

Absent:

1. Flag Salute
2. Opening Prayer
3. Open Public Meetings Act Announcement
4. Resolution 2021-58 Re: Executive Session ____ P.M.
Topics to be Discussed:

M: S: RC: MC:
5. Return from Executive Session ____ P.M.

M: S: RC: MC:
6. Approval of Payroll, Requisition List and Operating Expenses

M: S: RC: MC:
7. Approval of Council Meeting Minutes for 3/3/21 and 3/17/21

M: S: RC: MC:
8. Proclamation: Ralph Spina
9. Public Comment on Agenda Items Only
10. Resolution 2021-59 Re: Concurring with the Board of School Estimates

M: S: RC: MC:
11. Resolution 2021-60 Re: Waive the Reading of the 2021 Municipal Budget

M: S: RC: MC:
12. Resolution 2021-35 Re: Public Hearing of the 2021 Municipal Budget

M: S: RC: MC:
13. Resolution 2021-61 Re: Amendment to the 2021 Municipal Budget
M: S: RC: MC:

14. Resolution 2021-62 Re: Adoption of the 2021 Municipal Budget

M: S: RC: MC:

15. Ordinance No. 5 of 2021 – Introduction
Revisions to Stormwater Control Ordinance

M: S: RC: MC:

16. Resolution 2021-63 Re: Authorize Modification of Contract with Greenman-
Pedersen, Inc.

M: S: RC: MC:

17. Resolution 2021-64 Re: Authorize Award of Bid for Alarm Monitoring, Testing and
Service

18. Resolution 2021-65 Re: Appointing Municipal Joint Insurance Fund Alternate Fund
Commissioner

M: S: RC: MC:

19. Resolution 2021-66 Re: Municipal Alliance Grant

M: S: RC: MC:

20. Resolution 2021-67 Re: Cops in Shops Grant

M: S: RC: MC:

21. Resolution 2021-68 Re: Authorizing Latimer Lawsuit Settlement

M: S: RC: MC:

22. Consent Agenda

A. Brigantine Beach Volleyball Association Use of 38th Street Beach

M: S: RC: MC:

23. Council Manager/Committee Discussion:

24. Public Comments

25. Council Comments

26. Adjourn _____ P.M.

The City Council of the City of Brigantine reserves the right to consider, discuss and/or take any formal action upon resolutions or ordinances not appearing on the printed agenda.

**CITY OF BRIGANTINE
RESOLUTION 2021-**

THE CITY COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:

WHEREAS, the Board of School Estimate of the City of Brigantine, comprising of two members of the Board of Education and two members of the governing body and the Mayor of the City of Brigantine on March 23, 2021, as required by statute, and fixed by official action at that meeting, the amount of money necessary to be appropriated for the use of the public schools of the City of Brigantine, pursuant to the requirements set forth in N.J.S.A. 18A:22-14; and

WHEREAS, the governing body of the City of Brigantine is obligated to include the amount to be raised by taxation, and assess, levy and collect such funds in the same manner as other monies appropriated are assessed, levied and collected; and

WHEREAS, the amount which is determined by the Board of School Estimate as being the amount required for local school purposes for the 2021-2022 is \$15,838,114.00; and

WHEREAS, such amount is not in excess of one and one half percent of the assessed valuation of the ratable in the municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE THAT THEY DO HEREBY CONCUR AND CONSENT TO THE AMOUNT OF \$15,838,114.00 AS DETERMINED BY THE BOARD OF SCHOOL ESTIMATE AT ITS HEARING ON MARCH 23, 2021 AS BEING THE AMOUNT REQUIRED FOR LOCAL SCHOOL PURPOSES FOR THE YEAR 2021-2022.

1. A certified copy of this resolution shall be delivered to the Board of Education of the City of Brigantine.
2. The amount so determined shall be appropriated in the manner according to the law.
3. This resolution shall take effect immediately.

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey, at its meeting of April 7, 2021.

Lynn Sweeney, RMC City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2021-**

WHEREAS, a summarized copy of the approved 2021 Local Municipal Budget as advertised has been available to each person requesting same for one week prior to this date and during the public hearing; and

WHEREAS, a summarized copy of the approved 2021 Local Municipal Budget, as advertised, has been posted in the City of Brigantine City Hall for one week prior to this date.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brigantine, in the County of Atlantic, and the State of New Jersey, that according to the provisions of N.J.S.A. 40:4-8, the budget be read by title only.

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey at its meeting of April 7, 2021.

Lynn Sweeney, RMC
City Clerk

CITY OF BRIGANTINE
2021 - 61 RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2021 was approved on the 3rd day of March, 2021 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 City Council of the City of Brigantine, County of Atlantic that the following amendments to the approved budget of 2021 be made:

<u>Recorded Vote</u>	((
	((
Ayes(Nays(Abstained(
(((
(((
((Absent(
(((

CURRENT FUND:

ANTICIPATED REVENUES:

	<u>From</u>	<u>To</u>
1. Surplus Anticipated		
Total Surplus Anticipated		
3. Miscellaneous Revenues - State Aid Without Offsetting Appropriations		
Section B: State Aid Without Offsetting Appropriations		
Type I School Debet Service Aid	150,000.00	165,860.00
Total Miscellaneous Revenues - State Aid Without Offsetting Appropriations		
Total Section B: State Aid Without Offsetting Appropriations	822,700.00	838,560.00
Section F: Special Items with Prior Written Consent of the Director of LGS - Public and Private Revenues Offset with Appropriations		
U Drive U Text U Pay	0.00	4,800.00
Total Section F: Special Items with Prior Written Consent of the Director of LGS - Public and Private Revenues Offset with Appropriations	282,905.18	287,705.18
3. Total Miscellaneous Revenues	5,666,477.35	5,687,137.35
4. Receipts from Delinquent Taxes	420,000.00	420,000.00
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	9,286,477.35	9,307,137.35
7. Total General Revenues	<u>31,917,219.06</u>	<u>31,937,879.06</u>

ANTICIPATED APPROPRIATIONS:

8. General Appropriations:		
a) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
U Drive U Text U Pay	0.00	4,800.00
Total Public and Private Programs Offset by Revenues	292,905.18	297,705.18
Total Operations - Excluded from "CAPS"	633,405.18	638,205.18
H-2 Total General Appropriations for Municipal Purposes Excluded from "CAPS"	4,912,654.18	4,917,454.18
J) Deferred Charges and Statutory Expenditures - Local School Capital Projects	505,752.56	521,612.56
Total Capital Projects	505,752.26	521,612.56
K) District School Purposes Excluded from "CAPS"	1,088,152.56	1,104,012.56
O) Total General Appropriations Excluded from "CAPS"	6,000,806.74	6,021,466.74

I) Subtotal General Appropriations (Items (H-1) and (O))	30,653,742.74	30,674,402.74
9. Total General Appropriations	<u>31,917,219.06</u>	<u>31,937,879.06</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the local municipal budget so amended.

