

**GREENWICH TOWNSHIP  
MINUTES OF THE TOWNSHIP COMMITTEE MEETING  
JUNE 18, 2024  
7:00 p.m.**

Mayor Reinhart called the meeting to order stating “adequate notice of this meeting was provided in compliance with the Open Public Meeting Act notifying the South Jersey Times on April 30, 2024.”

**Roll Call:** Mayor Reinhart and Committeeman Werley were present. Also present were Thomas Seeley, Esq., Township Solicitor; Amy Colaneri, CFO/Treasurer; and Lisa Garrison, Township Clerk. Absent: Deputy Mayor Orr

**Flag Salute:** Mayor Reinhart

**RESOLUTION NO. 6-30-2024**

**2024 BUDGET AMENDMENT**

**WHEREAS**, the local municipal budget for the year 2024 was approved on the twenty-ninth (29<sup>th</sup>) day of April 2024: and

**WHEREAS**, the public hearing on said budget has been held as advertised: and

**WHEREAS**, it is desired to amend said approved Budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Greenwich, County of Cumberland, that the following amendments to the approved budget of 2024 be made:

<u>Recorded Vote</u>	<u>Ayes</u>	<u>Abstained</u>	<u>Absent</u>		
Reinhart	X				
Orr			X		
Werley	X				
				<u>From</u>	<u>To</u>

**Anticipated Revenues:**

3. Miscellaneous Revenues - Section A:  
Local Revenues

Interest and Costs on Taxes	\$	12,500.00	\$	3,376.85
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Total Section A: Local Revenues	13,725.00	4,601.85
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3. Miscellaneous Revenues - Section B:  
State Aid Without Offsetting Appropriations

Energy Receipts Tax ( PL 1997, Chapters 162 & 167)	84,034.00	84,452.00
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Municipal Relief Fund	0.00	8,705.15
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Total Section B: State Aid Without Offsetting Appropriations	84,034.00	93,157.15
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	<u>From</u>	<u>To</u>
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**Summary of Revenues**

3. Miscellaneous Revenues

Total Section A: Local Revenues	\$ 13,725.00	\$ 4,601.85
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Total Section B: State Aid Without Offsetting Appropriations	84,034.00	93,157.15
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On motion of Mayor Reinhart, seconded by Committeeman Werley to approve the foregoing resolution, unanimously carried.

**RESOLUTION NO. 5-23-2024**

**ADOPTION OF THE 2024 MUNICIPAL BUDGET OF GREENWICH TOWNSHIP**

**BE IT RESOLVED** that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2024; and

**BE IT FURTHER RESOLVED** that said budget was published in the South Jersey Times on May 15, 2024; and

**BE IT FURTHER RESOLVED** that the Governing Body of the Township of Greenwich does hereby adopt the attached as the Budget for the year 2024.

On motion of Mayor Reinhart, seconded by Committeeman Werley to open the public hearing, unanimously carried. There being no comment forthcoming from the public, on motion of Mayor Reinhart, seconded by Committeeman Werley to close the public hearing, unanimously carried. On motion of Committeeman Werley, seconded by Mayor Reinhart to approve the foregoing resolution, unanimously carried upon roll call vote. Ayes: Werley, Reinhart Nays: None Abstain: None Absent: Orr

**Ordinances:**

**ORDINANCE NO. 82-2024**

**TREE REMOVAL AND REPLACEMENT**

**NOW THEREFORE BE IT ORDAINED** by the Township of Greenwich, County of Cumberland and State of New Jersey as follows:

**1. Purpose:**

An ordinance to establish requirements for tree removal and replacement in the Township of Greenwich to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

**2. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.
- B. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
  - 1. Has an infectious disease or insect infestation;
  - 2. Is dead or dying;
  - 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
  - 4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
  - 5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

- C. “Person” means any individual, resident, corporation, utility, company, partnership, firm, or association.
- D. “Planting strip” means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- E. “Resident” means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.
- F. “Street Tree” means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.
- G. “Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- H. “Tree Caliper” means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.
- K. “Tree removal” means to kill or cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

### **3. Regulated Activities:**

#### **A. Tree Replacement Requirements**

1. Any person who removes one or more tree(s) with a DBH of 6” or more, unless exempt, shall be subject to the Tree Replacement Requirements Table below.
2. Replacement tree(s) shall:
  - a. Meet the Tree Replacement Criteria in the table below. Replacement trees should generally match the species being replaced;
  - b. Be planted within twelve (12) months of the date of removal of the original tree(s).

