

TOWNSHIP OF BYRAM
COUNCIL AGENDA, TUESDAY, OCTOBER 1, 2024
EXECUTIVE SESSION – 6:30 P.M.
REGULAR SESSION – 7:30 P.M.

PLEASE TAKE NOTICE that the regular session part of the meeting starting at 7:30 p.m. will be held in person at 10 Mansfield Drive and via Zoom Webinar. The public may connect using a computer or smart device by clicking on the following link: <https://us02web.zoom.us/j/82117363001>, or by calling any of the following number's US: +1 646 518 9805 or +1 267 831 0333 to participate. When prompted, enter the Meeting ID Number: 821 1736 3001. The public will have the opportunity to comment at appropriate times during the meeting. Formal action will be taken.

1. CALL MEETING TO ORDER

2. OPEN PUBLIC MEETING STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act. Both adequate and electronic notice of the meeting has been provided, specifying the time, place. In addition, a copy of this notice is available to the public and is on file in the office of the Municipal Clerk, posted on the main door, the bulletin board of the Municipal Building, on the Township website at: https://www.byramtwp.org/index.php/town_hall/township_council, and has been forwarded to those persons requesting notice.

3. ROLL CALL

4. RESOLUTION FOR EXECUTIVE SESSION

- a. Attorney Client Privilege Communication
 - General
 - Shared Court
 - Tax Reassessment RFP
- b. Litigation
 - Block 330 Lot 1.07 (TSC#2021-007)

5. RETURN TO OPEN SESSION

6. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT REFLECTION

7. APPROVAL OF AGENDA

8. APPOINTMENT OF PLANNING BOARD ALTERNATE – Jeanine Colligan

9. REPORTS

- Township Manager
- Mayor and Council Members
- Township Attorney

10. PUBLIC PARTICIPATION I – Meeting open to the public for comments on matters not on the agenda or items on the agenda for which no public discussion is provided.

11. APPROVAL OF MINUTES

- September 3, 2024 Regular & Closed Session Meeting Minutes
- September 17, 2024 Regular & Closed Session Meeting Minutes

12. CONSENT AGENDA: These items are considered to be routine by the Members of the Township Council and will be enacted on by one motion. There will be no separate discussion of these items unless a citizen or Council member so requests in which event the item may be removed from the general order of business and considered in its normal sequence on the agenda.

- A. Approval of 50/50 & Raffle License for Gunner J. Bigley Foundation – Byram Fire House 11/10/2024
- B. Resolution No. 155-2024 – Resolution of the Mayor and Council of the Township of Byram Approving an Extension of the 2019 Joint Municipal Court Agreement with the Andover Township, Fredon Township, Green Township and Andover Borough until December 31, 2028
- C. Resolution No. 156-2024 – Resolution Authorizing the Refund of Redemption Monies to Outside Lien Holder – Block 360 Lot 5 & Block 360 Lot 5 Q-farm – 12 Jans Way
- D. Resolution No. 157-2024 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Authorizing Tax Sale Certificate #2015-029 Be Remitted (Cancelled) from Record” – Block 366 Lot 5 – 32 Jefferson Lake Road
- E. Resolution No. 158-2024 – Resolution of the Township of Byram, County of Sussex, State of New Jersey “Authorizing Tax Sale Certificate # 2015-030 Be Remitted (Cancelled) from Record” Block 366 Lot 5 – 32A Jefferson Lake Road
- F. Resolution No. 159-2024 - Resolution of the Township of Byram, County of Sussex, State of New Jersey “Authorizing Tax Sale Certificate # 2015-031 Be Remitted (Cancelled) from Record” Block 370 Lot 3 – 44 Jefferson Lake Road
- G. Resolution No. 160-2024 – Resolution Authorizing 100% Disabled Veteran Block 143, Lot 112 Refund of Taxes Paid for 3rd Quarter 2024 – Block 143 Lot 112
- H. Resolution No. 161-2024 – Resolution Authorizing 100% Disabled Veteran Block 5, Lot 678 Refund of Taxes Paid for 3rd Quarter 2024
- I. Resolution No. 162-2024 – Resolution Authorizing 100% Disable Veteran Block 365.02, Lot 5 Refund Taxes Paid for 3rd Quarter 2024
- J. Resolution No. 163-2024 – Resolution Authorizing 100% Disabled Veteran Block 380, Lot 6.05 Refund of Taxes Paid for 3rd Quarter 2024
- K. Resolution No. 164-2024 - Authorization To Execute Change Order No. 1 for Proposed Resurfacing of Various Streets (Bridget Way, Catalina Drive, Camelot Drive, Mayfair Lane & Sandra Lane) – Drainage Inlets – Net Increase of \$590.00
- L. Resolution No. 165-2024 – Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7-29
- M. Resolution No. 166-2024 – Authorizing to Purchase one (1) New Skid Cutter Under the Sourcwell National Cooperative Purchasing System for Budget Year 2024 – Not to Exceed \$8,223.75
- N. Resolution No. 169-2024 – Resolution to Award Bid for Proposed Improvements to CO Johnson Park Field 8 Reconstruction – Not to Exceed \$566,805.21

