was offered and moved for adoption by Council member Spatola, and seconded by Council member Fligor.

This resolution was adopted by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton

NAYS:

**ORDINANCE 23-2007, STORM WATER MANAGEMENT,**

A motion to introduce this Ordinance was made by Council member Dellosso, seconded by Council member Archibald.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton

NAYS:

Ordinance 23-2007 has been properly introduced, public hearing and possible adoption will be October 24<sup>th</sup>, 2007

**ORDINANCE 24-2007 AUTHORIZING ACQUISITION OF PROPERTY FOR COAH COMPLIANCE,**

A motion to introduce Ordinance 24-2007 was made by Council member Dellosso seconded by Council member Archibald.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton.

NAYES:

Ordinance 24 has been properly introduced, public hearing and possible adoption will be October 10, 2007.

A motion was made by Council member Sutton seconded by Council member Archibald to approve the following raffle licenses:

RL 4002-Rainbow Foundation-Casino Night-October 20, 2007

RL 2021-Rainbow Foundation-Off Premise 50/50-October 20, 2007

RL 2022-Mother Teresa PTA-Off Premise 50/50-November 1, 2007

AYES: Council member Archibald, Dellosso, Doyle, Fligor, Spatola, Sutton  
NAYES:

**PUBLIC COMMENT SESSION**

Bill Philips-Is Ordinance 23 the Storm Water Management is it related to a report that Mr. Dellosso had given about not washing cars. Mayor Donoghue indicated that the Storm Water Management covers a lot of stuff. This particular Ordinance consists of new construction and the way the land sits. Car washing is not a part of Ordinance 23.

Jake Hoffman-Navesink Ave-Asked if there would be an opportunity to comment on the washing cars in the driveway when it comes around. Mr. Fligor responded that in 2009 this will go into effect, as per legislation.

**RESOLUTION TO ENTER EXECUTIVE SESSION**

WHEREAS, the Open Public Meetings Act P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist; and,

WHEREAS, the Governing Body wishes to discuss:

1. Item-Potential Litigation-PERC
2. Item- Property Acquisition(s)-Leonard Ave/NJNG
3. Item-Personnel, Police
4. Item-

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes will be made public.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council to go into Executive Session to discuss the above items and the public are excluded form this meeting.

Mayor Donoghue read this resolution in full. It was offered and moved for adoption by Council member Spatola at 8:30 PM, seconded by Council member Fligor and adopted by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola, Sutton  
NAYS:

RECONVENE - At 9:00 PM the meeting was resumed.

ADJOURN - There being no further business before the Mayor & Council, Council member Dellosso moved to adjourn the meeting at 9:03pm PM, the motion was seconded by Council member Fligor and unanimously approved.

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The Governing Body approved these Minutes on October 10, 2007.



Dwayne M. Harris, RMC, CMR  
Municipal Clerk



# ORDINANCE 20-2007

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,100,000 FOR VARIOUS ROAD IMPROVEMENTS FOR AND BY THE BOROUGH OF ATLANTIC HIGHLANDS IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$1,045,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ATLANTIC HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

## SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Atlantic Highlands, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$1,100,000, such sum includes the sum of \$55,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

## SECTION 2:

In order to finance the cost of the Improvements, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,045,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$1,045,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

## SECTION 3:

(a) The Improvements authorized and the purpose for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
Improvements to various roadways in the Borough, including but not limited to East Highland Avenue, East Avenue, Wesley Avenue, Simpson Avenue, Hillside Road, Bonnie Brae Path, Cameron Circle, Lawrie Road, Avenue C, South Avenue, First Avenue and Sears Landing Road; including, as required, roadway excavation, concrete curbing, milling and drainage structures, and including all work or materials necessary therefor or incidental thereto, and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.	\$1,110,000	\$1,045,000	20
<b>TOTAL</b>	<b>\$1,100,000</b>	<b>\$1,045,000</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$1,045,000.

(c) The estimated cost of the Improvements is \$1,100,000 which amount represents the initial appropriation made by the Borough.

## SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt

of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,045,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,045,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council member Doyle introduced this Ordinance and, after First Reading, moved for its approval. It was seconded by Council member Dellosso and approved by the following vote.

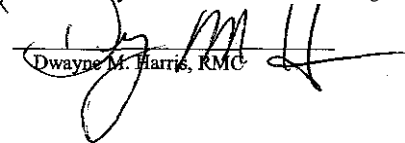
AYES: Council members Archibald, Dellosso, Doyle, Fligor and Spatola

NAYS:

The Second Reading, Public Hearing and possible adoption is scheduled for September 26, 2007.

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey hereby certify this to be a true copy of the action of the Governing Body at its meeting held September 12, 2007.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 13th day of September 2007.

  
Dwayne M. Harris, RMC

After a Public Hearing and Second Reading, Council member Archibald moved for Final Adoption of this Ordinance. It was seconded by Council member Sutton and adopted by the following vote:

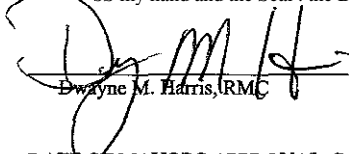
AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton

NAYS:

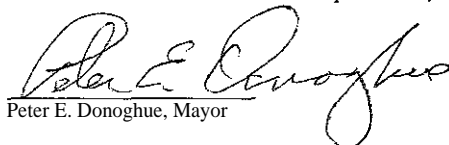
ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held September 26, 2007.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 27th day of September 2007.

  
Dwayne M. Harris, RMC

DATE OF MAYORS APPROVAL: September 27, 2007

  
Peter E. Donoghue, Mayor





## ORDINANCE 21-2007

**AN ORDINANCE APPROPRIATING THE SUM OF \$100,000.00 FROM FUND BALANCE IN THE HARBOR CAPITAL IMPROVEMENT FUND ACCOUNT FOR THE CONSTRUCTION OF A SKATE BOARD PARK IN THE ATLANTIC HIGHLANDS MUNICIPAL MARINA**

BE IT ORDAINED AND ENACTED by the Council of the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey, as follows:

SECTION 1. The sum of one hundred thousand (\$100,000.00) presently located in the Harbor Capital Improvement Fund Balance is hereby appropriated for the following capital improvements:

Harbor Park Skate Facility	\$100,000.00
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SECTION 2. All Ordinances or parts of Ordinances, which are inconsistent with the terms of this Ordinance, be and the same are hereby repealed to the extent of their inconsistency.

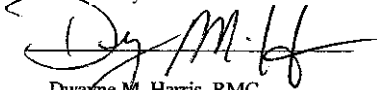
SECTION 3. This Ordinance shall take effect immediately upon proper passage and publication in accordance with law.

Council member Fligor introduced this Ordinance and, after First Reading, moved for its approval. It was seconded by Council member Spatola and approved by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor and Spatola  
NAYS:

The Second Reading, Public Hearing and possible adoption is scheduled for September 26, 2007.

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held September 12, 2007.  
WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 13th day of September 2007.

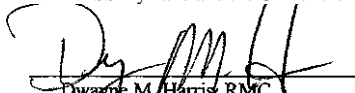
  
Dwayne M. Harris, RMC

After a Public Hearing and Second Reading, Council member Fligor moved for Final Adoption of this Ordinance. It was seconded by Council member Doyle and adopted by the following vote:


AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton  
NAYS:  
ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held September 26, 2007.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 27th day of September 2007.

  
Dwayne M. Harris, RMC

DATUM OF APPROVAL: September 27, 2007

  
Peter E. Donoghue, Mayor



## ORDINANCE 22-2007

### AN ORDINANCE APPROPRIATING THE SUM OF \$98,000.00 FROM FUND BALANCE IN THE ATLANTIC HIGHLANDS CAPITAL SURPLUS FUND ACCOUNT FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS

BE IT ORDAINED AND ENACTED by the Council of the Borough of Atlantic Highlands, County of Monmouth, and State of New Jersey, as follows:

SECTION 1. The sum of ninety eight thousand dollars (\$98,000) presently located in the Atlantic Highlands Capital Surplus Fund Balance is hereby appropriated for various capital improvements as follows:

Computer Hardware/Software	\$33,000.00
Police Computer Software	\$30,000.00
Improvements to Borough Hall	\$10,000.00
Park Renovations	\$25,000.00

SECTION 2. All Ordinances or parts of Ordinances, which are inconsistent with the terms of this Ordinance, be and the same are hereby repealed to the extent of their inconsistency.

SECTION 3. This Ordinance shall take effect immediately upon proper passage and publication in accordance with law.

Council member Doyle introduced this Ordinance and, after First Reading, moved for its approval. It was seconded by Council member Dellosso and approved by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor and Spatola  
NAYS:

The Second Reading, Public Hearing and possible adoption is scheduled for September 26, 2007.

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held September 12, 2007.  
WITNESS my hand and the Seal of a Borough of Atlantic Highlands this 13th day of September 2007.

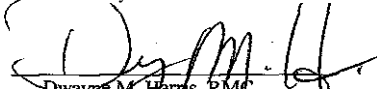
  
Dwayne M. Harris, RMC

After a Public Hearing and Second Reading, Council member Spatola moved for Final Adoption of this Ordinance. It was seconded by Council member Fligor and adopted by the following vote:

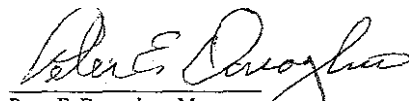
AYES: Council members Archibald, Dellosso, Doyle, Fligor, Spatola and Sutton  
NAYS:  
ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify *this* to be a true copy of the action of the Governing Body at its meeting held September 26, 2007.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 27th day of September 2007.

  
Dwayne M. Harris, RMC

DATE OF MAYORS APPROVAL: September 27, 2007

  
Peter E. Donoghue, Mayor



## RESOLUTION 163-2007 PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Atlantic Highlands for payment from a list prepared and dated September 20, 2007 which totals as follows:

Current Fund	\$202,434.27
Capital Fund	\$4,900.00
Trust-Other	\$13,212.00
Water/Sewer Operating Fund	\$93,947.21
Water /Sewer Utility Capital	\$0
Harbor Operating Fund	<b>\$228,438.96</b>
Harbor Utility Capital Fund	\$0
Federal/State Grants	\$13,016.00
NJ Unemployment Trust Fund	\$
Animal	\$0
Salary	\$0
<b>TOTAL</b>	<b>\$555,948.44</b>

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that these vouchers, totaling \$555,948.44 be paid to the persons named, for the amounts set opposite their respective names, and endorsed and approved on said vouchers. An individual listing of all bills submitted has been posted on the bulletin board and is also on file in the Municipal Clerk's office for reference.