It is hereby certified that all additions and math in this amendment are correct.

Leon P. Costello, CPA, RMA

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 7th day of April, 2021.

City Clerk, Lynn Sweeney, RMC

City of Brigantine

Resolution 2021-____

MUNICIPAL BUDGET RESOLUTION - ADOPTION

Section 1. Municipal Budget of the City of Brigantine, County of Atlantic for the Fiscal Year 2021

BE IT RESOLVED that the attached statements of revenues and appropriations shall constitute the City of Brigantine Municipal Budget for the Calendar Year 2021; and

BE IT FURTHER RESOLVED that said Budget was approved for introduction by the City Council of the City of Brigantine on Wednesday, March 3, 2021, pursuant to Resolution 2021-35; and

BE IT FURTHER RESOLVED that a legal ad of said Budget was published in the Press of Atlantic City on March 19, 2021 and again on March 25, 2021 indicating said Budget was available for public review at Brigantine City Hall.

Section 2. The City Council of the City of Brigantine does hereby adopt the following as the Budget for the year 2021.

RECORDED VOTE	MOTION	SECOND	AYES	NAYES	ABSTAINED
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ABSENT

Bew

Lettieri

Haney

Delucry

Kane

Riordan

Mayor Sera

NOTICE IS HEREBY GIVEN that the Budget Resolution was adopted by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey, on April 7, 2021 following a public hearing of citizens also held on April 7, 2021.

CERTIFICATION

I, Lynn Sweeney, City Clerk of the City of Brigantine, do hereby certify that this is a true and lawful copy of the resolution adopted by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey, on April 7, 2021.

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
ORDINANCE NO. 5 OF 2021**

AN ORDINANCE PROVIDING FOR STORMWATER MANAGEMENT

NOW THEREFORE BE IT ORDANCED AND ENACTED by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey, as follows:

Section One: All ordinances or portions of ordinances including, without limitation, Ordinance 20-2007, adopted 10-3-2007, as amended, that have been codified in Chapter 258, Stormwater Control, of the Code of the City of Brigantine, be and they hereby are repealed and are replaced with the following:

§258-1. 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 and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

(1) It is hereby determined that:

- (a) Land development projects and associated disturbance of vegetation and soil and changes in land cover, including increases in impervious cover, alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes. If inadequately or improperly managed, this stormwater runoff can deplete groundwater resources and increase flooding, stream channel erosion, and sediment transport and deposition.
- (b) This stormwater runoff contributes to increased quantities of waterborne pollutants.
- (c) Increases of stormwater runoff, soil erosion and nonpoint source pollutants have occurred in the past as a result of land development, and contribute to the degradation of the water resources of the City of Brigantine.
- (d) Stormwater runoff, soil erosion and nonpoint source pollution can be controlled and minimized through the regulation of stormwater runoff from development sites.

- (e) It is in the public interest to regulate the discharge of stormwater runoff from major development projects, as defined in § **258-2** of this chapter, as provided in this chapter, in order to control and minimize increases in stormwater runoff rates and volumes, to maintain groundwater recharge, and to control and minimize soil erosion, stream channel erosion and nonpoint source pollution associated with stormwater runoff.
- (2) Therefore, it is the purpose of this chapter to establish minimum stormwater management requirements and controls for major development, and the provisions of the adopted master plan and land use ordinances of the City of Brigantine.

C. Goals and techniques.

- (1) Through this chapter, the City of Brigantine has established the following goals for stormwater control:
 - (a) To reduce flood damage, including damage to life and property;
 - (b) To minimize any increase in stormwater runoff from new development;
 - (c) To reduce soil erosion from any development or construction project;
 - (d) To assure the adequacy of existing and proposed culverts and bridges, and other in-stream structures;
 - (e) To maintain groundwater recharge;
 - (f) To minimize any increase in nonpoint pollution;
 - (g) To maintain the integrity of stream channels for their biological functions, as well as for drainage;
 - (h) To restore, protect, maintain and enhance the quality of the streams and water resources of the City of Brigantine;
 - (i) To minimize pollutants in stormwater runoff from new and existing development in order to restore, protect, enhance and maintain the chemical, physical and biological integrity of the surface and groundwaters of the City of Brigantine, to protect public health and to enhance the domestic, municipal, recreational, industrial and other uses of water; and
 - (j) To protect public safety through the proper design and operation of stormwater management basins.
- (2) In order to achieve the goals for stormwater control set forth in this chapter, the City of Brigantine has identified the following management techniques:
 - (a) Implementation of multiple stormwater management best management practices (BMPs) may be necessary to achieve the performance standards for stormwater runoff quantity and rate, groundwater recharge, erosion control, and stormwater runoff quality established through this chapter.

- (b) Compliance with the stormwater runoff quantity and rate, groundwater recharge, erosion control, and stormwater runoff quality standards established through N.J.A.C. 7:8-1.1 et seq., and this chapter, shall be accomplished to the maximum extent practicable through the use of nonstructural BMPs, before relying on structural BMPs. Nonstructural BMPs are also known as low impact development (LID) techniques.
- (c) Nonstructural BMPs shall include both environmentally sensitive site design and source controls that prevent pollutants from being placed on the site or from being exposed to stormwater.
- (d) Source control plans shall be developed based upon physical site conditions and the origin, nature and the anticipated quantity or amount of potential pollutants.
- (e) Structural BMPs, where necessary, shall be integrated with nonstructural stormwater management strategies and proper maintenance plans.
- (f) When using structural BMPs, multiple stormwater management measures, smaller in size and distributed spatially throughout the land development site, shall be used wherever possible to achieve the performance standards for water quality, quantity and groundwater recharge established through this chapter before relying on a single, larger stormwater management measure to achieve these performance standards.