13. RESOLUTION NO. 167-2024 - AUTHORIZING APPOINTMENT OF THE TOWNSHIP ARCHITECT AND AWARD OF PROFESSIONAL SERVICE CONTRACT IN CONNECTION THEREWITH
14. RESOLUTION NO 168-2024 - RESOLUTION AUTHORIZING FOX ARCHITECTURAL DESIGN P.C. PROVIDE ARCHITECTURAL DESIGN FOR THE CONCEPT PRESENTATION OF A PROPOSED NEW POLICE DEPARTMENT FACILITY – NOT TO EXCEED \$8,500.00
15. RESOLUTION NO. 154-2024 – RESOLUTION AUTHORIZING THE SUPPORT OF A GYPSY MOTH, LDD CONTROL PROGRAM BY THE STATE OF NEW JERSEY DEPARTMENT OF AGRICULTURE – NOT TO EXCEED \$6,045.00
16. APPROVAL OF OCTOBER 1, 2024 BILL LIST
17. ORDINANCE – 2nd Reading / Public Hearing
 - ORDINANCE NO. 016-2024 - AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR THE ACQUISITION OF SELF-CONTAINED BREATHING APPARATUS (SCBA) FOR USE BY THE BYRAM TOWNSHIP FIRE DEPARTMENT TO PROVIDE FUNDING IN THE AMOUNT NOT TO EXCEED \$25,000.00
Purpose Statement: Acquisition of Self-Contained Breathing Apparatus (SCBA) for use by the Byram Township Fire Department.
18. ORDINANCE – 1st Reading / Introduction
 - AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF BYRAM TO GRANT A DRIVEWAY EASEMENT TO MR. MARTIN EKHELAR AND MRS. CHRISTINE EKHELAR AND TO VACATE, RELEASE AND EXTINGUISH ANY PUBLIC RIGHTS IN A PORTION OF THE PAPER STREET OR RIGHT-OF-WAY LOCATED OFF LACKAWANNA DRIVE AT 70-A LACKAWANNA DRIVE PURSUANT TO N.J.S.A. 40:49-6 AND N.J.S.A. 40:67-21
Purpose Statement: The purpose of this Ordinance is to grant a driveway easement to Mr. Martin Ekhelar and Mrs. Christine Ekhelar, and to vacate a portion of the paper street right-of-way located off Lackawanna Road at 70-A Lackawanna Drive and identified herein pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.
 - AN ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE TOWNSHIP OF BYRAM CODE OF ORDINANCES TO REPEAL CHAPTER 136 – FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 136 – FLOOD DAMAGE PREVENTION; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.
19. ITEMS FOR DISCUSSION
20. FUTURE AGENDA DISCUSSION ITEMS
21. PUBLIC PARTICIPATION II
22. EXECUTIVE SESSION – Session II (if necessary)
23. ANY OTHER BUSINESS THE COUNCIL DEEMS NECESSARY
24. ADJOURNMENT



New Jersey Office of the Attorney General
 Division of Consumer Affairs
 Legalized Games of Chance Control Commission
 124 Halsey Street, 6th Floor, P.O. Box 46000
 Newark, New Jersey 07101
 (973) 273-8000

Application No. RA _____
 Identification No. 521-5-43836

Application for a Raffle License

Submit four (4) copies of this application to the Municipal Clerk's office in the municipality where the games will be conducted.

Please print clearly.

Name of municipality: Byram

Part A - General

1. Name of applying organization: Gunner J. Bigley Foundation
- 2a. Street address of headquarters: 81 Springtown Rd Washington NJ
- b. Mailing address (if different): 07082
3. A license is requested to conduct raffles of the kind stated on the date, or on each of the dates, and during the hours listed (use a separate application for each type of raffle).

Date	Hours	Date	Hours
<u>11/10/24</u>	<u>10:am - 7p.m</u>		

- 4a. Address of place where raffles will be played: Byram Firehouse
225 Rt 206 Byram NJ 07082
- b. Does the applicant own the premises or regularly occupy them for its general purposes? ☐ Yes ☒ No
5. If raffles equipment is to be rented, attach a statement by the raffles equipment lessor to this application on Form 13.

