

COMMISSIONERS REGULAR MEETING AGENDA
RIDGEFIELD PARK
April 9, 2024
7:30 PM

Mayor Anlian announces that this meeting is being held in accordance with the “Open Public Meeting Act, N.J.S.A. 10 4-6 et seq.” notice of which was sent to the Record and the Star Ledger on December 29, 2023 and was posted on the Municipal Bulletin Board and the Village Website.

This agenda is listed as a courtesy and attempt to inform the public of actions being considered by the Village Board of Commissioners. There may be additions and deletions prior to the Board taking final action. Any action may be taken at any meeting, which includes all Caucus and Regular sessions. The Commissioners reserve the right to conduct and/or attend any meetings presently scheduled for the rest of 2024 by a combination of electronic and/or in-person means. Meetings are open to the public.

ROLL CALL

FLAG SALUTE

APPROVAL OF MINUTES

Commissioners Regular Meeting of March 26, 2024

PAYMENT OF BILLS

CORRESPONDENCE

Ridgefield Park Fire Department Hose Co. No. 1 – New Member

COMMISSIONER REPORTS

PRESENTATION

VFW POST 277

HEARING OF CITIZENS

NEW BUSINESS

Mayor Anlian announces that the following business is considered to be routine in nature and will be enacted in one motion. Any item may be removed for separate consideration.

RESOLUTIONS:

- 2024-60 Appoint Member of the Ridgefield Park Pool Committee
- 2024-61 Approve 2024 Summer Recreation Program Application+
- 2024-62 Authorize Application for US Congress Community Project Funding FY 2024
- 2024-63 Authorize Acceptance of US Congress Community Project Funding FY 2024
- 2024-64 Authorize Application for Bergen County Municipal Park Development Grant Funds
- 2024-65 Authorize Limited Outdoor Dining

ORDINANCE INTRODUCTION

- 2024-06 ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK, COUNTY OF BERGEN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 96 AND 96A ENTITLED “DISTRICT REGULATIONS” OF THE ZONING ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK

ORDINANCE PUBLIC HEARINGS AND ADOPTIONS

2024-04 AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK AMENDING CHAPTER 327 “STORMWATER CONTROL,” OF THE VILLAGE CODE

2024-05 ORDINANCE PROVIDING FOR THE FUNDING OF THE HUNTER PARK RESURFACING FOR TENNIS AND BASKETBALL COURTS AND NEW FENCING PROJECT IN THE VILLAGE OF RIDGEFIELD PARK, COUNTY OF BERGEN, NEW JERSEY AND APPROPRIATING \$350,000.00 FROM THE GENERAL CAPITAL FUND–THE CAPITAL IMPROVEMENT FUND OF THE VILLAGE

PROCLAMATION

Mayor’s Monarch Pledge

CLOSED SESSION (if necessary)

2024-66 Authorize Closed Session Meeting

ADJOURNMENT

Resolution 2024-60

BE IT RESOLVED that the Board of Commissioners hereby appoints the following as members of the Pool Committee for a term commencing on January 1, 2024 and terminating December 31, 2024.

Karen Beltran

Mike Nagurka

Paula Petrella

Cristina Salcedo

Sharon Strowbridge

Resolution 2024-61

BE IT RESOLVED that the Board of Commissioners hereby approves the 2024 Summer Recreation Program Application.

Resolution 2024- 62

A RESOLUTION OF THE VILLAGE OF RIDGEFIELD PARK AUTHORIZING THE APPLICATION FOR US CONGRESS COMMUNITY PROJECT FUNDING IN CONNECTION WITH COMBINED SEWER OVERFLOW (CSO) IMPROVEMENTS

WHEREAS, the Village of Ridgefield Park desires to apply for and obtain a grant from the Federal Government in connection with improvements to its sewer infrastructure; and

WHEREAS, the United States Congress has initiated a program for the funding of local projects, called, respectively, Congressionally Directed Funding in the Senate, and Community Project Funding in the House of Representatives; and

WHEREAS, both United States Senators Menendez and Booker have submitted applications for Congressionally Directed Funding on behalf of the Village for the 2024 fiscal year; and