D. Applicability

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

E. Procedures.

- (1) In addition to other development review procedures set forth in the Code of the City of Brigantine, major developments located within the City shall comply with the stormwater management requirements and specifications set forth in this chapter. New agricultural development that meets the definition of major development in § 258-2 of this chapter shall be submitted to the appropriate Soil Conservation District for review and approval in accordance with the requirements of N.J.A.C. 5.4(b)7:8.

F. Compatibility with other permit and ordinance requirements.

- (1) Development approvals issued pursuant to this chapter 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 ordinance, code, rule, regulation, statute, act or other provision of law.

- (2) In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This chapter 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 chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive or stringent provisions or higher standards shall control.
- (3) In the event that a regional stormwater management plan(s) is prepared and formally adopted pursuant to N.J.A.C. 7:8-1.1 et seq. for any drainage area(s) or watershed(s) of which the City of Brigantine is a part, the stormwater provisions of such a plan(s) shall be adopted by the City of Brigantine within one year of the adoption of a regional stormwater management plan (RSWMP) as an amendment to an areawide water quality management plan. Local ordinances proposed to implement the RSWMP shall be submitted to the NJDEP for certification within six months of the adoption of the RSWMP per N.J.A.C. 7:8.

§258-2. Definitions.

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

AQUACULTURE

The propagation, rearing and subsequent harvesting of aquatic organisms in controlled or selected environments, and their subsequent processing, packaging and marketing, including but not limited to activities to intervene in the rearing process to increase production such as stocking, feeding, transplanting and providing for protection from predators.

CAFRA CENTERS. CORES OR NODES

Those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.13.

CAFRA PLANNING MAP

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

CERTIFICATION

Either a written statement signed and sealed by a licensed New Jersey professional engineer attesting that a BMP design or stormwater management system conforms to or meets a particular set of standards or to action taken by the Commission pursuant to N.J.A.C. 7:50-3, Part II or Part IV. Depending upon the context in which the term is used, the terms "certify" and "certified" shall be construed accordingly.

CITY OF BRIGANTINE

The Planning Board, Zoning Board of Adjustment or other board, agency or official of the City of Brigantine with authority to approve or disapprove subdivisions, site plans, construction permits, building permits or other applications for development approval. For the purposes of reviewing development applications and ensuring compliance with the requirements of this chapter, the City of Brigantine may designate the municipal engineer or other qualified designee to act on behalf of the City of Brigantine.

COMMUNITY BASIN

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

COMPACTION

The increase in soil bulk density caused by subjecting soil to greater-than-normal loading. Compaction can also decrease soil infiltration and permeability rates.

CONSTRUCTION

The construction, erection, reconstruction, alteration, conversion, demolition, removal or equipping of buildings, structures or components of a stormwater management system, including but not limited to collection inlets, stormwater piping, swales and all other conveyance systems, and stormwater BMPs.

CONTRIBUTORY DRAINAGE AREA

The area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE

A pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY

The Atlantic County Department of Regional Planning and Development.

DEPARTMENT

Department of Environmental Protection.

DESIGNATED CENTER

A State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DESIGN ENGINEER

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

DESIGN PERMEABILITY

The tested permeability rate with a factor of safety of two applied to it (e.g., if the tested permeability rate of the soils is four inches per hour, the design rate would be two inches per hour).

DEVELOPMENT

The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.* and the creation or termination of rights of access or riparian rights, including but not limited to:

- A. A change in type of use of a structure or land;
- B. A reconstruction, alteration of the size, or material change in the external appearance of a structure or land;
- C. A material increase in the intensity of use of land, such as an increase in the number of businesses, manufacturing establishments, offices or dwelling units in a structure or on land;
- D. Commencement of resource extraction or drilling or excavation on a parcel of land;
- E. Demolition of a structure or removal of trees;
- F. Commencement of forestry activities;
- G. Deposit of refuse, solid or liquid waste or fill on a parcel of land;
- H. In connection with the use of land, the making of any material change in noise levels, thermal conditions, or emissions of waste material; and
- I. Alteration, either physically or chemically, of a shore, bank, or floodplain, seacoast, river, stream, lake, pond, wetlands or artificial body of water.

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

DRAINAGE AREA

A geographic area within which stormwater, sediments, or dissolved materials drain to a BMP, a stormwater management system, a particular receiving water body or a particular point along a receiving water body.

DISTURBANCE

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

DRAINAGE AREA

A geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

ENVIRONMENTALLY CONSTRAINED AREA

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

ENVIRONMENTALLY CRITICAL AREA

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 contiguous open space or upland forest; steep slopes; and wellhead protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's landscape project as approved by the Department's Endangered and Nongame Species Program.

EMPOWERMENT NEIGHBORHOODS

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

EROSION

The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

EXCEPTION

The approval by the approving authority of a variance or other material departure from strict compliance with any section, part, phrase or provision of this chapter. An exception may be granted only under certain specific, narrowly defined conditions described herein.

EXTENDED DETENTION BASIN

A facility constructed through filling and/or excavation that provides temporary storage of stormwater runoff. It has an outlet structure that detains and attenuates runoff inflows and promotes the settlement of pollutants. An extended detention basin is normally designed as a multistage facility that provides runoff storage and attenuation for both stormwater quality and quantity management. The term "stormwater detention basin" shall have the same meaning as "extended detention basin."

FINISHED GRADE

The elevation of the surface of the ground after completion of final grading, either via cutting, filling or a combination thereof.

GRADING

Modification of a land slope by cutting and filling with the native soil or redistribution of the native soil which is present at the site.

GREEN INFRASTRUCTURE

A stormwater management measure that manages stormwater close to its source by:

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

GROUNDWATER

Water below the land surface in a zone of saturation.

GROUNDWATER MOUNDING ANALYSIS

A test performed to demonstrate that the groundwater below a stormwater infiltration basin will not "mound up," encroach on the unsaturated zone, break the surface of the ground at the infiltration area or downslope, and create an overland flow situation.

HEAVY EQUIPMENT

Equipment, machinery, or vehicles that exert ground pressure in excess of eight pounds per square inch.