This Resolution was offered and moved by Council member Spatola, seconded by Council member Doyle and adopted on September 26, 2007 as follows:

AYES: Council members Archibald, Delloso, Doyle, Fligor, Spatola and Sutton

NAYS:

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing *Body* at its meeting held September 26, 2007. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 27th day of September 2007.

  
Dwayne M. Harris, BMC  
Municipal Clerk

### List of Bills - CLAIMS

Vendor	Description	Payment	Check Total
163 - HUTCHINS, FARRELL, MEYER	PO 94491 FINANCIAL SERVICES	4,250.00	
	PO 94491 FINANCIAL SERVICES	4,250.00	8,500.00
TOTAL			8,500.00
Total to be paid from Fund 28 WATER/SEWER OPERATING FUND		4,250.00	
Total to be paid from Fund 30 HARBOR OPERATING FUND		4,250.00	
		8,500.00	

**List of Bills (Department/Account Detail) - CLAIMS**

Account	PO #	Vendor	Description	Payment	Account Total
<b>WATER/SEWER OPERATING FUND</b>					
<b>10510100</b>					
<i>ANNUAL AUDIT</i>			TOTAL FOR 28-201-20-101-225		4,250.00
	94491 HUTCHINS, FARRELL, MEYER		FINANCIAL STATEMENT & DEBT STATEMENT	4,250.00	
	TOTAL for 10510100				4,250.00

**List of Bills (Department/Account Detail) - CLAIMS**

Account	PO #	Vendor	Description	Payment	Account Total
<b>HARBOR OPERATING FUND</b>					
<b>10510100</b>					
ANNUAL AUDIT			TOTAL FOR 30-201-20-101-225		4,250.00
	94491	HUTCHINS, FARRELL, MEYER	PREP 2006 UNAUDITED ANNUAL	4,250.00	
		TOTAL for 10510100			4,250.00

## List of Bills - CLAIMS

**Meeting Date: 09/26/2007** For bills from 09/13/2007 to 09/20/2007

Vendor	Description	Payment	Check Total
	PO 94178 POLICE TRAFFIC	135.25	249.25
291 - LOCASCIO, PETER A.	PO 94488 HARBOR - LEGAL	1,237.50	1,237.50
100260 - MARIE CHECE	PO 94180 RECREATION SUPPLIES	131.23	131.23
2829 - MARPAL COMPANY	PO 94480 DUMP FEES	767.76	767.76
11 - MGL PRINTING SOLUTIONS	PO 94239 MUNICIPAL CLERK - OFFICE SUPPLIES	211.00	211.00
22 - MIDDLETOWN FIRE S SAFETY, INC.	PO 94337 FIRE DEPT	1,525.00	
	PO 94336 FIRE DEPARTMENT	1,995.00	3,520.00
10 - MIDDLETOWN SEWERAGE AUTHORITY	PO 94400 W/S FEES	1,680.00	1,680.00
123 - MONMOUTH COUNTY TREASURER	PO 94399 RECLAMATION CENTER	11,866.75	11,866.75
3175 - MUNICIPAL SOFTWARE	PO 94301 COMPUTER SOFTWARE	163.59	
	PO 94301 COMPUTER SOFTWARE	163.59	
	PO 94301 COMPUTER SOFTWARE	163.59	490.77
18 - NAYLORS INC.	PO 94374 FIRE DEPT	167.10	
	PO 94333 FIRE DEPT	432.47	<b>599.57</b>
1397 - NEOPOST, INC.	PO 94198 HARBOR - POSTAGE	551.80	
	PO 94242 POSTAGE	370.80	922.60
99 - NEW JERSEY STATE LEAGUE	PO 94463 TRAINING	90.00	9D.00
248 - OFFICE BUSINESS SYSTEMS, INC.	PO 94175 POLICE - OFFICE SUPPLIES	713.33	713.33
1880 - ON-SITE TIRE SERVICE, INC.	PO 94339 FIRE DEPARTMENT	68.50	68.50
100172 - PETRUZZELLI BROS EX	PO 94001 STREET SCAPE II	4,900.00	4,900.00
141 - PETTY CASH	PO 94483 REPLENISH PETTY CASH	85.43	85.43
100325 - PROGRESSIVE BUSINESS C LIANCE	PO 94236 PUBLISHING	43.10	43.10
175 - R. HELFRICH & SON CORP., INC.	PO 94379 RECREATION - SENIOR TRIP	600.00	600.00
1326 - SANDY HOOK PROPELLER	PO 94269 B&G	50.00	50.00
481 - SELECTIVE INSURANCE COMPANY	PO 94326 HARBOR INSURANCE	3,459.00	3,459.00
2509 - STEPHEN DOHERTY	PO 94324 POLICE - FIREARMS	965.68	965.68
103 - T AND M ASSOCIATES	PO 94421 STEEP SLOPE ESCROW	393.50	
	PO 94420 STEEP SLOPE ESCROW	366.75	
	PO 94419 STEEP SLOPE ESCROW	179.25	
	PO 94418 STEEP SLOPE ESCROW	214.50	1,154.00
2861 - TERRI L. TURNER	PO 94417 MUNICIPAL COURT	137.50	137.50
61 - THE LEE SUPPLY COMPANY	PO 94268 W/S - PARTS & SUPPLIES	1,016.50	1,018.50
2747 - THE RACQUET SHOP	PO 93102 HARBOR CAPITAL OUTLAY	11,600.00	11,600.00
2976 - THEATER DIRECT INTERNATIONAL	PO 94380 RECREATION - TRIPS	2,458.00	2,458.00
214 - TREASURER, STATE OF NEW JERSEY	PO 94398 ANNUAL INSPECTION	130.00	130.00
2309 - U.S. POSTAL SERVICE	PO 94302 POSTAGE	1,200.00	
	PO 94182 POLICE - POSTAGE	300.00	1,500.00
165 - U.S. POSTAL SERVICE	PO 94427 W/S DEPARTMENT - POSTAGE	1,203.00	1,203.00
2847 - WESTON SOLUTIONS, INC.	PO 93404 ENVIRONMENTAL COMMISSION/MANY MIND	13,016.00	13,016.00
<b>TOTAL</b>			<b>547,020.32</b>
Total to be paid from Fund 01 CURRENT FUND		202,197.29	
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS		13,016.00	
Total to be paid from Fund 04 CAPITAL FUND		4,900.00	
Total to be paid from Fund 12 TRUST - OTHER		13,212.00	
Total to be paid from Fund 28 WATER/SEWER OPERATING FUND		<b>89,647.15</b>	
Total to be paid from Fund 30 HARBOR OPERATING FUND		<b>224,047.88</b>	
		<b>547,020.32</b>	

### Checks Previously Disbursed

981707	ATLANTIC HIGHLANDS SALARY	ADP CURRENT CHARGES FOR P/E 8/11/0	236.98	8/17/2007
981707	ATLANTIC HIGHLANDS SALARY	ADP W/S CHARGES FOR P/E 8/11/07	50.06	8/17/2007
981701	ATLANTIC HIGHLANDS SALARY	ADP HARBOR CHARGES FOR P/E 8/11/07	141.08	8/17/2007

### List of Bills - CLAIMS

Meeting Date: 09/26/2007 For bills from 09/13/2007 to 09/20/2007

Vendor	Description	Payment	Check Total
Total paid from Fund 01	CURRENT FUND	236.98	
Total paid from Fund 28	WATER/SEWER OPERATING FUND	50.06	
Total paid from Fund 30	HARBOR OPERATING FUND	141.08	
		428.12	

Total for this Bills List: **547,448.44**



**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 09/26/2007 For bills from 09/13/2007 to 09/20/2007

Account	PO #	Vendor	Description	Payment	Account Total
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**CURRENT FUND**

**General Administration**

OFFICE SUPPLIES			TOTAL FOR 01-201-20-100-201		168.20
94295 E.J. SCHUSTER'S			COPY PAPER 11 X17 ENT 117001	34.50	
94295 E.J. SCHUSTER'S			COPY PAPER 8 1/2 X 14 HAM162016	9.70	
94295 E.J. SCHUSTER'S			COPY PAPER 8 1/2X 11DSL18511	124.00	
POSTAGE			TOTAL FOR 01-201-20-100-202		1,070.80
94242 NEOPOST, INC.			POSTAGE METER RENTAL 3E22	247.20	
94242 NEOPOST, INC.			SCALE RENTAL 5E37	123.60	
94302 U.S. POSTAL SERVICE			REPLENISH METER - A&E	700.00	
PROFESSIONAL DUES/SEMINARS			TOTAL FOR 01-201-20-100-204		316.00
94290 BALLY'S ATLANTIC CITY			RM RESERVATION - A. HUBENY	316.00	
PUBLICATIONS			TOTAL FOR 01-201-20-100-207		43.10
94236 PROGRESSIVE BUSINESS COMPLIANCE			2007 FEDERAL 6 IN 1 POSTER	35.90	
94236 PROGRESSIVE BUSINESS COMPLIANCE			SHIPPING & HANDLING	7.20	
TOTAL for General Administration					1,598.10

**Mayor & Council**

PROFESSIONAL DUES/SEMINARS			TOTAL FOR 01-201-20-110-204		316.00
94290 BALLY'S ATLANTIC CITY			RM RESERVATION - P.DONOGHUE	158.00	
94290 BALLY'S ATLANTIC CITY			RM RESERVATION - R. DELLOSSO	158.00	
TOTAL for Mayor & Council					316.00

**Municipal Clerk**

OFFICE SUPPLIES			TOTAL FOR 01-201-20-120-201		211.00
94239 MGL PRINTING SOLUTIONS			2007 MINUTES BOOK	151.00	
94239 MGL PRINTING SOLUTIONS			MINUTES PAPER	44.00	
94239 MGL PRINTING SOLUTIONS			SHIPPING	16.00	
TOTAL for Municipal Clerk					211.00

**Finicial Administration**

OFFICE SUPPLIES			TOTAL FOR 01-201-20-130-201		9.92
94295 E.J. SCHUSTER'S			COLUMN PAD 11 X 16	6.78	
94295 E.J. SCHUSTER'S			COLUMN PAD 11 X 8.5	3.14	
PROFESSIONAL DUES/SEMINARS			TOTAL FOR 01-201-20-130-204		550.00
94489 GERARD T. GAGLIANO			REIMBURSEMENT FOR CFO CLASS	550.00	
MAINTENANCE AGREEMENTS			TOTAL FOR 01-201-20-130-206		163.59
94301 MUNICIPAL SOFTWARE			AUG SOFTWARE LEASE	163.59	
MISCELLANEOUS			TOTAL FOR 01-201-20-130-299		51.59
94430 FEDEX			BUDGET MAILINGS	51.59	
TOTAL for Finicial Administration					775.10