- c. Be monitored by the resident for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
- d. Shall not be planted in temporary containers or pots.

**Tree Replacement Requirements Table:**

Category	Tree Removed (DBH)	Tree Replacement Criteria
1	DBH of 6” to 32.99”	Replant 1 tree with a minimum tree caliper of 1.5” for each tree removed
2	DBH of 33” or greater	Replant 2 trees with minimum tree calipers of 2.5” for each tree removed

**B. Replacement Alternatives:**

- 1. If the Township determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, the replacement trees shall be planted in a separate area(s) approved by the Township.

**4. Exemptions:**

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption for hazard trees.

- A. Trees within the building envelope and at or beyond the minimum yard setbacks.
- B. Trees indicated to be removed on a tree clearing plan or landscape plan approved by the Greenwich Township Land Use Board for any development application.
- C. Residents who remove less than four (4) trees per acre that fall into category 1 or 2 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the ‘count’ resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
- D. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- E. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the Township.

- F. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- G. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- H. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- I. Hazard trees may be removed replacement requirement.

**5. Enforcement:**

This chapter shall be enforced by the Zoning Officer of the Township of Greenwich during the course of ordinary enforcement duties.

**6. Violations and Penalties:**

Any person(s) who is found to be in violation of the provisions of this chapter shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows: **a fine not to exceed \$100 per occurrence.**

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

**8. When Effective:**

This chapter shall take effect upon its final passage and publication as required by law.

On motion of motion of Mayor Reinhart, seconded by Committeeman Werley to open the public hearing, unanimously carried. There being no comment forthcoming, on motion of Mayor Reinhart, seconded by Committeeman Werley to close the public hearing, unanimously carried. On motion of Mayor Reinhart, seconded by Committeeman Werley to adopt the foregoing ordinance, unanimously carried upon roll call vote. Ayes: Reinhart, Werley Nays: None Abstain: None Absent: Orr

On motion of Mayor Reinhart, seconded by Committeeman Werley to open the public hearing on the following ordinance, unanimously carried. There being no comment forthcoming on motion of Mayor Reinhart, seconded by Committeeman Werley to close the public hearing, unanimously carried. On motion of Mayor Reinhart, seconded by Committeeman Werley to adopt the following ordinance, unanimously

carried upon roll call. Ayes: Reinhart, Werley Nays: None Abstain: None Absent:  
Orr

## ORDINANCE 83-2024

### AN ORDINANCE REQUIRING LEAD-BASED PAINT INSPECTIONS CERTAIN RESIDENTIAL DWELLINGS, AS MANDATED BY P.L. 2021, C. 182.

**WHEREAS**, the State of New Jersey enacted P.L. 2021, c. 182, codified under N.J.S.A. 52:27D-437.1, et seq., establishing lead-based paint testing programs for certain residential rental properties; and

**WHEREAS**, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every single-family, and two-family, and multiple rental dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and,

**WHEREAS**, the Township Committee of the Township of Greenwich determined it is in the best interests of Township residents to amend the Township Code at this time to require inspections for lead-based paint in certain residential rental dwellings to conform with State law.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Greenwich, County of Cumberland, State of New Jersey, as follows:

#### **SECTION I**

##### **Lead-Based Paint Inspections.**

###### **1.Definitions.**

**Dust Wipe Sampling** – A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

**Lead Abatement** – Measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner of Community Affairs in compliance with standards promulgated by the appropriate federal agencies.

**Lead-Based Paint Hazard** – Any condition that causes exposure to lead from lead-contaminated dust or soil or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

**Lead Evaluation Contractor** – A person certified by the New Jersey Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:171.1 et seq.

**Tenant Turnover** – The time at which all existing occupants vacate a dwelling unit(s) and all new tenants move into the dwelling unit.

**Visual Assessment** – A visual examination for deteriorated paint or visible surface dust, debris, or residue.

## **2. Required Initial Inspection**

The owner, landlord, and/or agent of every single-family, two-family, and/or multiple dwelling unit(s) offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards within two (2) years of the effective date of the law, July 2, 2022, or upon tenant turnover, whichever is earlier.

## **3. Required Recurring Inspection.**

After the initial required inspection, the owner, landlord, and/or agent of such dwelling unit(s) offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three (3) years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner, landlord, and/or agent has a valid lead-safe certification.