Part B - Schedule of Expenses

The items of expense intended to be incurred or paid in connection with the games listed in this application, the names and addresses of the persons to whom each item is to be paid, and the purpose for which each item is to be paid, are:

Item of Expense	Name and address of supplier	Purpose
<u>Tickets</u>	<u>Amazon</u>	<u>50/50</u>

RESOLUTION NO. 155- 2024

**RESOLUTION OF THE MAYOR AND COUNCIL OF
THE TOWNSHIP OF BYRAM APPROVING AN
EXTENSION OF THE 2019 JOINT MUNICIPAL COURT
AGREEMENT WITH ANDOVER TOWNSHIP, FREDON
TOWNSHIP, GREEN TOWNSHIP AND ANDOVER
BOROUGH UNTIL DECEMBER 31, 2028**

WHEREAS, Byram Township, Fredon Township, Green Township and Andover Borough have a Shared Services Agreement with Andover Township, which was entered into in 2014; and

WHEREAS, in 2019, Byram Township, Fredon Township, Green Township, Andover Borough and Andover Township entered a Joint Municipal Court Agreement for the period of January 1, 2020 to December 31, 2024 (2019 Joint Municipal Court Agreement); and

WHEREAS, by a memorandum dated August 21, 2024, from the Andover Township Attorneys, Andover Township has offered to extend the 2019 Joint Municipal Court Agreement until December 31, 2028; and

WHEREAS, by this Resolution, the Mayor and Council of the Township of Byram express its agreement with the extension of the existing 2019 Joint Municipal Court Agreement until December 31, 2028.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Byram that the 2019 Joint Municipal Court Agreement is hereby extended until December 31, 2028 pursuant to its terms and the Mayor and Clerk are authorized to execute any necessary documents to memorialize the extension.

This Resolution shall take effect immediately.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, Municipal Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 156– 2024**

**RESOLUTION AUTHORIZING THE REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN
HOLDER**

WHEREAS, at the Municipal Tax Sale held on October 20, 2023, a lien was sold on Block 360 Lot 5 and Block 360 Lot 5 Q-farm, also known as 12 Jans Way, for 2022 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2023-008 was sold to GTech Capital LLC, at 0% interest with a premium of \$5,300.00; and

WHEREAS, Christine and Brian O’Connell, property owners, have effected a redemption of certificate #2023-008 in the amount of \$16,659.65;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Byram, that the Governing Body acknowledges that GTech Capital LLC is entitled to the redemption in the amount of \$21,959.65; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer be authorized to issue a check in the total amount of \$21,959.65 for the total redemption of certificate #2023-008 payable to GTech Capital LLC, 474 Mary Allen Way, Mountainside, NJ, 07092.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilwoman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 157 – 2024**

**RESOLUTION OF THE TOWNSHIP OF BYRAM, COUNTY OF SUSSEX, STATE OF
NEW JERSEY
“AUTHORIZING TAX SALE CERTIFICATE #2015-029 BE REMITTED
(CANCELLED) FROM RECORD”**

WHEREAS, at Municipal Tax Sale held on October 20, 2015, the Township of Byram issued a Tax Sale Certificate for block 366 lot 5, also known as 32 Jefferson Lake Road, for 2014 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2015-029, which was “struck off” to the Township of Byram; and

WHEREAS, the property is owned by the State of New Jersey DEP, and a certificate was incorrectly created; and the taxes are uncollectable and therefore not able to redeem the certificate nor foreclose on the property;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Byram in the County of Sussex and the State of New Jersey to, hereby, authorize the Tax Collector to remit (cancel) tax sale certificate #2015-029 on said property.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2 nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 158 – 2024**

**RESOLUTION OF THE TOWNSHIP OF BYRAM, COUNTY OF SUSSEX, STATE OF
NEW JERSEY
“AUTHORIZING TAX SALE CERTIFICATE #2015-030 BE REMITTED
(CANCELLED) FROM RECORD”**

WHEREAS, at Municipal Tax Sale held on October 20, 2015, the Township of Byram issued a Tax Sale Certificate for block 366 lot 5, also known as 32A Jefferson Lake Road, for 2014 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2015-030, which was “struck off” to the Township of Byram; and

WHEREAS, the property is owned by the State of New Jersey DEP, and a certificate was incorrectly created; and the taxes are uncollectable and therefore not able to redeem the certificate nor foreclose on the property;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Byram in the County of Sussex and the State of New Jersey to, hereby, authorize the Tax Collector to remit (cancel) tax sale certificate #2015-030 on said property.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2 nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 159 – 2024**

**RESOLUTION OF THE TOWNSHIP OF BYRAM, COUNTY OF SUSSEX, STATE OF
NEW JERSEY
“AUTHORIZING TAX SALE CERTIFICATE #2015-031 BE REMITTED
(CANCELLED) FROM RECORD”**

WHEREAS, at Municipal Tax Sale held on October 20, 2015, the Township of Byram issued a Tax Sale Certificate for block 370 lot 3, also known as 44 Jefferson Lake Road, for 2014 delinquent real estate taxes; and

WHEREAS, this lien which is known as Tax Sale Certificate #2015-031, which was “struck off” to the Township of Byram; and