**Revenue Administration (Tax Collection)**

OFFICE SUPPLIES			TOTAL FOR 01-201-20-145-201		1,203.00
94427 U.S. POSTAL SERVICE			#212390 HORSES NO WIN 5E610	228.00	
94427 U.S. POSTAL SERVICE			#212490 HORSES WINDOW 3E1110	912.00	
94427 U.S. POSTAL SERVICE			SHIPPING/HANDLING 5 BOXES	63.00	
PROFESSIONAL DUES/SEMINARS			TOTAL FOR 01-201-20-145-204		79.00
94290 BALLY'S ATLANTIC CITY			RM RESERVATION - D. HOUGH	79.00	
TOTAL for Revenue Administration (Tax Collection)					1,282.00

**Planning Board**

OFFICE SUPPLIES			TOTAL FOR 01-201-21-180-201		13.80
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**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 09/26/2007 For bills from 09/13/2007 to 09/20/2007

Account	PO #	Vendor	Description	Payment	Account Total	
<b>Planning Board</b>						
	94295	E.J. SCHUSTER'S	BINDERS AVE03500		13.80	
TOTAL for Planning Board					13.80	
<b>Affordable Housing</b>						
AFFORDABLE HOUSING MISC					TOTAL FOR 01-201-21-190-299	31.50
	94416	JEFFREY R. SURENIAN AND ASSOC.	SERVICES RENDERED 7/2007	31.50	-----	
TOTAL for Affordable Housing					31.50	
<b>Other Code Enforcement</b>						
PROFESSIONAL DUES/SEMINARS					TOTAL FOR 01-201-22-195-204	79.00
	94290	BALLY'S ATLANTIC CITY	RM RESERVATION - T. RADIGAN	79.00	-----	
TOTAL for Other Code Enforcement					79.00	
<b>Group Insurance</b>						
EMPLOYEE GROUP INSURANCE					TOTAL FOR 01-201-23-220-392	49,506.84
	94458	CENTRAL JERSEY HEALTH INS.FUND	(CURRENT) COVERAGE FOR OCTOBER	40,910.02		
	94458	CENTRAL JERSEY HEALTH INS.FUND	(W/S) COVERAGE FOR OCTOBER	7,861.44		
	94487	GUARDIAN LIFE INSURANCE	9/15-10/14/07 LIFE INS - CURRENT	735.38	-----	
TOTAL for Group Insurance					49,506.84	
<b>Police Department</b>						
OFFICE SUPPLIES					TOTAL FOR 01-201-25-240-201	1,485.26
	94325	GREAT AMERICAN PRODUCTS	TEMP PARKING PERMITS-BLUE BAY	386.50		
	94175	OFFICE BUSINESS SYSTEMS, INC.	HONLD42FQ 42" TABLE	201.99		
	94175	OFFICE BUSINESS SYSTEMS, INC.	HONBLX02Q X-BASE	189.00		
	94175	OFFICE BUSINESS SYSTEMS, INC.	7410BU CHAIRS (2PK)	322.34		
	94483	PETTY CASH	MEAL ALLOWANCE	85.43		
	94182	U.S. POSTAL SERVICE	REPLENISH METER	300.00		
TRAINING/SEMINARS					TOTAL FOR 01-201-25-240-209	591.00
	94290	BALLY'S ATLANTIC CITY	RM RESERVATION - G. VASTO	316.00		
	94415	GERARD VASTO	REGISTRATION - IACP CONFERENCE	275.00		
R & M EQUIPMENT					TOTAL FOR 01-201-25-240-214	114.00
	94382	L3 COMMUNICATIONS MOBILE VISION	REPAIR RADIO IN CAR 5&6	54.50		
	94382	L3 COMMUNICATIONS MOBILE VISION	VIDEO - MOBILE VISION	59.50		
COMPUTER/RADIO SYSTEM					TOTAL FOR 01-201-25-240-215	390.00
	94027	GOLD TYPE BUSINESS MACHINES,	AVANT 1 GIG ECC REG DDR266	390.00		
TRAFFIC SAFETY					TOTAL FOR 01-201-25-240-219	135.25
	94178	L3 COMMUNICATIONS MOBILE VISION	VIDEO SYS REPAIR MV-7 #109896	135.25		
FIREARMS RELATED EQUIPMENT					TOTAL FOR 01-201-25-240-220	965.68
	94324	STEPHEN DOHERTY	TRAINING-DOHERTY/PORTER-ROOM	577.50		
	94324	STEPHEN DOHERTY	GASOLINE	110.00		
	94324	STEPHEN DOHERTY	MEALS	278.18		
OFF-SITE STORAGE					TOTAL FOR 01-201-25-240-226	735.00
	94486	ATLANTIC SELF STORAGE	STORAGE UNIT 221 - OCT 2007	245.00		
	94486	ATLANTIC SELF STORAGE	STORAGE UNIT 221 - NOV 2007	245.00		
	94486	ATLANTIC SELF STORAGE	STORAGE UNIT 221 - DEC 2007	245.00		
MISCELLANEOUS					TOTAL FOR 01-201-25-240-299	66.00
	94322	BAYSHORE FIRE & SAFETY	MEDICAL 02 7/24/07	11.00		
	94322	BAYSHORE FIRE & SAFETY	MEDICAL 02 7/30/07	44.00		
	94322	BAYSHORE FIRE & SAFETY	MEDICAL 02 8/27/07	11.00	-----	
TOTAL for Police Department					4,482.19	
<b>Aid to Volunteer Fire Companies</b>						
MAINTENANCE AGREEMENTS					TOTAL FOR 01-201-25-255-206	14.998.99

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 09/26/2007 For bills from 09/13/2007 to 09/20/2007

Account	PO #	Vendor	Description	Payment	Account Total
<b>Aid to Volunteer Fire Companies</b>					
	94264	KANSAS STATE BANK	PAYMENT FOR 85-74		14,998.99
CELLPHONES PAGERS ETC.			TOTAL FOR 01-201-25-255-213		330.00
	94338	A. R. COMMUNICATIONS	KENWOOD HEADSET FOR 85-66	330.00	
R & M EQUIPMENT			TOTAL FOR 01-201-25-255-214		50,000.00
	93140	KME FIRE APPARATUS	EMERGENCY REPAIR - SERVICE	16,750.00	
	93140	KME FIRE APPARATUS	PARTS	18,706.35	
	93140	KME FIRE APPARATUS	MISC (NOT TO EXCEED)	14,543.65	
R & M VEHICLES			TOTAL FOR 01-201-25-255-215		1,450.11
	94334	ATLANTIC MARINE SUPPLY	PARTS FOR BOAT & APPARATUS	223.76	
	94335	JAMES PHILLIPS	OIL CHANGE 8566	63.53	
	94335	JAMES PHILLIPS	FOOD FOR OAFS DRILL	37.13	
	94335	JAMES PHILLIPS	BATTERIES	11.22	
	94333	NAYLORS INC.	PARTS FOR APPARATUS	432.47	
	94372	EAST COAST EMERGENCY LIGHTING	RSR02ZCR LED	223.20	
	94372	EAST COAST EMERGENCY LIGHTING	RSA02ZCR LED	111.60	
	94372	EAST COAST EMERGENCY LIGHTING	RSB02ZCR LED	111.60	
	94374	NAYLORS INC.	LED LIGHTS FOR 85-90	55.90	
	94374	NAYLORS INC.	FUEL TREATMENT 85-66	4.59	
	94374	NAYLORS INC.	MISC SUPPLIES	106.61	
	94339	ON-SITE TIRE SERVICE, INC.	TIRE REPAIR 85-90	68.50	
EQUIPMENT PURCHASES			TOTAL FOR 01-201-25-255-219		5,160.33
	94336	MIDDLETOWN FIRE & SAFETY, INC.	PR LEATHER BOOTS	600.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	LEATHER BOOTS	200.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	MSA CYLINDER	61.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	HARNES	65.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	PANTS - A. CRAWFORD	560.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	GEAR BOGS	90.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	GLOVE HOLDER	28.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	WINDOW PUNCHES	69.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	50' RESCUE ROPE	122.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	3" HOSE	100.00	
	94336	MIDDLETOWN FIRE & SAFETY, INC.	1 3/4" HOSE	100.00	
	94337	MIDDLETOWN FIRE & SAFETY, INC.	HELMETS	620.00	
	94337	MIDDLETOWN FIRE & SAFETY, INC.	ST HELMETS	450.00	
	94337	MIDDLETOWN FIRE & SAFETY, INC.	LEATHER BOOTS	455.00	
	94371	FIRE HOOKS UNLIMITED, INC.	MISC SUPPLIES	1,640.33	
MISCELLANEOUS			TOTAL FOR 01-201-25-255-299		75.75
	94373	JAMES PHILLIPS	REIMB FOOD FOR DRILL W/HOLMDEL	75.75	
TOTAL for Aid to Volunteer Fire Companies					72,015.18

**Aid to Volunteer Ambulance Companies**

MISCELLANEOUS			TOTAL FOR 01-201-25-260-299		12,000.00
	94484	ATLANTIC HIGHLANDS FIRST AID	BOROUGH CONTRIBUTION	12,000.00	
TOTAL for Aid to Volunteer Ambulance Companies					12,000.00

**Streets & Roads Maintenance**

PROFESSIONAL DUES/SEMINARS			TOTAL FOR 01-201-26-290-204		45.00
	94463	NEW JERSEY STATE LEAGUE	LEAGUE CONFERENCE - ROGER	45.00	
TOTAL for Streets & Roads Maintenance					45.00

**Buildings & Grounds**

PARTS SUPPLIES ETC.			TOTAL FOR 01-201-26-310-201		50.00
	94269	SANDY HOOK PROPELLER	WELD 5 ALUM BANNER ARMS	50.00	
PERMITS FEES ETC.			TOTAL FOR 01-201-26-310-262		130.00
	94398	TREASURER, STATE OF NEW JERSEY	ELEVATOR INSP (EMS BLDG)	130.00	
B&G Tree Management			TOTAL FOR 01-201-26-310-273		500.00
	94297	FLYNN'S TREE SERVICE	EMERGENCY TREE REMOVAL BAYSIDE	500.00	

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 09/26/2007 For bills from 09/13/2007 to 09/20/2007