HIGH POLLUTANT LOADING AREA

An area in an industrial or commercial development site where solvents and/or petroleum products are loaded/unloaded, stored, or applied; where pesticides are loaded/unloaded or stored; 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; where recharge would be inconsistent with NJDEP-approved remedial action work plan or landfill closure plan; and/or where a high risk exists for spills of toxic materials, such as gas stations and vehicle maintenance facilities. The term "HPLA" shall have the same meaning as "high pollutant loading area."

HUC 14

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

IMPERVIOUS SURFACE

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

INFILTRATION

The process by which precipitation enters the soil through its surface.

IN LIEU CONTRIBUTION

A monetary fee collected by the City of Brigantine in lieu of requiring strict on-site compliance with the groundwater recharge, stormwater runoff quantity and/or stormwater runoff quality standards established in this chapter.

INSTALL

To assemble, construct, put in place or connect components of a stormwater management system.

LEAD PLANNING AGENCY

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

MAJOR DEVELOPMENT

An individual "development," as well as multiple developments that individually or collectively result in the disturbance of one or more acres of land since February 2, 2004.

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 result in the disturbance of one or more acres of land since February 2, 2004. 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."

MINOR DEVELOPMENT

All development other than major development.

MITIGATION

Acts necessary to prevent, limit, remedy or compensate for conditions that may result from those cases where an applicant has demonstrated the inability or impracticality of strict compliance with the stormwater management requirements set forth in N.J.A.C. 7:8, in an adopted regional stormwater management plan, or in a local ordinance which is as protective as N.J.A.C. 7:8, and an exception from strict compliance is granted by the City of Brigantine.

MOTOR VEHICLE SURFACE

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

MUNICIPALITY

The City of Brigantine.

NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES MANUAL

Guidance developed by the New Jersey Department of Environmental Protection, in coordination with the New Jersey Department of Agriculture, the New Jersey Department of Community Affairs, the New Jersey Department of Transportation, municipal engineers, county engineers, consulting firms, contractors, and environmental organizations to address the standards in the New Jersey Stormwater Management Rules, N.J.A.C. 7:8. The BMP manual provides examples of ways to meet the standards contained in the rule. An applicant may demonstrate that other proposed management practices will also achieve the standards established in the rules. The manual, and notices regarding future versions of the manual, are available from the Division of Watershed Management, NJDEP, PO Box 418, Trenton, New Jersey 08625; and on the NJDEP's website, www.njstormwater.org. The term "New Jersey BMP Manual" shall have the same meaning as "New Jersey Stormwater Best Management Practices Manual."

NJDEP

The New Jersey Department of Environmental Protection.

NJPDES

The New Jersey Pollutant Discharge Elimination System as set forth in N.J.S.A. 58:10A-1 et seq. and in N.J.A.C. 7:14A.

NJPDES PERMIT

A permit issued by the NJDEP pursuant to the authority of the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., and N.J.A.C. 7:14A for a discharge of pollutants.

NODE

An area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NONPOINT SOURCE

- A. Any human-made or human-induced activity, factor, or condition, other than a point source, from which pollutants are or may be discharged;
- B. Any human-made or human-induced activity, factor, or condition, other than a point source, that may temporarily or permanently change any chemical, physical, biological, or radiological characteristic of waters of the state from what was or is the natural, pristine condition of such waters, or that may increase the degree of such change; or
- C. Any activity, factor, or condition, other than a point source, that contributes or may contribute to water pollution.
- D. The term "NPS" shall have the same meaning as "nonpoint source."

NONSTRUCTURAL BMP

A stormwater management measure, strategy or combination of strategies that reduces adverse stormwater runoff impacts through sound site planning and design. Nonstructural BMPs include such practices as minimizing site disturbance, preserving important site features, reducing and disconnecting impervious cover, flattening slopes, utilizing native vegetation, minimizing turf grass lawns, maintaining natural drainage features and characteristics and controlling stormwater runoff and pollutants closer to the source. The term "Low Impact Development technique" shall have the same meaning as "nonstructural BMP."

NUTRIENT

A chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERMEABILITY

The rate at which water moves through a saturated unit area of soil or rock material at hydraulic gradient of one, determined as prescribed in N.J.A.C. 7:9A-6.2 (tube permeameter test), N.J.A.C. 6.5 (pit bailing test) or N.J.A.C. 6.6 (piezometer test). Alternative permeability test procedures may be accepted by the approving authority provided the test procedure attains saturation of surrounding soils, accounts for hydraulic head effects on infiltration rates, provides a permeability rate with units expressed in inches per hour and is accompanied by a published source reference. Examples of suitable sources include hydrogeology, geotechnical, or engineering text and design manuals, proceedings of American Society for

Testing and Materials (ASTM) symposia, or peer-review journals. Neither a soil permeability class rating test, as described in N.J.A.C. 7:9A-6.3, nor a percolation test, as described in N.J.A.C. 7:9A-6.4, are acceptable tests for establishing permeability values for the purpose of complying with this chapter.

PERMEABLE

Having a permeability of one inch per hour or faster. The terms "permeable soil," "permeable rock" and "permeable fill" shall be construed accordingly.

PERSON

Any individual, corporation, company, partnership, firm, association, municipality or political subdivision of this state subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

POINT SOURCE

Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel, or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

POLLUTANT

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.

PROFESSIONAL ENGINEER

A person licensed to practice professional engineering in the State of New Jersey pursuant to N.J.S.A. 48:8-27 et seq.

RECHARGE

The amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE

Any of the following, alone or in combination:

- A. A net increase of impervious surface;
- B. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);

- C. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
- D. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE

Any of the following, alone or in combination:

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

REPLICATE

One of two or more soil samples or tests taken at the same location (within five feet of each other) and depth, within the same soil horizon or substratum. In the case of fill material, replicate tests are tests performed on subsamples of the same bulk sample packed to the same bulk density.

SAND

A particle size category consisting of mineral particles which are between 0.05 and 2.0 millimeters in equivalent spherical diameter. Also, a soil textural class having 85% or more of sand and a content of silt and clay such that the percentage of silt plus 1.5 times the percentage of clay does not exceed 15, as shown in § **258-10C(1)** (USDA Soil Textural Triangle).

SEASONALLY HIGH WATER TABLE

The upper limit of the shallowest zone of saturation which occurs in the soil, identified as prescribed in N.J.A.C. 7:9A-5.8.