WHEREAS, Congressman Gottheimer, the Village's representative, has submitted an application for Community Project Funding for the 2024 fiscal year; and

WHEREAS, this project purpose is for reduction of Combined Sewer Overflow (CSO) occurrences in the Hackensack River via localized sewer separation; and

WHEREAS, this project will help mitigate combined sewer overflows by implementing localized sewer separation to provide linear storage of stormwater discharge within the Village, and facilitate implementation of store-delay-discharge during peak rain events.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners for the Village of Ridgefield Park, does hereby approve the application for Federal funding for improvements to the Village's sewer and wastewater infrastructure; and

BE IT FURTHER RESOLVED, that the Mayor, Village Clerk, and other appropriate officials are hereby directed, authorized and empowered to execute any documents necessary for this grant application.

Resolution 2024 - 63

A RESOLUTION OF THE VILLAGE OF RIDGEFIELD PARK AUTHORIZING THE ACCEPTANCE OF US CONGRESS COMMUNITY PROJECT FUNDING IN CONNECTION WITH COMBINED SEWER OVERFLOW (CSO) IMPROVEMENTS

WHEREAS, the Village of Ridgefield Park has applied for and obtained a grant from the Federal Government in connection with improvements to its sewer infrastructure; and

WHEREAS, the United States Congress has initiated a program for the funding of local projects, called, respectively, Congressionally Directed Funding in the Senate, and Community Project Funding in the House of Representatives; and

WHEREAS, both United States Senators Menendez and Booker have submitted applications for Congressionally Directed Funding on behalf of the Village for the 2024 fiscal year; and

WHEREAS, Congressman Gottheimer, the Village's representative has submitted an application for Community Project Funding for the 2024 fiscal year; and

WHEREAS, the Village has been awarded a State and Tribal Assistance Grant in the amount of \$976,031 from the Clean Water State Revolving Fund; and

WHEREAS, this project purpose is for reduction of Combined Sewer Overflow (CSO) occurrences in the Hackensack River via localized sewer separation; and

WHEREAS, this project will help mitigate combined sewer overflows by implementing localized sewer separation to provide linear storage of stormwater discharge within the Village, and facilitate implementation of store-delay-discharge during peak rain events;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners for the Village of Ridgefield Park, does hereby accept the State and Tribal Assistance Grant in the amount of \$976,031, for the funding of improvements to the Village's sewer and wastewater infrastructure.

BE IT FURTHER RESOLVED, that the Mayor, Village Clerk, and other appropriate officials are hereby directed, authorized and empowered to execute any documents necessary for accepting these funds.

Resolution 2024 -64

A RESOLUTION OF THE VILLAGE OF RIDGEFIELD PARK AUTHORIZING AN APPLICATION FOR MUNICIPAL PARK DEVELOPMENT GRANT FUNDS FROM BERGEN COUNTY TO ACQUIRE ADDITIONAL NATURE PRESERVE PROPERTY

WHEREAS, the Village of Ridgefield Park desires to apply for and obtain a grant from the County of Bergen for the expansion of the Ridgefield Park Nature Preserve; and

WHEREAS, County of Bergen provides grant funding through the Municipal Park Improvement Program; and

WHEREAS, this program is authorized by, and pursuant to the rules of, the Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund Law, N.J.S.A. 40:12-15.1, et seq.; and

WHEREAS, the Village has complied with the State and County requirements for participation in this program; and

WHEREAS, the Village has scheduled a public hearing regarding this application on April 23, 2024, as required by the County, ; and

WHEREAS, this funding will be used to acquire the real property located at 579 Teaneck Road, designated on the official tax map as Black 20.01, Lot 3.01 in the Village of Ridgefield Park; and

WHEREAS, this property will be incorporated into the Ridgefield Park Nature Preserve.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners for the Village of Ridgefield Park, does hereby approve the application for Municipal Park Program funding for expansion of the Ridgefield Park Nature Preserve; and

BE IT FURTHER RESOLVED, that the Mayor, Village Clerk, and other appropriate officials are hereby directed, authorized and empowered to execute any documents necessary for this grant application.