Account	PO #	Vendor	Description	Payment	Account Total
<b>Buildings &amp; Grounds</b>					
<i>Maint Firemens</i>	Field (\$8500)		TOTAL FOR 01-201-26-310-278		180.00
	94203 ADVANTAGE AIR		A/C SERVICE CALL & REPAIR	180.00	
<i>Maint. Fire &amp; First Aid</i>			TOTAL FOR 01-201-26-310-279		375.00
	94298 BELLY'S PLUMBING		REPAIR LADIES RI FLUSH VALVE	90.00	
	94143 GREY CRAFT DOOR		BROKEN KEYWAY FIRST AID BLDG	285.00	
<i>CONTRACTUAL</i>			TOTAL FOR 01-201-26-310-288		1,290.00
	94459 KELLY BUILDING MAINTENANCE		CLEANING SERVICE 9/22-10/21/07	1,290.00	
<i>MISCEL LANE005</i>			TOTAL FOR 01-201-26-310-299		750.00
	94152 JEFF'S LANDSCAPING		1ST AVENUE MAINTENANCE	750.00	
TOTAL for Buildings & Grounds					3,275.00
<b>Vehicle Maintenance</b>					
<i>Training</i>			TOTAL FOR 01-201-26-315-209		45.00
	94463 NEW JERSEY STATE LEAGUE		LEAGUE CONFERENCE - RUDY	45.00	
<i>UNIFORM EXPENSE</i>			TOTAL FOR 01-201-26-315-216		120.00
	94042 AMERICANWEAR INDUSTRIAL		AUG CLOTHING ALLOW - RUDY	55.00	
	94042 AMERICANWEAR INDUSTRIAL		AUG CLOTHING ALLOW - BILL	55.00	
	94042 AMERICANWEAR INDUSTRIAL		AUG FUEL SURCHARGE	10.00	
TOTAL for Vehicle Maintenance					165.00
<b>Recreation Services &amp; Programs</b>					
<i>SENIOR CITIZEN TRIPS</i>			TOTAL FOR 01-201-28-370-248		600.00
	94379 R. HELFRICH & SON CORP., INC.		SR TRIP 10/11/07 ELMSFORD NY	600.00	
<i>SUMNER CLINICS</i>			TOTAL FOR 01-201-28-370-252		131.23
	94180 MARIE CHECE		LACROSSE SUPPLIES	24.24	
	94180 MARIE CHECE		LACROSSE GOAL	106.99	
TOTAL for Recreation Services & Programs					731.23
<b>Utilities</b>					
<i>ELECTRICITY - J.C.P.L.</i>			TOTAL FOR 01-201-31-430-303		9,002.92
	94457 JCP&L		ELECTRIC	81.75	
	94482 JCP&L		ELECTRIC SERVICE	8,921.17	
<i>TELECOMMUNICATIONS EXPENSE</i>			TOTAL FOR 01-201-31-430-306		455.35
	94401 AVAYA, INC.		8/3/07-9/2/07	455.35	
TOTAL for Utilities					9,458.27
<b>STREET LIGHTING</b>					
<i>STREET LIGHTING EXPENSE</i>			TOTAL FOR 01-201-31-435-299		922.93
	94457 JCP&L		STREET LIGHTING	761.72	
	9 <sup>4</sup> 482 JCP&L		ELECTRIC SERVICE 8/8-9/7/07	161.21	
TOTAL for STREET LIGHTING					922.93
<b>Motor Fuel Oil</b>					
<i>GASOLINE FUEL</i>			TOTAL FOR 01-201-35-460-246		21,709.19
	94404 ATLANTIC HIGHLANDS HARBOR		BORO GAS/DIESEL	6,478.22	
	94405 ATLANTIC HIGHLANDS HARBOR		BORO GAS/DIESEL	3,967.26	
	94406 ATLANTIC HIGHLANDS HARBOR		BORO GAS/DIESEL	5,828.36	
	94407 ATLANTIC HIGHLANDS HARBOR		BORO GAS/DIESEL	5,435.35	
<i>GASOLINE - HHRSD</i>			TOTAL FOR 01-201-42-460-308		10,209.95
	94404 ATLANTIC HIGHLANDS HARBOR		HHRSD GAS	4,848.18	
	94405 ATLANTIC HIGHLANDS HARBOR		HHRSD GAS	1,987.48	
	94406 ATLANTIC HIGHLANDS HARBOR		HHRSD GAS	1,729.78	
	94407 ATLANTIC HIGHLANDS HARBOR		HHRSD GAS	1,644.51	

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 09/26/2007 For bills from 09/13/2007 to 09/20/2007

Account	PO #	Vendor	Description	Payment	Account Total
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**Motor Fuel Oil**

TOTAL for Motor Fuel Oil					31,919.14
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**Landfill Fees**

<i>LANDFILL FEES</i>			TOTAL FOR 01-201-32-465-000		12,634.51
	94399	MONMOUTH COUNTY TREASURER	USE OF REC CTR 8/16-31/2007	11,866.75	
	94480	MARPAL COMPANY	DUMP FEES 9/1-8/07	767.76	
TOTAL for Landfill Fees					----- 12,634.51

**Municipal Court**

<i>POSTAGE</i>			TOTAL FOR 01-201-43-490-202		500.00
	94302	U.S. POSTAL SERVICE	REPLENISH METER - COURT	500.00	
<i>PUBLICATIONS</i>			TOTAL FOR 01-201-43-490-207		98.00
	94047	GANN LAW BOOKS	2008 ED NJ COURT RULES	92.00	
	94047	GANN LAW BOOKS	S/H CUSTOMER #012329	6.00	
<i>COURT ASSISTANCE</i>			TOTAL FOR <b>01-201-43-490-288</b>		137.50
	94417	TERRI L. TURNER	COURT ASSISTANCE 9/10/07	137.50	
TOTAL for Municipal Court					735.50

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 09/26/2007 For bills from 09/13/2007 to 09/20/2007

Account	PO #	Vendor	Description	Payment	Account Total
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**FEDERAL AND STATE GRANTS**

**10571600**

		<i>NJDEPE MANY MIND CREEK \$87,833 wastewtr</i>	TOTAL FOR 02-213-40-716-002		13,016.00
		93404 WESTON SOLUTIONS, INC.	WATER SAMPLINE & ANALYSES	8,565.00	
		93404 WESTON SOLUTIONS, INC.	HYDROLOGICAL MODELING & RPT	4,505.00	
		93404 WESTON SOLUTIONS, INC.	LESS OVERPAYMENT INV 93703	-54.00	
		TOTAL for 10571600			13,016.00

**List of Bills (Department/Account Detail) - CLAIMS**  
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Account	PO #	Vendor	Description	Payment	Account Total
<b>CAPITAL FUND</b>					
<b>10590500</b>					
#14-05	\$415,5	1ST AVE STSCP II	TOTAL FOR 04-215-55-905-005		4,900.00
		94001 PETRUZZELLI BROS EX	120 TONS 3/4" BLEND STONE	4,900.00	
		TOTAL for 10590500			4,900.00

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Account	PO #	Vendor	Description	Payment	Account Total
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**TRUST-OTHER**

**10585100**

<i>DEVELOPERS DEPOSITS</i>		TOTAL FOR 12-271-55-851-000			1,154.00
	94418	T AND M ASSOCIATES	11 HILLSIDE - ILER	214.50	
	94419	T AND M ASSOCIATES	11 HILLSIDE RD - ILER	179.25	
	94420	T AND M ASSOCIATES	VETH 98 OCEAN BLVD B26, L17	366.75	
	94421	T AND M ASSOCIATES	NEWMAN B6,L4, 300 E. HIGHLAND	393.50	
TOTAL for 10585100					1,154.00

**10585200**

<i>SECURITY DEPOSIT(Rent Field House)</i>		TOTAL FOR 12-271-55-852-014			400.00
	94397	CHRISTINE MCCARTHY	FIELDHOUSE SEC REFUND 6/3/07	200.00	
	94394	KIMBERLY SAXE	REFUND DEPOSIT 6/16/07	200.00	
<i>RECREATION TRIPS</i>		TOTAL FOR 12-271-55-852-017			2,458.00
	94380	THEATER DIRECT INTERNATIONAL	49 TICKETS "HAIRSPRAY"	2,458.00	
<i>OPEN SPACE TRUST FUND</i>		TOTAL FOR 12-271-55-852-028			2,200.00
	94171	BIRDSALL ENGINEERING, INC.	PRELIMINARY ASSESSMENT GUILIANI	2,200.00	
<i>TAX TITLE PREMIUMS</i>		TOTAL FOR 12-271-55-852-035			7,000.00
	94396	CULMAC INVESTORS, INC.	TAX SALE CERTIFICATE #2006-03	7,000.00	
TOTAL for 10585200					12,058.00



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**WATER/SEWER OPERATING FUND**

**10510100**

<i>PARTS AND SUPPLIES</i>		TOTAL FOR 28-201-20-101-217			1,018.50
	94268	THE LEE SUPPLY COMPANY	H15000 FLARED CORPS 1"	192.00	
	94268	THE LEE SUPPLY COMPANY	H15069 SWIVEL 90 BENDS 1"	148.50	
	94268	THE LEE SUPPLY COMPANY	SMITH/BLAIR #313 SADDLES 6"X.1"	234.00	
	94268	THE LEE SUPPLY COMPANY	H15209 CURB STOPS COMP	444.00	
<i>W/S DATA PROCESS FUND ACCTG</i>		TOTAL FOR 28-201-20-101-251			163.59
	94301	MUNICIPAL SOFTWARE	AUG FUND ACCT SYS	163.59	
<i>UTILITIES</i>		TOTAL FOR 28-201-20-101-264			21,634.28
	94400	MIDDLETOWN SEWERAGE AUTHORITY	3RD QTR 2007 B5.01 L1.01-1.24	1,680.00	
	94457	JCP&L	W/S ELECTRIC	74.47	
	94482	JCP&L	W/S ELECTRIC SERVICE	19,879.81	
<i>GASOLINE EXPENSE</i>		TOTAL FOR 28-201-20-101-265			1,430.94
	94404	ATLANTIC HIGHLANDS HARBOR	W/S GAS/DIESEL	400.47	
	94405	ATLANTIC HIGHLANDS HARBOR	W/S GAS/DIESEL	272.42	
	94406	ATLANTIC HIGHLANDS HARBOR	W/S GAS/DIESEL	458.91	
	94407	ATLANTIC HIGHLANDS HARBOR	W/S GAS/DIESEL	299.14	
TOTAL for 10510100					----- 24,247.31

**10510300**

<i>EMPLOYEE GROUP INSURANCE</i>		TOTAL FOR 28-201-20-103-301			142.84
	94487	GUARDIAN LIFE INSURANCE	9/15-10/14/07 LIFE INS - W/S	142.84	
TOTAL for 10510300					----- 142.84

**10510400**

<i>TREATMENTS FEES</i>		TOTAL FOR 28-201-20-104-299			65,257.00
	94485	ATLANTIC HIGHLANDS/HIGHLANDS	USER FEES OCTOBER 2007	65,257.00	
TOTAL for 10510400					----- 65,257.00