SEDIMENT

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

The lot or lots upon which a major development is to occur or has occurred.

SOIL

All unconsolidated mineral and organic material of any origin.

SOURCE MATERIAL

Any material(s) or machinery located at an industrial facility that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include but are not limited to raw materials; intermediate products; final products; waste materials; byproducts; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PAI)

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

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

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

STORMWATER INFILTRATION BMP

A basin or other facility constructed within permeable soils that provides temporary storage of stormwater runoff. An infiltration BMP does not normally have a structural outlet to discharge runoff from the stormwater quality design storm. Instead, outflow from an infiltration BMP is through the surrounding soil. The terms "infiltration measure" and "infiltration practice" shall have the same meaning as "stormwater infiltration basin."

STORMWATER MANAGEMENT BMP

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

STORMWATER MANAGEMENT MEASURE

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

STORMWATER RUNOFF

Water flow on the surface of the ground or in storm sewers resulting from precipitation.

STORMWATER MANAGEMENT PLANNING AGENCY

A public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA

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

SUITABLE SOIL

Unsaturated soil above the seasonally high water table which contains less than 50% by volume of coarse fragments and which has a tested permeability rate of between one and 20 inches per hour.

SURFACE WATER

Any waters of the state which are not groundwater.

TIDAL FLOOD HAZARD AREA

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

TIME OF CONCENTRATION

The time it takes for runoff to travel from the hydraulically most distant point of the drainage area to the point of interest within a watershed.

TOTAL SUSPENDED SOLIDS

The insoluble solid matter suspended in water and stormwater that is separable by laboratory filtration in accordance with the procedure contained in the Standard Methods for the Examination of Water and Wastewater Prepared and published jointly by the American Public Health Association, American Water Works Association and the Water Pollution Control Federation. The term "TSS" shall have the same meaning as "total suspended solids."

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD

A neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONES

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

URBAN REDEVELOPMENT AREA

Previously developed portions of areas:

- A. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- B. Designated as CAFRA Centers, Cores or Nodes;
- C. Designated as Urban Enterprise Zones; and
- D. Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATER CONTROL STRUCTURE

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

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams and bodies of surface and groundwater, whether natural or artificial, within the boundaries of New Jersey or subject to its jurisdiction.

WATER TABLE

The upper surface of a zone of saturation.

WELL

A bored, drilled or driven shaft, or a dug hole, which extends below the seasonally high water table and which has a depth which is greater than its largest surface dimension.

WETLANDS

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.

WET POND

A stormwater facility constructed through filling and/or excavation that provides both permanent and temporary storage of stormwater runoff. It has an outlet structure that creates a permanent pool and detains and attenuates runoff inflows and promotes the settling of pollutants. A stormwater retention basin can also be designed as a multistage, facility that also provides extended detention for enhanced stormwater quality design storm treatment and runoff storage and attenuation for stormwater quantity management. The term "stormwater retention basin" shall have the same meaning as "wet pond."

§258-3. Design and Performance Standards for Stormwater Management Measures.

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
- (1) The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 - (2) The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

§258-4. Stormwater Management Requirements for Major Development.

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with 258-10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of 258-4.P, Q and R:
 - (1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - (2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of 258-4.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 - (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - (2) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of 258-4.O, P, Q and R to the maximum extent practicable;
 - (3) The applicant demonstrates that, in order to meet the requirements of 258-4.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 - (4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under 258-4.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of 258-4.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in 258-4.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management

Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)

Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations ^(a) through ^(g) are found at the end of Table 3)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found at the end of Table 3)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.

- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with 258-4.B. Alternative stormwater management measures may be used to satisfy the requirements at 258-4.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at 258-4.O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at 258-4.O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with 258-4.D is granted from 258-4.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
- (1) Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - (2) Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of 258-8.C;
 - (3) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;

- (4) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at 258-8; and
- (5) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at 258-4.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at 258-4.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at 258-4.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Atlantic County Clerk . A form of deed notice shall be submitted to the City of Brigantine.

A form of deed notice shall be submitted to the City of Brigantine for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at 258-4.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to 258-10.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the City of Brigantine. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the County Clerk. However, if the initial proof provided to the City is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the City within 180 calendar days of the authorization granted by the Planning Board.

- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to 258-4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the City for approval and subsequently recorded with the Atlantic County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the City in accordance with M above.

O. Green Infrastructure Standards

- (1) This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
- (2) To satisfy the groundwater recharge and stormwater runoff quality standards at 258-4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at 258-4.F. and/or an alternative stormwater management measure approved in accordance with 258-4.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

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

- (3) To satisfy the stormwater runoff quantity standards at 258-4.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with 258-4.G.
- (4) If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with 258-4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at 258-4.P, Q and R.
- (5) For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at 258-4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with 258-4.D.

P. Groundwater Recharge Standards

- (1) This subsection contains the minimum design and performance standards for groundwater recharge as follows:
- (2) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at 258-5, either:

- i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
- (3) This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
- (4) The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
- (2) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

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

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

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

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

Where

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

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

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

- (6) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in 258-4.P, Q and R.
- (7) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
- (8) The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- (9) Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
- (10) These stormwater quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (2) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at 258-5, complete one of the following:

- i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
- (3) The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

§258-5. Calculation of Stormwater Runoff and Groundwater Recharge.

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

- (1) The design engineer shall calculate runoff using one of the following methods:
 - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.

- (2) For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Section V.A.1.i and the Rational and Modified Rational Methods at Section V.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover have existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- (3) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
- (4) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
- (5) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

- (6) Groundwater recharge may be calculated in accordance with the following:

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

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

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

§258-6. Sources for Technical Guidance.

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

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

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

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

- B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

§258-7. Solids and Floatable Materials Control Standards.

- A. Site design features identified under Section IV.F above, or alternative designs in accordance with 258-4.G 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 258-7.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.

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

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

(2) The standard in A.1. above does not apply:

- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

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.

§258-8. Safety Standards for Stormwater Management Basins.