## **4. Option to Hire Lead Evaluation Contractor.**

The owner, landlord, and/or agent may directly hire a lead evaluation contractor who is certified to provide lead paint inspection services by the New Jersey Department of Community Affairs to satisfy the requirements instead of the municipal inspection. In the event that a dwelling owner or landlord directly hires such a lead evaluation contractor, the term “Township Code Enforcement Officer” shall also mean and include such lead evaluation contractor for purposes of this Chapter.

## **5. Consultation with the Local Board of Health.**

The Township Code Enforcement Officer or such lead evaluation contractor with the duty to inspect single-family, two-family, and multiple rental dwellings pursuant to this Chapter, may consult with the local health board, the State of New Jersey Department of Health, or the State of New Jersey Department of Community Affairs concerning the criteria for the inspection and identification of areas and conditions involving a high risk of lead poisoning in dwellings, methods of detection of lead in dwellings, and standards for the repair of dwellings containing lead paint.

## **6. Standards.**

Inspection for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-437.1 et seq., and N.J.S.A. 55:13A-1 et seq., as may be amended from time to time.

## **7. Exceptions.**



## Minutes of Meeting

June 18, 2024

A dwelling unit in a single family, two family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards, or for the fees for such inspection or evaluation, if the unit:

- a. has been certified to be free of lead-based paint.
- b. was constructed during or after 1978;
- c. is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least ten (10) years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law", N.J.S.A. 55:13A-1, et seq.;
- d. is a single-family or two-family seasonal rental dwelling which is rented for less than six (6) months-duration each year by tenants that do not have consecutive lease renewals; or
- e. has a valid lead-safe certification issued in accordance with N.J.S.A. 52:27D-437.16(d)(2).

### **8. Remediation.**

If lead-based paint hazards are identified, then the owner, landlord, and/or agent of the dwelling shall remediate the hazards through abatement or lead-based paint hazard control mechanisms in accordance with N.J.S.A. 52:27D-437.16(d). Upon the remediation of the lead-based paint hazard, the Township Code Enforcement Officer or his/her designee, as may be applicable, or the owner's private lead inspector, shall conduct an additional inspection of the unit(s) to certify that the hazard no longer exists.

### **9. Lead-Safe Certification.**

If no lead-based paint hazards are identified, then the Township Code Enforcement Officer or his/her designee, or the owner's private lead inspector shall certify the dwelling as lead safe on a form prescribed by the Department of Community Affairs (DCA), which shall be valid for two (2) years and shall be filed with the Township's Code Enforcement Officer. The Township Code Enforcement Officer shall maintain up-to-date information on inspection schedules, inspection results, tenant turnover, and a record of all lead-free certifications issued pursuant to N.J.A.C. 5:17.

### **10. Owner, Landlord, and/or Agent Responsibility.**

In accordance with N.J.S.A. 52:27D-437.16(e), the owner, landlord, and/or agent shall:

- a. provide evidence of a valid lead-safe certification and the most recent tenant turnover to the Township of Greenwich at the time of the cyclical inspection carried out under the "Hotel and Multiple Dwelling Law," N.J.S.A. 55:13A-1, et seq., unless not required to have had an inspection by a lead evaluation contractor or permanent local agency;

- b. provide evidence of a valid lead-safe certification to new tenants of the property at the time of tenant turnover, unless not required to have had an inspection by a lead evaluation contractor or permanent local agency hereof, and shall affix a copy of such certification as an exhibit to the tenant's or tenants' lease; and
- c. maintain a record of the lead-safe certification which shall include the name or names of the unit's tenant or tenants if the inspection was conducted during a period of tenancy, unless not required to have had an inspection by a lead evaluation contractor or permanent local agency.

#### **11. Notification to the Commissioner of Community Affairs.**

If the Township Code Enforcement Officer finds that a lead-based paint hazard exists in a dwelling unit upon conducting an inspection pursuant to this Chapter, then the Code Enforcement Officer shall notify the Commissioner of Community Affairs, who shall review the findings in accordance with the "Lead Hazard Control Assistance Act," N.J.S.A. 52:276D-437.8.