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**HARBOR OPERATING FUND**

**10510100**

<i>OFFICE SUPPLIES</i>			TOTAL FOR 30-201-20-101-201		551.80
	94198	NEOPOST, INC.	METER RIBBON (2 PAK)	191.80	
	94198	NEOPOST, INC.	POC ALL INCLUSIVE METER	360.00	
<i>LEGAL FEES</i>			TOTAL FOR 30-201-20-101-211		1,787.68
	94272	GIBBONS P.C.	BOND ORD 18-2007	550.18	
	94488	LOCASCIO, PETER A.	SERVICES 8/14-9/10/07	1,237.50	
<i>HARBOR DATA PROCESS FOND ACCTG</i>			TOTAL FOR 30-201-20-101-251		163.59
	94301	MUNICIPAL SOFTWARE	SERVER SUPPORT	163.59	
<i>REPAIRS AND MAINTENANCE</i>			TOTAL FOR 30-201-20-101-253		11,150.00
	94160	ADVANTAGE AIR	REPLACE HEAT/COOL UNIT SR CTR	11,150.00	
<i>SHARED EXPENSES</i>			TOTAL FOR 30-201-20-101-271		12,000.00
	94484	ATLANTIC HIGHLANDS FIRST AID	HARBOR CONTRIBUTION	12,000.00	
<i>OTHER EXPENSES</i>			TOTAL FOR 30-201-20-101-299		2,002.64
	94349	Atlantic Highlands Tax Collector	BLK 7, LOT 9.01	1,555.82	
	94349	Atlantic Highlands Tax Collector	BLK 118, LOT 5.01	446.82	
TOTAL for 10510100					27,655.71

**10510300**

<i>EMPLOYEE GROUP INSURANCE</i>			TOTAL FOR 30-201-20-103-301		21,548.14
	94458	CENTRAL JERSEY HEALTH INS.FUND	(HARBOR) COVERAGE FOR OCTOBER	21,184.54	
	94487	GUARDIAN LIFE INSURANCE	9/15-10/14/07 LIFE INS - HARBOR	363.60	
<i>LIABILITY INSURANCE - OTHER</i>			TOTAL FOR 30-201-20-103-304		3,459.00
	94326	SELECTIVE INSURANCE COMPANY	LOT 5 BLOCK 7 - HARBOR OFFICE	968.00	
	94326	SELECTIVE INSURANCE COMPANY	LOT 5, BLOCK 7 -SR BLDG	1,607.00	
	94326	SELECTIVE INSURANCE COMPANY	LOT 2, BLOCK 7 - BAIT & TACKLE	884.00	
TOTAL for 10510300					25,007.14

**10510400**

<i>GASOLINE EXPENSE</i>			TOTAL FOR 30-201-20-104-201		159,785.03
	94395	ALLIED OIL COMPANY, L.L.C.	4000.0 GALS LOW SULFUR DIESEL	9,118.00	
	94395	ALLIED OIL COMPANY, L.L.C.	6000.0 GALS UNLEADED GASOLINE	15,204.00	
	94402	ALLIED OIL COMPANY, L.L.C.	5015.6 GALS UNLEADED GASOLINE	12,634.29	
	94402	ALLIED OIL COMPANY, L.L.C.	4211.0 GALS LOW SULFUR DIESEL	9,721.09	
	94403	ALLIED OIL COMPANY, L.L.C.	2477.9 GALS UNLEADED GASOLINE	6,229.44	
	94403	ALLIED OIL COMPANY, L.L.C.	3315.9 GALS UNLEADED GASOLINE	8,336.17	
	94403	ALLIED OIL COMPANY, L.L.C.	1010.5 GALS UNLEADED GASOLINE	2,540.40	
	94403	ALLIED OIL COMPANY, L.L.C.	5745.1 GALS LOW SULFUR DIESEL	13,205.11	
	94403	ALLIED OIL COMPANY, L.L.C.	4021.5 GALS LOW SUFLUR DIESEL	9,243.42	
	94456	ALLIED OIL COMPANY, L.L.C.	2408.2 GALS UNLEADED GASOLINE	6,179.42	
	94456	ALLIED OIL COMPANY, L.L.C.	4611.9 GALS LOW SULFUR DIESEL	11,134.95	
	94461	ALLIED OIL COMPANY, L.L.C.	2400.1 GALS UNLEADED GASOLINE	5,979.84	
	94461	ALLIED OIL COMPANY, L.L.C.	4000.0 GALS LOW SULFUR DIESEL	9,554.00	
	94461	ALLIED OIL COMPANY, L.L.C.	4331.2 GALS UNLEADED GASOLINE	12,036.94	
	94461	ALLIED OIL COMPANY, L.L.C.	1795.1 GALS LOW SULFUR DIESEL	4,287.60	
	94461	ALLIED OIL COMPANY, L.L.C.	2007.9 GALS LOW SULFUR DIESEL	4,795.88	
	94478	ALLIED OIL COMPANY, L.L.C.	1601.0 GALS UNLEADED GASOLINE	4,000.90	
	94479	ALLIED OIL COMPANY, L.L.C.	4900.3 GALS LOW SULFUR DIESEL	12,157.64	
	94481	ALLIED OIL COMPANY, L.L.C.	1403.5 GALS LOW SULFUR DIESEL	3,425.94	
TOTAL for 10510400					159,785.03

**10595000**

<i>(2006) CAPITAL OUTLAY</i>			TOTAL FOR 30-203-44-950-301		11,600.00
	93102	THE RACQUET SHOP	TENNIS COURT REPAIRS	11,600.00	
TOTAL for 10595000					11,600.00

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Vendor	Description	Payment	Check Total
100081 - A. R. COMMUNICATIONS	PO 94338 FIRE DEPT	330.00	330.00
100284 - ADVANTAGE AIR	PO 94160 HARBOR - MAINT	11,150.00	11,150.00
100284 - ADVANTAGE AIR	PO 94203 H&C - FIELDHOUSE	180.00	180.00
1370 - ALLIED OIL COMPANY, L.L.C.	PO 94481 HARBOR GASOLINE & DIESEL	3,425.94	
	PO 94403 HARBOR GASOLINE & DIESEL	39,554.54	
	PO 94479 HARBOR GASOLINE & DIESEL	12,157.64	
	PO 94402 HARBOR GASOLINE & DIESEL	22,355.38	
	PO 94478 HARBOR GASOLINE & DIESEL	4,000.90	
	PO 94395 HARBOR - GASOLINE & DIESEL	24,322.00	
	PO 94461 HARBOR GASOLINE & DIESEL	36,654.26	
	PO 94456 HARBOR - GASOLINE & DIESEL	17,314.37	159,785.03
1175 - AMERICANWEAR INDUSTRIAL	PO 94042 VEHICLE MAINTENANCE - UNIFORMS	120.00	120.00
546 - ATLANTIC HIGHLANDS FIRST AID	PO 94484 ANNUAL CONTRIBUTION	12,000.00	
	PO 94484 ANNUAL CONTRIBUTION	12,000.00	24,000.00
758 - ATLANTIC HIGHLANDS HARBOR	PO 94404 MARCH FUEL USAGE	400.47	
	PO 94407 AUGUST 2007 FUEL USAGE	7,079.86	
	PO 94407 AUGUST 2007 FUEL USAGE	299.14	
	PO 94406 JULY 2007 FUEL USAGE	7,558.14	
	PO 94406 JULY 2007 FUEL USAGE	458.91	
	PO 94405 JUNE 2007 FUEL USAGE	5,954.74	
	PO 94405 JUNE 2007 FUEL USAGE	272.42	
	PO 94404 MARCH FUEL USAGE	11,326.40	33,350.08
65 - ATLANTIC HIGHLANDS/HIGHLANDS	PO 94485 W/S USER FEES	65,257.00	65,257.00
100082 - ATLANTIC MARINE SUPPLY	PO 94334 FIRE DEPT	223.76	223.76
2514 - ATLANTIC SELF STORAGE	PO 94486 STORAGE	735.00	735.00
2327 - AVAYA, INC.	PO 94401 TELEPHONE SERVICE	455.35	455.35
100156 - Atlantic Highlands Tax Collector	PO 94349 HARBOR TAXES	2,002.64	2,002.64
100330 - BALLY'S ATLANTIC CITY	PO 94290 LOM COFERENCE	1,106.00	1,106.00
100333 - BAYSHORE FIRE & SAFETY	PO 94322 POLICE - EMS	66.00	66.00
100274 - BELLY'S PLUMBING	PO 94298 H&G - FIRE - EMS	90.00	90.00
2815 - BIRDSALL ENGINEERING, INC.	PO 94171 BORO OPEN SPACE FUND	2,200.00	2,200.00
597 - CENTRAL JERSEY HEALTH INS.FUND	PO 94458 HEALTH INS	21,184.54	
	PO 94458 HEALTH INS	48,771.46	69,956.00
100337 - CHRISTINE MCCARTHY	PO 94397 SECURITY DEPOSIT REFUND	200.00	200.00
100336 - CULMAC INVESTORS, INC.	PO 94396 REFUND PREMIUM	7,000.00	7,000.00
1527 - E.J. SCHUSTER'S	PO 94295 OFFICE SUPPLIES	191.92	191.92
100135 - EAST COAST EMERGENCY LIGHTING	PO 94372 FIRE DEPT	446.40	446.40
763 - FEDEX	PO 94430 FINANCE - MISC	51.59	51.59
2121 - FIRE HOOKS UNLIMITED, INC.	PO 94371 FIRE DEPT	1,640.33	1,640.33
100300 - FLYNN'S TREE SERVICE	PO 94297 B&G - TREES	500.00	500.00
243 - GANN LAW BOOKS	PO 94047 MUNICIPAL COURT	98.00	98.00
100289 - GERARD T. GAGLIANO	PO 94489 FINANCE - REIMBURSEMENT	550.00	550.00
739 - GERARD VASTO	PO 94415 POLICE - TRAINING	275.00	275.00
1152 - GIBBONS P.C.	PO 94272 HARBOR - LEGAL FEES - BOND ORD	550.18	550.18
1840 - GOLD TYPE BUSINESS MACHINES,	PO 94027 POLICE - COMPUTER ACCOUNT	390.00	390.00
2576 - GREAT AMERICAN PRODUCTS	PO 94325 POLICE	386.50	386.50
107 - GREY CRAFT DOOR	PO 94143 B&G - MAINT FIRST AID	285.00	285.00
2896 - GUARDIAN LIFE INSURANCE	PO 94487 LIFE INSURANCE	735.38	
	PO 94487 LIFE INSURANCE	363.60	
	PO 94487 LIFE INSURANCE	142.84	1,241.82
3157 - JAMES PHILLIPS	PO 94373 FIRE DEPT	75.75	
	PO 94335 FIRE DEPT	111.88	187.63
68 - JCP&L	PO 94482 ELECTRIC	19,879.81	
	PO 94457 ELECTRIC SERVICE	74.47	
	PO 94482 ELECTRIC	9,082.38	
	PO 94457 ELECTRIC SERVICE	843.47	29,880.13
100314 - JEFF'S LANDSCAPING	PO 94152 BEG - GENERAL	750.00	750.00
3122 - JEFFREY R. SURENIAN AND ASSOC.	PO 94416 MT LAUREL	31.50	31.50
3130 - KANSAS STATE BANK	PO 94264 FIRE DEPT - LEASE	14,998.99	14,998.99
1101 - BELLY BUILDING MAINTENANCE	PO 94459 CLEANING SERVICES	1,290.00	1,290.00
100335 - KIMBERLY SAXE	PO 94394 SECURITY DEPOSIT FIREMEN'S FIELDHOU	200.00	200.00
1110 - KM FIRE APPARATUS	PO 93140 FIRE DEPT - EMER TEMP APP	50,000.00	50,000.00
100062 - L3 COMMUNICATIONS MOBILE VISION	PO 94382 POLICE - REPAIRS	114.00	