Resolution 2024-65

RESOLUTION AUTHORIZING LIMITED OUTDOOR DINING ON A TEMPORARY BASIS IN DESIGNATED AREAS ON MAIN STREET

WHEREAS, pursuant to Executive Order No. 150(2020), the State of New Jersey authorized municipalities to allow restaurants and other business establishments to use fixtures and equipment enabling them to serve patrons outdoors, in private areas, sidewalks, and other municipal designated outdoor areas during the Covid pandemic, which Order has been extended through November 30, 2024; and

WHEREAS, the Executive Order enabled municipalities to expand outdoor dining in order to support small food and beverage establishments; and

WHEREAS, outdoor dining has shown to be a real success for those communities that have authorized this expanded use of dining facilities; and

WHEREAS, the Board of Commissioners believes it is in the best interest of the Village to authorize temporary outdoor dining, which shall be determined on a case by case basis by the Board of Commissioners based upon which establishments provide the most suitable location for outdoor dining, including but not limited to pedestrian traffic, dimensions of the area to be utilized, and the building, street and sidewalk upon which it fronts.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Village of Ridgefield Park that five (5) businesses shall be authorized to operate, on a temporary basis, outdoor dining, subject to the rules, regulations, guidelines and other requirements established by the Public Art Committee, in consultation with the Historic Preservation Committee; and

BE IT FURTHER RESOLVED that each designated establishment must provide insurance covering any and all claims arising from the operation of outdoor dining and comply with all rules and regulations and specifications as adopted by the Board of Commissioners; and

BE IT FURTHER RESOLVED that each establishment must comply with police regulations, Board of Health and Sanitary Code requirements, fire safety codes, building codes for temporary structures, and obtain necessary permits if applicable.

VILLAGE OF RIDGEFIELD PARK

ORDINANCE NO. 2024-04

**AN ORDINANCE OF THE VILLAGE OF RIDGEFIELD PARK AMENDING
CHAPTER 327 “STORMWATER CONTROL,” OF THE VILLAGE CODE**

WHEREAS, the above section of the Village Code was last amended by adoption of Ordinance No. 2021-01 on February 18, 2021; and

WHEREAS, this section of the Village Code defines and regulates the Village’s stormwater management measures, which are aimed to promote flood control, groundwater recharge, and pollution reduction through Green Infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies, and;

WHEREAS, Section 7:8 of the New Jersey Administrative Code contains the State of New Jersey’s Municipal Stormwater Management Program, which sets forth the stormwater control guidelines that must be administered and followed by each municipality in the State, and;

WHEREAS, the New Jersey Department of Environmental Protection, Division of Water Quality, (hereinafter “NJDEP”) had made several amendments to Section 7:8, effective July 17, 2023, and;

WHEREAS, the Village is required to amend its stormwater management rules to reflect the newly-revised language in the State’s Municipal Stormwater Management Program.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Village of Ridgefield Park, that Chapter 327 of the Ridgefield Park Village Code is hereby deleted in its entirety and replaced with the following:

Chapter 327 Stormwater Control

327-1 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 327-2.
- C. Applicability
1. This article shall be applicable to all projects that meet the definition of "minor development" or "major development" as defined below.
 2. 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 preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.
 3. This ordinance shall also be applicable to all major developments undertaken by Village of Ridgefield Park.
 4. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference and minor developments as defined herein.
- 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.

327-2 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 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. The following additional terms are defined for this chapter only.

- a. EXEMPT DEVELOPMENT – Shall mean any development that creates less than 500 square feet of new impervious area and disturbs less than 1,500 square feet of land. Further, an exempt development shall not meet the definition of "minor development."
- b. MINOR DEVELOPMENT – Shall mean any development that results in the creation of 500 square feet or more of new impervious area or one that disturbs more than 1,500 square feet of land area. Further, a minor development shall not meet the definition of "major development" in N.J.A.C. 7:8.
- c. MAJOR DEVELOPMENT – (repeated from N.J.A.C. 7:8) Shall mean an individual "development," as well as multiple developments that individually or collectively result in:
 - 1. The disturbance of one or more acres of land since February 2, 2004;
 - 2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
 - 3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or
 - 4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

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

327-3 Design and Performance Standards for Stormwater Management Measures:

This section establishes design and performance standards for stormwater management measures for minor and 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.