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in 258-8.C.1, 258-8.C.2, and 258-8.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
 - (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
 - (3) Stormwater management BMPs shall include escape provisions as follows:
 - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to 258-8.C, a free-standing outlet structure may be exempted from this requirement;

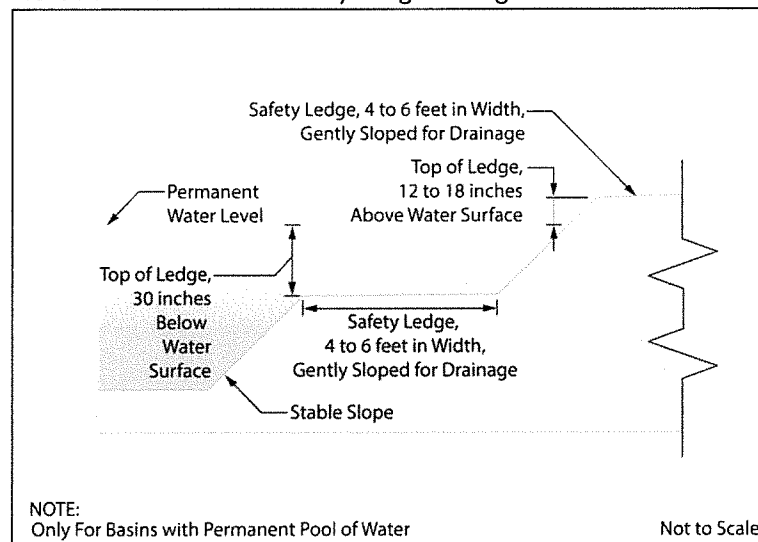
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See 258-8.E for an illustration of safety ledges in a stormwater management BMP; and
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

(4) Variance or Exemption from Safety Standard

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

(5) Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



§258-9. Requirements for a Site Development Stormwater Plan.

A. Submission of Site Development Stormwater Plan

- (1) Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at 258-9.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 Chapter.
- (3) The applicant shall submit three (3) copies of the materials listed in the checklist for site development stormwater plans in accordance with 258-9.C of this Chapter.

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 Chapter.

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 258-3 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:

- 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 258-4.
- 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 258-10.

(8) Waiver from Submission Requirements

The municipal official or board reviewing an application under this Chapter may, in consultation with the City's review engineer, waive submission of any of the requirements in 258-9.C.1 through 258-9.C.6 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.

§258-10. Maintenance and Repair.

A. Applicability

Projects subject to review as in 258-1.C shall comply with the requirements of 258-10.B and 258-10.C.

B. General Maintenance

- (1) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
- (2) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.\
- (3) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
- (4) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
- (5) If the party responsible for maintenance identified under 258-10.B.3 above is not a public agency, the maintenance plan and any future revisions based on 258-10.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
- (6) Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
- (7) The party responsible for maintenance identified under 258-10.B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and

- iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by 258-10.B.6 and B.7 above.
 - (8) The requirements of 258-10.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 - (9) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§258-11. Penalties.

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this Chapter may be subject to the following penalties: a fine of up to \$1,000, imprisonment for up to 90 days and/or community service for up to 90 days at the discretion of the municipal court judge.

§258-12. 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.

§258-13. Effective Date.

This Chapter shall take effect immediately upon the approval by the Atlantic County Planning Department and any publication as required by law.

ALL OF WHICH IS ADOPTED THIS _____ day of _____, 2021, by the Brigantine City Council.

Section 2. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

Section 3. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.

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

ATTEST:

CITY OF BRIGANTINE

LYNN SWEENEY, CITY CLERK

VINCE SERA

First Reading: _____

Publication: _____

Second Reading: _____

RESOLUTION NO. 2021-63

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO MODIFY
A CONTRACT WITH GREENMAN-PEDERSEN, INC.:

WHEREAS, the Federal Highway Administration (FHWA) authorized funding up to an amount of \$135,960.16, for Preliminary Engineering (PE); and

WHEREAS, the Preliminary Engineering portion of the design has now been completed; and

WHEREAS, the scope of work is now identified for Final Design (FD) Activities; and

WHEREAS, the Grand Total for Final Design Activities are anticipated to be \$203,020.50, as determined by the Preliminary Engineering; and

WHEREAS, it is necessary for the City to approve the scope of work and amount between the City of Brigantine and Greenman-Pedersen, Inc. for the Final Design (FD) Activities; and

WHEREAS, work cannot begin until the Final Design contract is executed in the amount of \$203,020.50, is approved between the City of Brigantine and Greenman-Pedersen, Inc.; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey on this 7th day of April 2021:

1. The Mayor and Clerk are authorized to execute the contract for Final Design with Greenman-Pedersen, Inc.
2. Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account # C-04-18-026-101 in the amount of: \$203,020.50.
3. This resolution shall take effect immediately.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Roxanne Tosto
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera					
Riordan					
Kane					
Bew					
Lettieri					
Haney					
DeLucry					

RESOLUTION NO. 2021-

A RESOLUTION OF THE CITY OF BRIGANTINE
AUTHORIZING AWARD OF BID FOR ALARM MONITORING, TESTING AND SERVICE

WHEREAS, the City duly advertised for and accepted sealed proposals on April 11, 2019 for alarm monitoring, testing and service; and

WHEREAS, the term of the contract is for twelve (12) months and the specifications provide that the City can exercise (2) one-year extensions; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine authorizes that the second and final option year contract extension for alarm monitoring, testing and service be granted to Atlantic Coast Alarm.

BE IT FURTHER RESOLVED that Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in the 2021 Current Fund Account# 1-01-26-302-220 and Utility Fund Account# 1-09-55-502-220. Estimated expenditures for 2021 should not exceed \$30,000.00 excluding any emergent conditions.

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 7th day of April 2021.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Roxanne Tosto
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera					
Riordan					
Kane					
Bew					
Lettieri					
Haney					
DeLucry					

**CITY OF BRIGANTINE
RESOLUTION 2021-**

**A RESOLUTION APPOINTING MUNICIPAL JOINT INSURANCE FUND
ALTERNATE FUND COMMISSIONER FOR THE CITY OF BRIGANTINE**

WHEREAS, the City of Brigantine is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the Bylaws of the FUND require that in the manner generally prescribed by law, each member shall appoint an Alternate Fund Commissioner to the Fund. The Alternate Fund Commissioner shall be either a member of the local unit's governing body or one of its employees and shall represent the Member in the absence of the Fund Commissioner; and

WHEREAS, N.J.A.C. 11:15-2.6 states that the Alternate Fund Commissioner who is a member of the appointing local unit's governing body, shall hold office for two years or for the remainder of his/her term of office as a member of the local unit's governing body, whichever shall be less; and

WHEREAS, N.J.A.C. 11:15-2.6 states that an Alternate Fund Commissioner who is an employee of the appointing member shall hold office at the pleasure of the Member and can be removed by the member at any time without cause; and

WHEREAS, the City Council of the City of Brigantine recommends the appointment of Karen Blowers to serve as Alternate Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brigantine that it does hereby appoint Karen Blowers as Alternate Fund Commissioner to the Atlantic County Joint Insurance Fund.