# ORDINANCE 23-2007

## AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ATLANTIC HIGHLANDS BY ADDING CHAPTER XXVII STORMWATER MANAGEMENT AND CONTROL

BE IT ORDAINED *by* the Mayor and Council of the Borough of Atlantic Highlands, in the County of Monmouth and State of New Jersey, as follows:

That Chapter XIXVII, Stormwater Management and Control is added as follows:

### Section 1: Purpose

#### A. Policy Statement.

Flood control, groundwater recharge and pollutant reduction through nonstructural or low impact techniques shall be explored before relying on structural Best Management Practice (BMP)s. Structural BMPs should be integrated with nonstructural stormwater management measures and proper maintenance plans. Nonstructural measures include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the *site* or *from* being exposed to stormwater. Source control plans should be developed based upon physical site conditions and the origin, nature, and the anticipated loading of potential pollutants. Multiple stormwater BMP methods may be necessary to achieve the established performance standards for water quality, quantity and groundwater recharge.

#### B. Purpose

It is the purpose of this ordinance to establish minimum stormwater management requirements and controls for major development as defined in Section 13.

#### C. Applicability

This ordinance shall be applicable to any site plan or subdivision that requires preliminary or final site plan review, and to all major developments undertaken by Atlantic Highlands. No variances, waivers or special exceptions shall be granted without the express approval of the New Jersey Department of Environmental Protection (Department)-

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

### Section 2: General Standards

#### A. Design and Performance Standards for Stormwater Management Measures

1. Stormwater management measures for major development shall be developed to meet the erosion control, groundwater recharge, stormwater runoff quantity, and stormwater runoff quality standards in this ordinance unless such development or other measures are otherwise not permitted under the Steep Slopes section of Atlantic Highlands Borough Development Regulations.<sup>1</sup> To the maximum extent feasible, these standards shall be met by incorporating nonstructural stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, structural stormwater management measures necessary to meet these standards shall be incorporated into the design.
2. 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. Such alternative standards shall provide at least as much protection from stormwater-related loss of groundwater recharge, stormwater quantity and water quality impacts of major development projects as would be provided under the standards in this subchapter.
3. For site improvements regulated under the Residential Site Improvement Standards (RSIS) at N.J.A.C. 5:21, the RSIS shall apply in addition to this Ordinance except to the extent the RSIS are superseded by this Ordinance or alternative standards applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

<sup>1</sup> The **Borough** Steep Slope Ordinance **943-89** as **amended** was **upheld** by the New Jersey Supreme Court in **Rumson Estates Inc. v. Builders v. of Fairhaven 'gentle'**, 176 NJ.250 (2003). The areas protected by the Steep Slope Ordinance have been identified by the United States Geologic Survey as a geologic hazard area. See Geological Survey Professional Paper **898**, U.S. Government Printing Office, Washington, D.C. 1974.

Section 3. Stormwater Management Requirements For Major Development

- A. The development shall incorporate a maintenance plan and designate a responsible party for the stormwater management measures incorporated into the design of a major development.
- 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 at Natural Heritage Database established under N.J.S.A. 13:18-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Sections 3.F and 3.G:
  1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion.
  2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable.
  3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 10 feet, provided that the access is made of permeable material.

A waiver from strict compliance from the groundwater recharge, stormwater runoff quantity, and stormwater runoff quality requirements of Sections 3.F and 3.G may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;

The applicant demonstrates through an alternatives analysis, that through the use of nonstructural and structural stormwater management strategies and measures, the option selected complies with the requirements of Sections 3.F and 3.G to the maximum extent practicable;

3. The applicant demonstrates that, in order to meet the requirements of Sections 3.F and 3.G, existing structures currently in use, such as homes and buildings would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under 3.D above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate for requirements of Sections 3.F and 3.G that were not achievable on-site.

E. Nonstructural stormwater management measures

1. To the maximum extent practicable, the standards in Sections 3.F and 3.G shall be met by incorporating nonstructural stormwater strategies set forth at Section 3.E into the design. The applicant shall identify the nonstructural measures incorporated into the design of the project if the applicant contends that it is not feasible for engineering, environmental, or safety reasons to incorporate any nonstructural stormwater management measures identified in paragraph 2 below into the design of a particular project, the applicant shall identify the measures considered and provide a basis for the contention.

The applicant shall be aware that areas defined as Steep Slopes and <sup>Protected by the</sup> Steep Slope Section of the Atlantic Highlands Borough Development Regulations have been identified by the United States Geologic Survey as a geologic hazard area (Geological Survey Professional Paper 898, US Government Printing Office, Washington, 1974). See Footnote 1. Increasing groundwater recharge and/or infiltration in the Steep Slopes Section increases the geologic hazard to the detriment of the public interest and welfare and is not permitted.

2. Nonstructural stormwater management measures incorporated into site design shall:

- a. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss;

Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces;

- c. Maximize the protection of natural drainage features and vegetation;

- d. Minimize the decrease in the "time of concentration" from pre-construction to post-construction. "time of concentration" is defined as the time it takes for runoff to travel from the hydraulically most start point of the watershed to the point of interest within a watershed;

- e. Minimize land disturbance including clearing and grading

- f. Minimize soil compaction;

- g. Provide low-maintenance native plant landscaping that maximizes retention of existing native vegetation and planting of native vegetation and minimizes the use of lawns and need for fertilizers and pesticides;

- h. Provide vegetated open-channel conveyance systems discharging into and through stable vegetated areas;

- i. Provide other source controls to prevent or minimize the use or exposure of pollutants at the *site* in order to *prevent* or minimize the release of those pollutants into stormwater runoff. These source controls include, but are not limited to:

- (1) Site design features that help to prevent accumulation of trash and debris in drainage systems, including features that satisfy Section 3.E. 3. below

- (2) Site design features that help to prevent discharge of trash and debris from drainage systems;

- (3) Site design features that help to prevent and/or contain spills or other harmful accumulations of pollutants at industrial or commercial developments; and
  - (4) When establishing vegetation after land disturbance, applying fertilizer in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules.
3. Site design features identified under Section 3.E.2.i.(2) above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 3.E.3.c. below.

a. Design engineers shall use either 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:

(1) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

(2) A different grate, if each individual cleat 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 gates, trench grates, and grates of space bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

b. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

c. This standard does not apply:

(1) Where the review agency determines that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

(2) Where flows from the water quality design storm as specified in Section 3.G.1 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designated, 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 inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

(b) A bar screen having a bar spacing of 0.5 inches.

(3) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars, to the elevation of the water quality design storm as specified in Section 4.G.1; or

(4) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places rules at N.J.A.C. 7:4-72(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.

Any land area used as a non-structural stormwater management measure to meet the performance standards in Sections 3.F and 3.G shall be dedicated through deed to a government agency, subjected to a conservation deed restriction filed with the appropriate County Clerk's office, or subject to an approved equivalent restriction that ensures the maintenance of that measure in perpetuity.

5. Guidance for nonstructural stormwater management measures is available in the New Jersey Stormwater Best Management Practices Manual. The manual is available on the Department's web page at <http://www.njstormwater.org> or [www.jnonpointsource.org](http://www.jnonpointsource.org).

F. Erosion control, groundwater recharge and runoff quantity standards

L This section contains minimum design and performance standards to control erosion, encourage and control infiltration and groundwater recharge, and control stormwater runoff quantity impacts of major development.

- a. The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.

The minimum design and performance standards for groundwater recharge are as follows:

- (1) Except if (2), (3) or (4) apply, the design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations of Section 4, either:

(a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100% of the average annual preconstruction groundwater recharge volume for the site; or

(b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume *from* pre-construction to post-construction for the 2-year storm is infiltrated.

- (2) This groundwater recharge requirement does not apply to projects that qualify as "urban redevelopment".

- (3) The following types of stormwater shall not be recharged;
  - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than 'reportable quantities' as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with a Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
  - (b) Industrial stormwater exposed to "source material". "Source material" means any materials 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.
- (4) Where it's a hazard and not permitted as outlined in the Steep Slopes section of Atlantic Highlands Borough as defined in <sup>(the</sup> AH Steep slopes Ordinance #943-89 as amended #14-96), upheld by the NJ Supreme Court (Ferraro Builders, LLC and Rand Associates, a New Jersey Partnership v. Borough of Atlantic Highlands Planning Board and Borough of Atlantic Highlands DECIDED August 5, 2003), has been identified by the United States Geologic Survey as a geologic hazard area (Geological Survey Professional Paper 898, US Government Printing Office, Washington, 1974).
- (5) 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 and other subsurface structures in the vicinity or dowug adient of the groundwater recharge area.
- c. In order to control stormwater runoff quantity impacts, the design engineer shall, use the assumptions and factors for stormwater runoff calculations of Section 4, complete one of the following:
  - (1) 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;
  - (2) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2, 10, and 100 year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area; or
  - (3) 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. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge;
  - (4) In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (1), (2) and (3) above shall only be applied if the increased volume of stormwater runoff could increase flood damages below the point of discharge.

Any application for a new agricultural development that meets the definition of major development at Section 12 shall be submitted to the appropriate Soil Conservation District for review and approval in accordance with the requirements of this section and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control.