- A. Exempt Developments. Any project meeting the definition of "exempt development" shall be exempt from the provisions of this section.
- B. Minor Developments. Minor developments shall be designed to include the following stormwater management measures:
 - 1. Water Quality. Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.
 - 2. Rate/Volume Control. Seepage pits or other infiltration measures shall be provided with a capacity of three (3") inches of runoff for each square foot of new impervious area. Stone used in the infiltration devices shall be two and one-half (2 1/2") inches clean stone and design void ratio of 33% shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the infiltration system. This shall be permitted where the existing roof is not already directed to infiltration devices.

- C. Major Developments. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.

327-4 Waivers and exceptions.

- A. Standards for relief (Minor Development). Waivers from strict compliance with the design standards for minor development shall only be granted upon showing that meeting the standards would result in an exceptional hardship on the applicant or that the benefits to the public good of the deviation from the standards would outweigh any detriments of the deviation. A hardship will not be considered to exist if reasonable reductions in the scope of the project would eliminate the noncompliance.
- B. Standards for relief (Major Development). Waivers from strict compliance with the design and performance standards for major development shall meet the requirements N.J.A.C. 7:8-4.6.
- C. Reviewing agency. All applications subject to the review of the Land Use Boards shall be reviewed by the Board concurrently with subdivision or site plan review. Applications not subject to Land Use Board review shall be reviewed by the Village Engineer.
- D. Appeals. The appeal of the determination of the Village Engineer shall be made in accordance with N.J.S.A. 40:55D-70a.

327-5 Solids and Floatable Materials Control Standards (Major Development)

- A. Site design features identified under Section 327-3 above, or alternative designs in accordance with Section 327-3 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 327-5(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 Section 327-5(A)(1). above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the Village agrees 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.

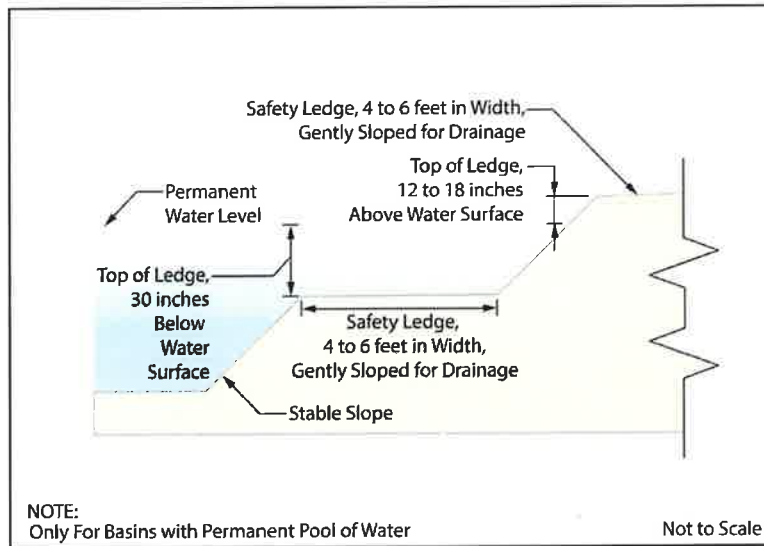
Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

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

327-6 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 Safety Ledge Configuration



327-7 Requirements for a Site Development Stormwater Plan (Major Development)

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks Village 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 327-7(C) below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit six copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 327-7(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 Village Board or official from which Village approval is sought. The Village Board or official shall consult the Village'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 327-3 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 a scale of 1"=50' or smaller 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 pre-development and post-development conditions for the design storms specified in Section 327-3 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 327-9.

8. Waiver from Submission Requirements

The Village official or board reviewing an application under this ordinance may, in consultation with the Village's review engineer, waive submission of any of the requirements in Section 327-7(C)(1) through 327-7(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.