Signed this 7th day of April, 2021.

Lynn Sweeney, RMC, City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2021-**

**GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FORM 1B**

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the City Council of the City of Brigantine, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the City Council of the City of Brigantine further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the City Council of the City of Brigantine has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Atlantic.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the City of Brigantine Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$4,503.39
Cash Match	\$1,125.85
In-Kind	\$3,377.54
Total	\$9,006.78

2. The City Council of the City of Brigantine acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Vince Sera, Mayor

CERTIFICATION

I, Lynn Sweeney, Municipal Clerk of the City of Brigantine, County of Atlantic, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the City Council on this 7th day of April, 2021.

Lynn Sweeney, RMC, City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2021-**

**RESOLUTION TO ACCEPT COPS IN SHOPS FEDERAL FISCAL YEAR 2021
GRANT #AL-21-45-05-04**

WHEREAS, the State of New Jersey Division of Alcoholic Beverage Control has accepted the City of Brigantine's application for grant funds to participate in Cops in Shops FFY 2021; and

WHEREAS, this initiative is supported by FFY 2021 National Priority Safety Programs (CFDA NO. 20.616); and

WHEREAS, the Division of Alcoholic Beverage Control has allocated \$4,400.00 to the City of Brigantine for the assignment of officers to Cops in Shops details during the Summer Shore Initiative 2021; and

WHEREAS, this figure is based on two officer teams conducting four-hour details at the reimbursement rate of \$55.00 per hour per officer; and

WHEREAS, this program period is from May 26, 2021 through September 15, 2021.

THEREFORE, BE IT RESOLVED the City Council of the City of Brigantine has accepted Cops in Shops Federal Fiscal Year 2021 Grant #AL-21-45-05-04.

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey at its meeting of February 19, 2020.

Lynn Sweeney, RMC
City Clerk



STATE OF NEW JERSEY

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL
P.O. BOX 087
TRENTON, NJ 08625-0087
PHONE: (609) 984-2830 FAX: (609) 633-6078
WWW.NJ.GOV/OAG/ABC

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

GURBIR S. GREWAL
Attorney General

JAMES B. GRAZIANO
Director

March 25, 2021

Chief Richard Casamento
Brigantine Police Department
1417 West Brigantine Avenue
Brigantine, New Jersey 08203

RE: COPS IN SHOPS FEDERAL FISCAL YEAR 2021
GRANT #AL-21-45-05-04
PROGRAM: SUMMER SHORE INITIATIVE 2021

Dear Chief Casamento:

The Division of Alcoholic Beverage Control ("ABC") is pleased to accept your municipality's application for grant funds to participate in Cops In Shops FFY 2021. This Initiative is supported by FFY 2021 National Priority Safety Programs (CFDA NO. 20.616) funding from the Department of Transportation, National Highway Traffic Safety Administration.

GRANT AWARD

After careful consideration of your application, ABC has allocated **\$4,400.00** to your municipality for the assignment of officers to Cops in Shops details during the **Summer Shore Initiative 2021**. This figure is based on 2-officer teams conducting 4-hour details at the reimbursement rate of \$55.00 per hour per officer. The program period is from May 26, 2021 through September 15, 2021.

Details are authorized to be conducted at the following cooperating plenary distribution licensees located in your municipality:

Andre's Italian Restaurant
Cellar 32
The Cove

St. George's Pub
Ocean Beverage Discount Liquors



Neither ABC nor any other State agency will be responsible for any funds expended or liabilities incurred in excess of the amount set forth above. This subaward is subject to the requirements set forth in all applicable Federal and State statutes and regulations and the Award Conditions included with your application. This subaward also incorporates all conditions and representations contained or made in the application and notice of award.

The municipality agrees that the failure to comply with the agreement as set forth in the application could result in the forfeiture of the right to receive these funds. Each municipality should consult with its municipal attorney in connection with any legal or liability issues that may be related to this project.

PROGRAM FORMS – ENCLOSED

As a condition of funding to implement the Cops in Shops program, the municipality agreed to complete all Program Forms in an accurately and timely manner. It is imperative that program participants follow the instructions regarding completion and submission of the Monthly Reimbursement Forms, Summary of Arrest Forms and Arrest/Citation Report Forms. Failure to do so could affect reimbursement. **Please do not utilize forms from past programs.**

MUNICIPAL RESOLUTION

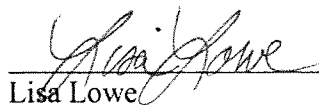
Each municipality is required to pass a resolution and submit a copy to ABC, authorizing the acceptance of Cops in Shops funding, prior to reimbursement. The resolution must state your municipality's specific allotment amount. Municipalities should submit these to Office Manager Lisa Lowe as soon as possible. **Without a municipal resolution, your municipality will not be reimbursed for Cops in Shops details.**

Should you have any questions regarding this grant or any Cops in Shops related issues, please contact me at (609) 376-9673 or Lisa.Lowe@njoag.gov.

Very truly yours,

GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY

By:

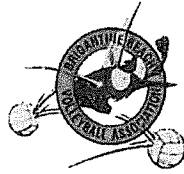


Lisa Lowe

Office Manager – Investigations Bureau

c: Sgt. John Glasser III, via e-mail only, with Program Forms attached

Resolution 2021-68
Authorizing Settlement for
Latimer Lawsuit.



PO Box 492, Brigantine NJ 08203

www.brigvb.net

A New Jersey Non-Profit Corporation

March 22, 2021

Brigantine City Council
City of Brigantine

Attn: City Manager and City Council

To Whom It May Concern:

The Brigantine Beach Volleyball Association, which is entering its 31st year, is submitting a schedule of events for 2021 – along with the appropriate COI's, to run tournaments, leagues and camps for the summer of 2021 (see attached).