G. Stormwater runoff quality standards

- 1. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff by 80 percent of the anticipated load from the developed site, expressed as an annual average. Stormwater management measures shall only be required *for* water quality control if an additional 1/4 acre of impervious surface is being proposed on a development site. 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 Pollution discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. 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 1. The calculation of the volume of runoff may take into account the implementation of non-structural and structural stormwater management measures

Table 1: Water Quality Design Storm Distribution

time (Minutes)	Cumulative Rainfall (Minutes) (Inches)	Time	<u>Painfidt</u> (Inches)	Cumulative
0	0 0000	65		0.8917



5	0.0083	70	0.9917
10	0.0166	75	1.0500
15	0.0250	80	1.0840
20	0.0500	85	1.1170
25	0.0750	90	1.1500
30	0.1000	95	1.1750
35	0.1330	100	1.2000
40	0.1660	105	1.2250
45	0.2000	110	1.2334
50	0.2583	115	1.2417
55	0.3583	120	1.2500
60	0.6250		

2. For purposes of TSS reduction calculations, Table 2 below presents the presumed removal rates for certain BMPs designed in accordance with the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in Section 6. TSS reduction shall be calculated based on the removal rates for the BMPs in Table 2 below. Alternative removal rates and methods of calculating removal rates may be used if the design engineer provides documentation demonstrating the capability of these alternative rates and methods to the review agency. A copy of any approved alternative rate or method of calculating the removal rate shall be provided to the Department at the following address: Division of Watershed Management New Jersey Department of Environmental Protection, P.O. Box 418, Trenton, New Jersey, 08625-0418.
3. If more than one BMP in series is necessary to achieve the required 80% 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 load removal from application of both BMPs, and

A = the TSS removal rate applicable to the first BMP

B = the TSS removal rate applicable to the second BMP

Table 2: TSB Removal Rates for BMPs

Best Management Practice	TSS %Removal Rate
Bioretention Systems	90
Constructed Stormwater Wetland	90
Forested Buffers	70
Extended Detention Basin	40-60
Infiltration Structure	80
Manufactured Treatment Device	See N.J.A.C. 7:8-5.7(c)
Sand Filter	80
Vegetative Filter Strip	50
Wet Pond	50-90

4. If there is more than one onsite drainage area, the 80% TSS removal rate shall apply to each drainage area, unless the runoff from the sub-areas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average.
5. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient 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 nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in Sections 3F and 3.G.
6. Additional information and examples are contained in the New Jersey Stormwater Best Management Practices Manual, which may be obtained from the address identified in Section 6.
7. In accordance with the definition of FW 1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase of stormwater to waters classified as FW 1.
8. Special water resource protection areas shall be established along all waters designated Category One of N.J.A.C. 7:9B and perennial or intermittent streams that drain into or upstream of the Category One waters as shown on the USGS Quadrangle Maps or in the County Soil Surveys, within the associated HUC 14 drainage. These areas shall be established for the protection of water quality, aesthetic value, exceptional ecological significance, exceptional recreational significance, exceptional water supply significance, and exceptional fisheries significance of those established Category One waters. These areas shall be designated and protected as follows:
  - a. The applicant shall preserve and maintain a special water resource protection area in accordance with one of the following:
    - (1) A 300-foot special water resource protection area shall be provided on each side of the waterway, measured perpendicular to the top of the bank of the waterway or centerline of the waterway where the bank is undefined, consisting of existing vegetation or vegetation allowed to follow natural succession is provided.
    - (2) Encroachment within the designated special water resource protection area under subsection G.8.a(1) above shall only be allowed where previous development or disturbance has occurred (for example, active agricultural use, parking area or maintained lawn area). The encroachment shall only be allowed where applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable. In no case shall the remaining special water resource protection area be reduced to less than 150 feet as measured perpendicular to the top of the bank of the waterway or centerline of the waterway where the bank is undefined. All encroachments proposed under this subparagraph shall be subject to review and approval by the Department.

- b. All stormwater shall be discharged outside of and flow through the special water resource protection area and shall comply with the Standard For Off-Site Stability in the 'Standards for Soil Erosion and Sediment Control in New Jersey', established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq.
- c. If stormwater discharged outside of and flowing through the <sup>venal</sup> water resource protection area<sup>a</sup> cannot comply with the Standard For Off-Site Stability in the 'Standards for Soil Erosion and Sediment Control in New Jersey', established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., then the stabilization measures in accordance with the requirements of the above standards may be placed within the special water resource protection area, provided that:
  - (1) Stabilization measures shall not be placed within 150 feet of the Category One waterway;
  - (2) Stormwater associated with discharges allowed by this section shall achieve a 95% TSS post construction removal rate;
  - (3) Temperature shall be addressed to ensure no impact on receiving waterway;
  - (4) The encroachment shall only be allowed where the applicant demonstrates that the functional value and overall condition of the special water resource protection area will be maintained to the maximum extent practicable;
  - (5) A conceptual project design meeting shall be held with the appropriate Department staff and Soil Conservation District staff to identify necessary stabilization measures; and
  - (6) All encroachments proposed under this section shall be subject to review and approval by the Department.
- d. A stream corridor protection plan maybe developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to Sec 3.G.S. has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to GS shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in G.8a(1) above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than 150 feet as measured perpendicular to the waterway subject to this subsection.
- e. This subsection does not apply to the construction of one individual single family dwelling that is not part of a larger development on a lot receiving preliminary or final subdivision approval on or before February 2, 2004, provided that the construction begins on or before February 2, 2009.

#### Section 4: Calculation of Stormwater Runoff and Groundwater Recharge

Stormwater runoff shall be calculated in accordance with the following:

- 1. The design engineer shall calculate runoff using one of the following methods:
  - a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in the NRCS National Engineering Handbook Section 4 - Hydrology and Technical Release 55 - Urban Hydrology for Small Watersheds; or
  - b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations.

For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the preconstruction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term 'runoff coefficient' applies to both the NRCS methodology at Section S.A.1.a. and the Rational and Modified Rational Methods at Section 5.A.1b. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion *of the site* for at least five years without interruption prior to the time of calculation. 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 condition and conservation treatment (if the <sub>land</sub> 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 <sub>may</sub> reduce pre-construction stormwater runoff rates and volumes.
- 4. In computing stormwater runoff from a design storm, 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 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:

- I. The New Jersey Geological Survey Report GSR-32 A Method *for* Evaluating Ground-Water Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available *from* the New Jersey Stormwater Best Management Practices Manual: at h <sub>ost</sub> : <http://www.stateni.usjdofniga/>; or at New Jersey Geological Survey, 29 Arctic Parkway, P.O. Box 427, Trenton, New Jersey 08625-0427; (609) 984-6587.

#### Section 5: Standards for Structural Stormwater Management Measures

A. Standards for structural stormwater management measures are as follows:

Structural stormwater management measures shall be designed to take into account the existing site conditions, including, for example, 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). The Steep Slopes section of Atlantic Highlands Borough as defined in (the AH Steep Slopes Ordinance #943-89 as amended #14-96), upheld by the NJ Supreme Court (Ferraro Builders, LLC and Rand Associates, a New Jersey Partnership v. Borough of Atlantic Highlands Planning Board and Borough of Atlantic Highlands DECIDED August 5, 2003), has been identified by the United States Geologic Survey as a geologic hazard area (Geological Survey Professional Paper 898, US Government Printing Office, Washington, 1974). Increasing groundwater recharge and/or infiltration in the Steep Slopes Section increases the geologic hazard to the detriment of the public interest and welfare and is not permitted.

Structural 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 (1") 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 (1/3) the width of the diameter of the orifice or one-third (1/3) the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 7.D.

Structural 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.

At the intake to the outlet from the stormwater management basin, the orifice size shall be a minimum of two and one-half inches in diameter.

5. Stormwater management basins shall be designed to meet the minimum safety standards for stormwater management basins of Section 7.
  6. Stormwater management measures shall be designed to drain rapidly to prevent their becoming breeding or reservoir areas for disease vectors.
- B. Stormwater management measure guidelines are available in the New Jersey Stormwater Best Management Practices Manual. Other stormwater management measures may be utilized provided the design engineer demonstrates that the proposed measure and its design will accomplish the required water quantity, groundwater recharge and water quality design and performance standards in Section 7.D.I, 7.0.2 and 7.D.3 for trash racks, overflow gates, and escape as established by this subchapter. .
- C. 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.

Section G Sources for Technical Guidance

- ih Technical guidance for stormwater management measures can be found in the documents listed at 1 and 2 below, which are available from Maps and Publications, Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; telephone (609) 777-1038.
1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended. Information is provided on stormwater management measures such as: bioretention systems, constructed stormwater wetlands, dry wells, forested buffers, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds.
  2. The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.

Additional technical guidance for stormwater management measures can be obtained from the following:

The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a) 4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; 609-292-5540;

2. The Rutgers Cooperative Extension Service, 732-932-9306; and
3. The Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a) 4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625, 609-292-5540.

Section 7: 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 basins. This subchapter applies to any new stormwater management basin.
- B. The provisions of this section are not intended to preempt municipal or county safety requirements for new or existing stormwater management basins. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management basins to be retrofitted to meet one or more of the safety standards in Section 7.13.1, 7.0.2 and 7.D.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Operative date and compliance schedule
  1. For purposes of this subchapter, a stormwater management basin is "existing" if construction of such basin commenced prior to (one year from the effective date of this ordinance), or if such basin was identified in a

subdivision or site plan application that received final approval pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-I et seq.) as of (one year from the effective date of this ordinance). Any other stormwater management basin is a "new" basin.

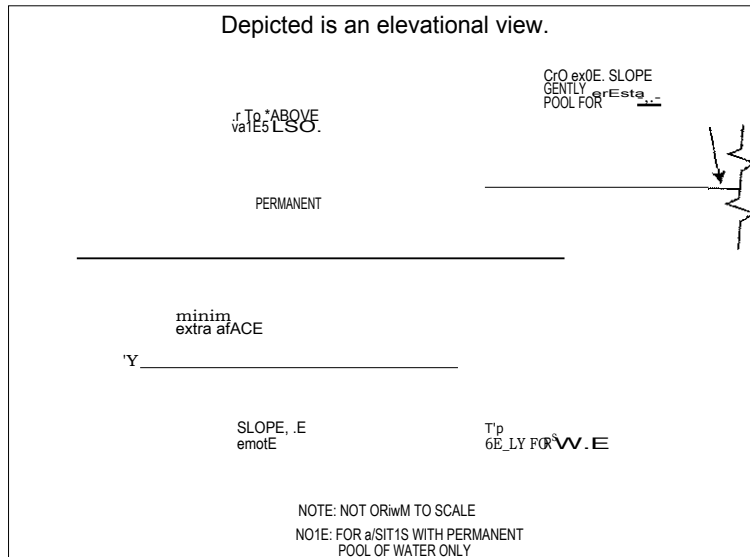
2. As of (one year from the effective date of this ordinance), the construction, installation, or operation of any new stormwater management basin that does not conform to the requirements of this subchapter is prohibited.
  3. If an existing stormwater management basin does not conform to a municipal or county stormwater control ordinance adopted pursuant to N.J.A.C. 7:8-6.1(c), the person responsible for the stormwater management basin under such ordinance shall, within the time period specified in the ordinance, modify the basin to comply with the ordinance.
- D. Requirements for trash racks, overflow grates and escape provisions
1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
    - a. The trash rack shall have parallel bars, with no greater than six inch spacing between the bars.
    - b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
    - c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
    - d. The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/ft sq.
  2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
    - a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
    - b. The overflow grate spacing shall be no less than two inches across the smallest dimension.
    - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 lbs/ft sq.