#### **12. Inspections as a Result of Testing of Children of Six Years of Age or Younger.**

- a. If less than three percent (3%) of children tested in the Township, six (6) years of age or younger, have a blood lead level greater than or equal to five (5) ug/dL, according to the central lead screening database maintained by the State of New Jersey Department of Health pursuant to N.J.S.A. 26:2-137.6, or according to other data deemed appropriate by the commissioner (as such term is used in and for the purposes of N.J.S.A. 52:27D-437.16), then the Township Code Enforcement Officer may inspect a dwelling located therein for lead-based paint hazards through visual assessment.
- b. If at least three percent (3%) of children tested, six (6) years of age or younger, have a blood lead level greater than or equal to five (5) ug/dL, according to the central lead screening database maintained by the State of new Jersey Department of Health pursuant to section 5 of P.L.1995, c.328 (N.J.S.A. 26:2-137.6), or according to other data deemed appropriate by the commissioner, then the Township Code Enforcement Officer shall inspect a dwelling located therein through dust wipe sampling.
- c. If a lead hazard is identified in an inspection of one of the dwelling units in a building consisting of two- or three- dwelling units, then the Township Code Enforcement Officer shall inspect the remainder of the building's dwelling units for lead hazards, with the exception of dwelling units that have been certified to be free of lead-based paint. The Township Code Enforcement Officer may charge fees in accordance with this Chapter for such additional inspections.

#### **13. Fees.**

- a. Notwithstanding any other fees due pursuant to this Chapter, a fee in the amount of two hundred and fifty dollars (\$250.00) shall be paid for the initial lead-based paint inspection performed by the Township of Greenwich. If, after the initial inspection, a lead-based

paint hazard is found, and a subsequent inspection is required to confirm that such hazard has been remediated, the fee of two hundred and fifty dollars (\$250.00) shall be assessed for any such subsequent inspection(s).

- b. Said fees shall be dedicated to meeting the costs of implementing and enforcing this subsection and shall not be used for any other purpose. Alternatively, a dwelling unit owner, landlord, and/or agent may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to satisfy the requirements, in which case no additional Lead-Based Paint inspection fee shall be paid.
- c. In addition to the fees permitted to be charged for inspection of rental housing pursuant to this Chapter, the Municipality shall assess an additional fee of twenty dollars (\$20.00) per unit inspected by a certified lead evaluation contractor or permanent local agency for the purposes of the “Lead Hazard Control Assistance Act,” P.L.2003, c.301 (N.J.S.A. 52:27D-437.1 et al.) concerning lead hazard control work, unless the unit owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of twenty dollars (\$20.00) pursuant to the provisions of section 10 of P.L.2003, c.301 (N.J.S.A. 52:27D-437.10).
- d. In a common interest community, any inspection fee charged pursuant to this subsection shall be the responsibility of the unit owner and not the homeowners’ association, unless the association is the owner of the unit. The fees collected pursuant to this subsection shall be deposited into the “Lead Hazard Control Assistance Fund” established pursuant to section 4 of P.L.2003, c.301 (N.J.S.A.52:27D-437.4).

#### **14. Violations and Penalties.**

In accordance with N.J.S.A. 52:27D-437.19, the penalties for a violation of this Chapter shall be as follows:

- a. If a property owner has failed to conduct the required inspection or initiate any remediation efforts, the owner shall be given thirty (30) days to `cure the violation.
- b. If the property owner has not cured the violation after thirty (30) days, the property owner shall be subject to a penalty not to exceed one thousand dollars (\$1,000.00) per week until the required inspection has been conducted or remediation efforts have been initiated.

#### **SECTION II**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

#### **SECTION III**

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, inconsistent with the Code of the Township of Greenwich, or is held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

#### **SECTION IV**

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

On motion of Committeeman Werley, seconded by Mayor Reinhart to approve the introduction of the following proposed ordinance with a public hearing to be scheduled at the July 16, 2024 meeting, unanimously carried upon roll call vote. Ayes: Werley, Reinhart Nays: None Abstain: None Absent: Orr

### PROPOSED ORDINANCE 84-2024

#### STORMWATER CONTROL

##### Section I. Scope and Purpose:

###### A. Policy Statement

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

###### B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section 11.

###### C. Applicability

1. This ordinance shall be applicable to the following major developments:

- i. Non-residential major developments and redevelopment projects; and
- ii. Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.

2. This ordinance shall also be applicable to all major developments undertaken by the Township of Greenwich.
3. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference.

#### D. Compatibility with Other Permit and Ordinance Requirements

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

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

#### Section II. Definitions:

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

#### Section III. Design and Performance Standards for Stormwater Management Measures:

This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:85, incorporated herein by reference.