The Brigantine Beach Volleyball Association (BBVA) wants to thank the City of Brigantine for allowing our organization to salvage a partial season in 2020 once NJ State Covid Guidance allowed for outdoor recreational sports to resume. Hopefully as we progress out of the pandemic and Covid vaccine distribution increases we will be able to have a more normal 2021 volleyball season as is reflected in the proposed schedule (attached). The BBVA and GAV will accommodate any requests Brigantine City has to operate these events & programs.

The Brigantine Beach Volleyball Association partners with Great American Volleyball for 2 competitive volleyball tournaments: The Steve Hopp Memorial Tournament in July when we plan to award our annual BBVA Steve Hopp College Scholarship(s) and the Greenhead Open in mid-August.

We thank the City of Brigantine, Brigantine Community Educations and Recreation (CER) and Brigantine Department of Public Works for their continued support of our programs. We are proud to state that we have given out over \$15,000 in scholarships to Atlantic County high school scholar athletes who plan to continue to excel in the sport in college.

During tournaments we offer volleyball goods (balls, t-shirts, sand socks, etc.) and water ice to the public for a donation and all the proceeds are used to fund our annual scholarship program. We will post a sign at our table that will make it clear that all monies collected are donations towards the scholarship fund.

Please feel free to contact us if the City requires any other information.

Allen Benowitz

President, Brigantine Beach Volleyball Association, Inc.

Email: Allenbenowitz01@gmail.com

Cell: 609-335-6883

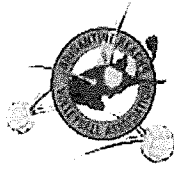
Attachments: BBVA 2021 Schedule & 2 COI's, Parking Request.

Cc. John Doring – Superintendent Brigantine Dep. Of Public Works..
Jim Mogan – Director Brigantine CER

Allen Benowitz, President
Pete Weiss, Treasurer

Michael Feeley- Vice President, Scholarships
James Flango, Secretary

Board Members At Large: Barry Miltner, Marc Jourdan, Charlotte Hannon, Michael Glestein



PO Box 492, Brigantine NJ 08203

www.brigvb.net

A New Jersey Non-Profit Corporation

March 22, 2021

City Manager
Superintendent Public Works
City of Brigantine
Brigantine, NJ 08203

To Whom It May Concern:

The Brigantine Beach Volleyball Association has completed its 2021 schedule (attached) and is requesting approval by Brigantine City Council. All events will take place at the 38th Street Volleyball Courts.

We are asking for approval for limited vehicle parking behind the volleyball shed (BBVA vehicle) and truck/trailer beach access for court setup and breakdown only for the GAV operated Greenhead Open & Steve Hopp Tournaments listed below. BBVA is also requesting vehicle beach access for setting up the courts for season in April set up and court breakdown in October. Please see additional details below:

April 10, 11, 17, 18, 24 & 25 May 1 & 2– Volleyball Courts/Fencing set up. (2vehicles)

May 22nd – Spring BBVA Member Only Tournament (1 vehicle behind shed)

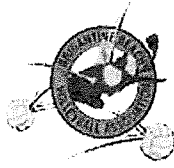
May 13th – Start of **Thursday** night league (1 vehicle behind shed)thru **September 23th**.

July 2nd, 3rd, & 4th – Steve Hopp Memorial Tournament (1 GAV truck/trailer on beach to set up Friday, July 2nd after 6PM and then breakdown on Sun, July 4th after the event). The GAV truck trailer will park offsite after setup.(1 BBVA vehicle behind the shed during event)

August 13th, 14th, & 15th – GAV Greenhead Open Tournament (1 truck/trailer on beach to set up on Friday August 13th after 6 PM and then breakdown on Sun, August 15th after the event). The GAV truck/trailer will park offsite after setup. (1 BBVA vehicle behind the shed during event.)

Sept. 5th – BBVA Members Only Tournament & Barbeque (2 vehicles behind shed) (Rain date Sept 12th).

Sept. 19th – BBVA Members KOB Tournament. (Rain date Sat ,Sept 25th) 1 BBVA vehicle behind shed



October (open dates) Court Take Down. (2 vehicles)

We appreciate the city's support with our programs. Just as last year, BBVA plans to adhere to all Police, Beach Patrol, & Public Works guidelines to keep certain areas clear of event patrons to facilitate emergency response, general safety, and refuse removal. Please feel free to contact us if you have questions or require clarification. Any concerns or violations of this request should be brought to my attention.

Thank you,

Allen Benowitz
BBVA President
Cell: 609-335-6883
email:
allenbenowitz01@gmail.com

Brigantine Beach Volleyball Association (BBVA) Proposed 2021 Summer Schedule

April 10 th /11 th , 17 th /18 th , 24 th /25 th , May 1 st /2 nd	Court Setup Dates (as needed)
May 13 th through Sept 23 rd (Thursdays)	BBVA Thursday Member League (4 PM-Dark)
May 22 nd (Saturday)	Spring KOB (BBVA members only)
June 19 th (Saturday) Raindate June 26 th (Sat)	Mystery Matchup Tournament (BBVA only)
June 14 th through August 11 th (Wednesday nights)	GAV Beach Club Juniors Program (4 PM-Dark)
<u>*July 3rd & 4th (Saturday & Sunday)</u>	<u>GAV Steve Hopp Memorial Tournament</u>
<u>*August 14th & 15th (Saturday & Sunday)</u>	<u>GAV Greenhead Open Tournament</u>
September 5 th (Sunday) raindate Sept 12 th (Sunday)	BBVA member 4s Tournament/BBQ
September 19 th (Sunday) Raindate Sept 25 th (Sat)	BBVA member Fall KOB tournament

***The GAV doubles competitive tournaments are larger event that draw players form outside the local area and involve Great American Volleyball (GAV) setting up additional courts based on the registration numbers. Saturday is the larger of the 2 days of these events.**

-The BBVA and GAV will assure that all additional court setup is within the City guidelines as detailed by Beach Patrol, Police, and DPW

-In addition, all players and patrons of the tournament will only be permitted to setup in area that will leave necessary access for Beach Patrol, Police, and DPW operations.

The BBVA and GAV Wednesday and Thursday night programs operate from 4 PM until dark. The number of players and patrons for these functions would be under 50 people.

The BBVA members tournaments are small events and members/patrons would be under 50 people.