For purposes of this subsection, escape provisions means the permanent installation of ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management basins. Stormwater management basins shall include escape provisions as follows:

- a. If a stormwater management basin has an outlet structure, escape provisions shall be incorporated in or on the structure. With the prior approval of the reviewing agency identified in Section 7.E., a free-standing outlet structure may be exempted from this requirement
- b. Safety ledges shall be constructed on the slopes of all new stormwater management basins having a permanent pool of water deeper than two and one-half feet. Such safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately 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 Section 7.F for an illustration of safety ledges in a stormwater management basin.
- c. In new stormwater management basins, the maximum interior slope for an earthen dam, embankment, or box= shall not be steeper than 3 horizontal to 1 vertical.

Valiance or exemption from safety standards

- I. A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the appropriate reviewing agency (municipality, county or Department) that the variance or exemption will not constitute a threat to public safety.
- F. Illustration of safety ledges in a new stormwater management basin.



## Section 8: Requirements for a Site Development Stormwater Plan

### 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 8.0 below as part of the submission of the applicant's application for subdivision or site plan approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit 18 copies of the materials listed in the checklist for site development stormwater plans in accordance with subsection 8.0 of this ordinance.

### B. Site Development Stormwater Plan Approval

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

### C. Checklist Requirements

The following information shall be required:

#### 1. Topographic Base Map

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

#### 2. Environmental Site Analysis

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

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

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

#### 4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections 2 through 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:

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

6. Calculations

- a. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 3 of this ordinance.

When the proposed stormwater management control measures (e.g. infiltration basins) depends on the hydrologic properties of soils, 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 soil types present at the location of the control measure.

Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 9.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipal engineer, waive submission of any of the requirements Sections 8.C.1 through 8.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section 9: Maintenance and Repair

A. General Maintenance

- 1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

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). Maintenance guidelines for stormwater management measures are available in the New Jersey Stormwater Best Management Practices Manual. If the maintenance plan identifies a person other than the developer (for example, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's agreement to assume this responsibility, or of the developer's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.

- 3. 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.
- 4. If the person responsible for maintenance identified under Section A.2 above is not a public agency, the maintenance plan and any future revisions based on Section A.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.
- 5. Preventative and corrective maintenance shall be performed as needed, including repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of nonvegetated linings.
- 6. The person responsible for maintenance identified under Section A.2 above shall 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.
- 7. The person responsible for maintenance identified under Section A.2 above shall evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed.
- 8. The person responsible for maintenance identified under Section A.2 above shall retain and make available, upon request by a public entity, the maintenance plan and the documentation required by Sections A.2, A.6, and A.7 above.
- 9. The requirements of Sections A.3 and A.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency.
- 10. 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, 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. 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.

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

Section 10: Penalties

Except as otherwise provided, each and every day, in which a violation of any provision of this Ordinance exists, shall constitute a separate violation. Any responsible person who violates any portion or section of this ordinance shall be subject to fines up to \$5,000.00 per violation. In addition the judge may impose any other penalty as provided for under the Revised General Ordinances of the Borough of Atlantic Highlands, Chapter 1 section 1-5 titled "General Penalties".

#### Section 11: Effective Date

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

#### Section 1k Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this ordinance.

#### Section 13: Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"Agricultural development" 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.

'CAFRA Centers, Cores or Nodes' means those areas within boundaries accepted by the Department pursuant to N.J.A.C. 7:8E-5B.

'CAFRA Planning Map' means the geographic depiction of the boundaries for the Coastal Planning Areas, CAFRA Centers, CAFRA Cores and CAFRA Nodes pursuant to N.J.A.C. 7:7E-5B.3.

"Compaction" means the increase in soil bulk density.

"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:

- A county planning agency; or
- 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 New Jersey 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 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 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 lands, development means: <sup>any</sup> 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 exempt by the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

"Drainage area" means a geographic area within which water, sediments, and dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

"Environmentally critical areas" means an area or feature which is of significant environmental value, including but not limited to: stream corridors; natural heritage priority sites; habitat of endangered or threatened species; large areas of continuous 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 Departments Endangered and Nongame Species Program.

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

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

"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 that seeps into the soil from precipitation.

"Major development" means any "development shown in any site plan or subdivision plan that has not received preliminary or final approval by (insert the effective date of this ordinance) that provides for ultimately disturbing one or more acres of land or increasing impervious surface by one-quarter acre or more. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Projects undertaken by any government agency which 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"

"Municipality" means the Borough of Atlantic Highlands.

"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.

°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 (PAL)' 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.

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

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

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

"Tidal Flood Hazard Area" means a flood hazard area, which may be influenced by stormwater runoff from inland areas, but which is primarily caused by the Atlantic Ocean.

"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. 52:2711-60 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 (PAL), 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.

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

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

#### SECTION 14

Section 21-58, Plat and plan details is hereby amended as follows

##### 21-58 Plat and Plan Details

*No Change*

B. *No Change*

1-20. *No Change*

21. Stormwater Management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities, plus all required design data supporting the adequacy of file existing or proposed facilities to handle future storm flows as required by the Borough or, if applicable, as required by the Stormwater Management and Control Chapter of this ordinance.

*No Change*

E. *No Change*

1-9. *No Change*

10. Stormwater Management and sanitary sewer reports, including proposed storm drainage and sanitary disposal facilities; specifically, the location, type and size of all existing and proposed catch basins, storm drainage facilities, utilities, plus all required design data supporting the adequacy of file existing or proposed facilities to handle future storm flows as required by the





# ORDINANCE 24-2007

## ORDINANCE AUTHORIZING ACQUISITION OF PROPERTY FOR BOROUGH AFFORDABLE HOUSING COMPLIANCE PLAN

WHEREAS, the Borough is required to submit to the Council on Affordable Housing (COAH) a Third Round Affordable Housing Nan providing for the establishment of a certain number of affordable housing units, and

WHEREAS, that Plan has been prepared and established after significant planning study and public input and provides for, among other locations, the utilization of the vacant parcel known as Block 136 Lot I, located at 21 Leonard Avenue, as part of the Nan, and

WHEREAS, that parcel is presently owned by New Jersey Natural Gas, having been acquired by that Company as part of its remediation project and having now been cleaned and remediated and available for sale and for residential use, and

WHEREAS, the Borough and New Jersey Natural Gas have negotiated for the Borough's acquisition of this property and a Contract has been proposed for the purchase price of \$250,000, subject to environment review, and this acquisition is recommended as fair and reasonable by the Borough Administrator and Borough Attorney, and is within the authority as per N.J.S.A. 40A: 12-4 and 12-5.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Atlantic Highlands that the Borough is authorized to contract for and acquire Block 136 Lot 1 *from owner* New Jersey Natural Gas Company for \$250,000, pursuant to the terms of a Contract to be approved by the Borough Attorney, and the Mayor and appropriate Borough officials are authorized to execute said Contract and other documents required to Finalize the acquisition of this property for inclusion into the Borough's Affordable Housing Plan.

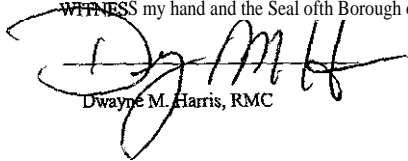
Council member Dellosso introduced this Ordinance and, after First Reading, moved for its approval. It was seconded by Council member Archibald and approved by the following voice.

AYES: Council members Archibald, Dellosso, Doyle, Fligor Spatola and Sutton  
NAYS: NONE  
ABSTAIN: NONE  
ABSENT: NONE

The Second Reading, Public Hearing and possible adoption is scheduled for October 10, 2007.

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held September 26, 2007.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 27th day of September 2007.

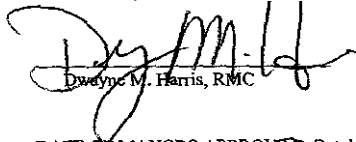
  
Dwayne M. Harris, RMC

After a Public Hearing and Second Reading, Council member Sutton moved for Final Adoption of this Ordinance. It was seconded by Council member Archibald and adopted by the following vote:

AYES: Council members Archibald, Dellosso, Doyle, Spatola and Sutton  
NAYS:  
ABSTAIN: Council member Fligor

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held October 10, 2007.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 11th day of October 2007.

  
Dwayne M. Harris, RMC

DATE OF MAYORS APPROVAL: October 11, 2007

  
Peter E. Donoghue, Mayor



Borough or, if applicable, as required by the Stormwater Management and Control Chapter of this ordinance.

SECTION 15

Section 21-59, On-tract and on-site improvements is hereby amended as follows;

21-59 On-tract and on-site improvements.

N. *Change*

1-2. *No Change*

Storm drains and culverts. All streets shall be provided with sufficient catch basins, storm sewers, culverts, water detention basins and other drainage appurtenances for the proper drainage of the area, with respect to existing and future conditions, and if applicable, in accordance with the Borough's Stormwater Management and Control chapter of this ordinance. All such facilities shall be constructed in accordance with this chapter, the Stormwater Management and Control chapter, if applicable, or such other accepted engineering design practices as may be required by the Borough Engineer where special circumstances so require.

B. *No Change*

C. *No Change*

1. *No Change*

2. *Drainage.* All sites shall be drained and graded so as to control surface runoff efficiently. Storm drainage shall be connected to existing facilities whenever possible. Detention facilities may be required by the Borough in cases where existing systems lack capacity or where needed to protect downstream properties. Drainage design shall be as set forth in 21-65.V of this chapter or the Borough's Stormwater Management and Control chapter, if applicable.

SECTION 16

Section 21-65, Design Specifications is hereby amended as follows :

21-65 Design Specifications.

A-U. *No Change*

V. *Stormwater Drainage*

*General Requirements*

A. All streets shall be provided with manholes, catch basins and pipes where the same may be necessary for proper surface drainage. On-site facilities may be permitted. Additionally, all work shall be in accordance with the established design standards of the Borough, including the Stormwater Management and Control chapter, if applicable.

Council member Delosso introduced this Ordinance and, after First Reading, moved for its approval. It was seconded by Council member Archibald and approved by the following vote.

AYES: Council members Archibald, Delosso, Doyle, Fligor Spatola and Suwon

NAYS: NONE

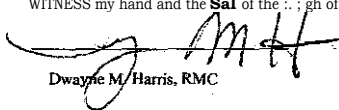
ABSTAIN: NONE

ABSENT: NONE

The Second Reading, Public Hearing and possible adoption is scheduled for October 24, 2007.

I, Dwayne M. [Janis Mtadcpal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held September 26, 2007.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 27th day of September 2007.



Dwayne M. Harris, RMC