#### Section IV. Solids and Floatable Materials Control Standards:

- A. Site design features identified under Section III above, or alternative designs in accordance with Section III above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means

sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section IV.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

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

iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in IV.A.I. above does not apply:

i. Where each individual clear space in the curb opening in existing curbopening inlet does not have an area of more than nine (9.0) square inches; ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets; iii. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

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

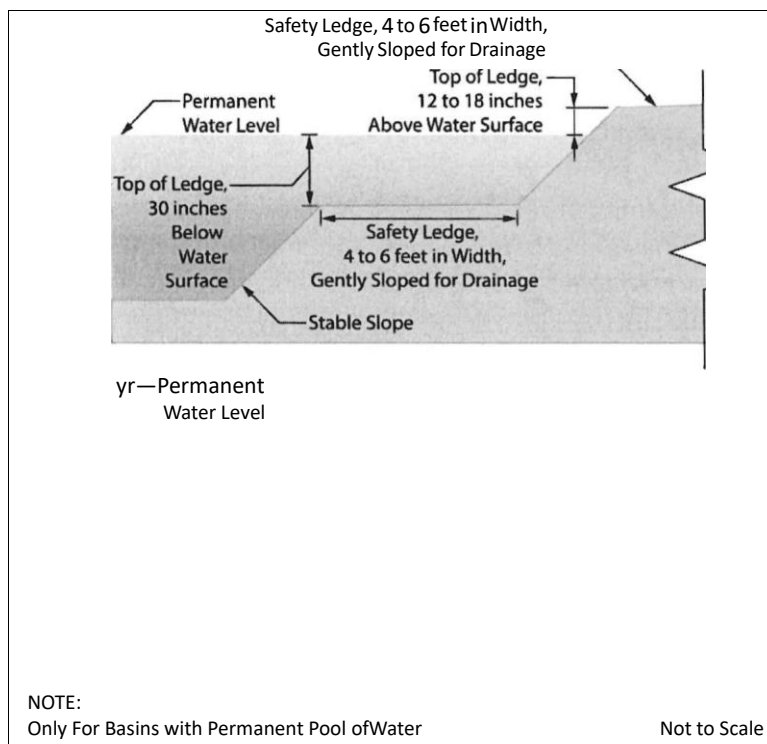
Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and

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

Section V. 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 section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.
- B. Safety Ledge Illustration

Elevation View —Basin Safe Ledge Configuration



Section VI. Requirements for a Site Development Stormwater Plan:

- A. Submission of Site Development Stormwater Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the

required components of the Checklist for the Site Development Stormwater Plan at Section VI.C below as part of the submission of the application for approval.

1. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
2. The applicant shall submit nine (9) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section VI.C of this ordinance.

#### B. Site Development Stormwater Plan Approval

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

#### C. Submission of Site Development Stormwater Plan

The following information shall be required:

##### 1. Topographic Base Map

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

##### 2. Environmental Site Analysis

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

##### 3. Project Description and Site Plans



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

4. Land Use Planning and Source Control Plan

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

5. Stormwater Management Facilities Map

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

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

6. Calculations

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

7. Maintenance and Repair Plan

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

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section VI.C.I through VI.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 VII. Maintenance and Repair:

A. Applicability

Projects subject to review as in Section 1.c of this ordinance shall comply with the requirements of Section VII.B and VII.C.

B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.

2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:

i. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and ii. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a

manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

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

#### Section VIII. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

#### Section IX. Severability:

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

#### Section X. Effective Date:

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

#### **Resolutions:** \_\_\_\_\_

### **RESOLUTION NO 6-28-2024**

#### **A RESOLUTION ADOPTING THE ANNUAL AUDIT REPORT FOR THE YEAR 2023**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6 and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

**General Comments  
Recommendations**

and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**General Comments  
Recommendations**

as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board.

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the provisions of .R.S. 52-27BB-52, to wit:

R.S. 52BB-52: A local officer or member of a local governing body who after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Greenwich, hereby states that it has complied with N.J.A.C.5.30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

On motion of Mayor Reinhart, seconded by Committeeman Werley to approve the foregoing resolution, unanimously carried.

On motion of Mayor Reinhart, seconded by Committeeman Werley to approve the following resolution, unanimously carried.