9. Application and Review Fees

There shall be no additional fees for stormwater review for applications to the Land Use Boards. Applications to the Village Engineer shall be accompanied by an initial review escrow deposit of \$2,000 for major developments. If a project is approved, an inspection escrow deposit shall be made in an amount to be determined by the Village Engineer.

327-8 Requirements for a Site Development Stormwater Plan (Minor Development)

A. 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 50 feet beyond the limits of the proposed development, at a scale of 1"=30' or larger, 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. 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.
3. 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.
4. Calculations demonstrating compliance with the minor development standards of 327-3(B) must be submitted.
 5. Waiver from Submission Requirements

The Village Engineer may waive submission of any of the requirements in Section 327-8(A)(1) through 327-8(A)(4) of this ordinance when it can be demonstrated 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.

6. Application and Review Fees

There shall be no additional fees for stormwater review for applications to the Land Use Boards. Applications to the Village Engineer shall be accompanied by a review fee in the amount of \$750 for minor developments. If a project is approved, an inspection escrow deposit shall be made in an amount to be determined by the Village Engineer.

327-9 Maintenance and Repair:

A. Applicability

Projects subject to review as in Section 327-3(C) of this ordinance shall comply with the requirements of Section 327-9(B) and 327-9(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 Village or another governmental agency, subject to all applicable Village 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 the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the Village 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 approved by the Village engineer or his/her designee. The Village, 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 Village 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 Village 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.

327-10 Penalties:

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this article shall be subject to a penalty as stated in Chapter 1-15, General Penalty. Each and every day in which a person shall be in violation of this article shall constitute a separate offense.

327-11 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.

ORDINANCE #2024-05

ORDINANCE PROVIDING FOR THE FUNDING OF THE HUNTER PARK RESURFACING FOR TENNIS AND BASKETBALL COURTS AND NEW FENCING PROJECT IN THE VILLAGE OF RIDGEFIELD PARK, COUNTY OF BERGEN, NEW JERSEY AND APPROPRIATING \$350,000.00 FROM THE GENERAL CAPITAL FUND—THE CAPITAL IMPROVEMENT FUND OF THE VILLAGE

BE IT ORDAINED BY THE VILLAGE BOARD OF COMMISSIONERS OF THE VILLAGE OF RIDGEFIELD PARK, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:

Section 1. The capital improvement, meaning the Hunter Park improvement project described in Section 2 of this ordinance is hereby authorized as a general improvement to be made or acquired by the Village of Ridgefield Park, New Jersey, and there is hereby appropriated therefor the sum of \$350,000.00 from funds available in the General Capital Fund – Capital Improvement Fund of the Village.

Section 2. The capital improvement hereby authorized and the purpose for the financing of which the appropriation is made is the Hunter Park improvement project in the Village of Ridgefield Park for the resurfacing of the tennis courts, basketball courts and installation of fencing in Hunter Park, Block 11, Lot 10, located at 2nd Street and Central Avenue. As per Boswell Engineering's preliminary estimate, this project was estimated to cost \$350,000.00, a copy of which is on file with the Village Clerk.

Section 3. The Village of Ridgefield Park applied for funding from the Bergen County Open Space Trust Fund Municipal Program, as set forth in Village Resolution No. 2023-17.

Section 4. The Village of Ridgefield Park has been awarded a grant from the Open Space Trust Fund by Resolution No. 1487-23, dated December 13, 2023, in the amount of \$125,026.00, which funds shall be used toward the cost of this project, which must be completed by December 13, 2025.

Section 5. The Mayor and Board of Commissioners acknowledge that the grant will be disbursed to the Village of Ridgefield Park as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements.

Section 6. The Mayor and Board of Commissioners acknowledge that the grant disbursement to the Village of Ridgefield Park will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirement. Professional Services costs may be reimbursed from grant award's unexpected balance, should there be a balance.

Section 7. The temporary capital budget of the Village is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 8. This ordinance shall take effect after publication after final passage as provided by law.