**RESOLUTION NO. 6-29-2024**

**RENEWAL OF PLENARY RETAIL CONSUMPTION AND DISTRIBUTION LICENSES  
AND CLUB LICENSES FOR THE TERM FROM JULY 1, 2024 TO JUNE 30, 2025 FOR  
THE LICENSES HEREIN SPECIFIED**

**WHEREAS**, the holders of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses hereinafter indicated have made application to the Township Committee of the Township of Greenwich, the issuing authority of the Township of Greenwich, for the renewal of said licenses for the term commencing July 1, 2024 and ending June 30, 2025; and

**WHEREAS**, no written objections to the renewal of any of said licenses have been filed with the Township Clerk necessitating a hearing thereon; and

**WHEREAS**, the Township Committee is satisfied that the licenses hereinafter specified should be renewed for the term indicated.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Greenwich, situated in the County of Cumberland and State of New Jersey, the issuing authority thereof, as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The applications for renewal hereinafter designated have paid all required fees to the Township Clerk.
3. The submitted application forms as to each of the hereinafter designated licensees are complete in all respects.
4. The hereinafter designated applicants for renewal are qualified to be licensees according to all standards established by Title 33 of the New Jersey Statutes, regulations and promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33.
5. The applicants for renewal have heretofore disclosed the source of all funds used in the purchase of the license and licensed business and this issuing authority is satisfied with the disclosure and adequacy of that information.
6. The following licenses are hereby renewed for the license term commencing July 1, 2024 and ending on June 30, 2025.

Name of Licensees and Licensed Premises	License Numbers
Sea Level at Hancock Harbor, LLC 30 Hancock Harbor Road	0606-33-001-012 PRC

7. A certified copy of this Resolution shall be forthwith filed with the Director of Alcoholic Beverage Control of the State of New Jersey.

**Unfinished Business:**

Tennis Court – no further update at this time.

Old Stone School House – possible grant opportunities provided by Triad were forwarded to the Committee. The Clerk will reach out to Mr. Pisarski for his comment.

Ordinances – Certificate of Occupancy Fees - Ms. Garrison will work with Mr. Sheppard to develop an ordinance for the Committee’s consideration.

Wible Drive – Committeeman Werley reviewed an email from Fralinger Engineering’s office. A quote had been received from Gary Homan, in the amount of \$1,500, to repair the stormwater drain and install riprap. On motion of Mayor Reinhart, seconded by Committeeman Werley to approve the quote, in the amount of \$1,500, from Gary Homan, unanimously carried. It was recommended later in the year for the Township to take care of the seeding with the cost coming from the stormwater funds.

Mowing – a quote had been received. Committeeman Werley will contact the contractor for further clarification. Until the contract is awarded. they will be utilized on an as needed basis at an hourly rate.

Edmunds Software - Ms. Garrison indicated there was a recommendation in the audit report due to the expiration of the Quickbooks software that is utilized by the Township currently. Ms. Colaneri, Township CFO/Treasurer, had obtained a quote in the amount of \$8,000 to obtain the Edmunds Finance software package. A \$4,000 annual maintenance fee would be required in the future. Ms. Garrison indicated that the Committee had approved applying for the County’s Communication Grant and this would be a way to recover the funds if approved. The Committee concurred to proceed with the purchase of the software.

**New Business:** None

**Committee Comments:**

Committeeman Werley updated the Committee on the progress of the Recreation Committee for the upcoming Craft Faire. Committeeman Werley indicated some vendors required payment the same day as the event. Ms. Colaneri indicated that she would be able to provide the checks for the vendors as requested.

Mayor Reinhart reported on a meeting that he had attended with Committeeman Werley regarding the regionalization of the Greenwich and Stow Creek Schools. He indicated that meetings will be held with the community and that letters were sent to the parents. The Township will place said letter on the website.

**Payment of Bills**

After review and discussion on motion of Committeeman Werley, seconded by Mayor Reinahrt to approve the bills for payment in the amount of \$127,376.53, unanimously carried.

**Public Comment:**

On motion of Mayor Reinhart, seconded by Committeeman Werley to open the public comment, unanimously carried. There being no comment forthcoming, on motion of Mayor Reinhart, seconded by Committeeman Werley, to close the public comment, unanimously carried

**Adjournment:** There being no further business to come before the Township Committee, on motion of Mayor Reinhart, seconded by Committeeman Werley to adjourn, unanimously carried

Respectfully submitted.

Lisa Garrison  
Borough Clerk