WHEREAS, the property is owned by the State of New Jersey DEP, and a certificate was incorrectly created; and the taxes are uncollectable and therefore not able to redeem the certificate nor foreclose on the property;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Byram in the County of Sussex and the State of New Jersey to, hereby, authorize the Tax Collector to remit (cancel) tax sale certificate #2015-031 on said property.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2 nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I, certify that the forgoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 160-2024**

**RESOLUTION AUTHORIZING 100% DISABLED VETERAN BLOCK 143, LOT 112
REFUND OF TAXES PAID for 3rd QUARTER 2024**

WHEREAS, Mr. Michael J. Scuzzese, lawful owner of Block 143, Lot 112, has been deemed 100% disabled by the Veteran's Administration; and

WHEREAS, Mr. Michael J. Scuzzese, has been approved by the Tax Assessor for a 100% Disabled Veteran exemption in accordance with 54:4-3:30, which has been granted on May 7th, 2024 via Resolution No. 088-2024; and

WHEREAS, the 3rd quarter 2024 was paid in the amount of \$2,472.61 on July 31, 2024 by Corelogic on behalf of Mr. Michael J. Scuzzese; and

WHEREAS, the Tax Collector has determined that the property taxes are paid, and a refund is due in the amount of \$2,472.61 which represents the 3rd quarter 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram, Sussex County, New Jersey, that the Chief Financial Officer is authorized to refund said amount paid of \$2,472.61 to Mr. Michael J. Scuzzese, 7 Ka-Ton-Ah Trail, Andover, NJ, 07821.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 161-2024**

**RESOLUTION AUTHORIZING 100% DISABLED VETERAN BLOCK 5., LOT
678 REFUND OF TAXES PAID for 3rd QUARTER 2024**

WHEREAS, Mr. Alexander M. Castellanos, lawful owner of Block 5, Lot 678, has been deemed 100% disabled by the Veteran's Administration; and

WHEREAS, Mr. Alexander M. Castellanos, has been approved by the Tax Assessor for a 100% Disabled Veteran exemption in accordance with 54:4-3:30, which has been granted on April 17th, 2024 via Resolution No. 069-2024; and

WHEREAS, the 3rd quarter 2024 was paid in the amount of \$4,405.68 on July 31, 2024 by Corelogic on behalf of Mr. Alexander M. Castellanos; and

WHEREAS, the Tax Collector has determined that the property taxes are paid, and a refund is due in the amount of \$4,405.68 which represents the 3rd quarter 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram, Sussex County, New Jersey, that the Chief Financial Officer is authorized to refund said amount paid of \$4,405.68 to Mr. Alesander M. Castellanos, 38 Belton Street, Stanhope, NJ, 07874.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 162-2024**

**RESOLUTION AUTHORIZING 100% DISABLED VETERAN BLOCK 365.02, LOT 5
REFUND OF TAXES PAID for 3rd QUARTER 2024**

WHEREAS, Mr. Joseph Bianchini, lawful owner of Block 365.02, Lot 5, has been deemed 100% disabled by the Veteran's Administration; and

WHEREAS, Mr. Joseph Bianchini, has been approved by the Tax Assessor for a 100% Disabled Veteran exemption in accordance with 54:4-3:30, which has been granted on May 7, 2024 via Resolution No. 083-2024; and

WHEREAS, the 3rd quarter 2024 was paid in the amount of \$2,720.41 on July 31, 2024 by Corelogic on behalf of Mr. Joseph Bianchini; and

WHEREAS, the Tax Collector has determined that the property taxes are paid, and a refund is due in the amount of \$2,720.41 which represents the 3rd quarter 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram, Sussex County, New Jersey, that the Chief Financial Officer is authorized to refund said amount paid of \$2,720.41 to Mr. Joseph Bianchini, 10 Briar Lane, Stanhope, NJ, 07874.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 163-2024**

**RESOLUTION AUTHORIZING 100% DISABLED VETERAN BLOCK 380, LOT 6.05
REFUND OF TAXES PAID for 3rd QUARTER 2024**

WHEREAS, Mr. James Edwards, lawful owner of Block 380, Lot 6.05, has been deemed 100% disabled by the Veteran's Administration; and

WHEREAS, Mr. James Edwards, has been approved by the Tax Assessor for a 100% Disabled Veteran exemption in accordance with 54:4-3:30, which has been granted on December 19, 2023 via Resolution No. 236-2024; and

WHEREAS, the 3rd quarter 2024 was paid in the amount of \$8,007.63 on July 31, 2024 by Corelogic on behalf of Mr. James Edwards; and

WHEREAS, the Tax Collector has determined that the property taxes are paid, and a refund is due in the amount of \$8,007.63 which represents the 3rd quarter 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram, Sussex County, New Jersey, that the Chief Financial Officer is authorized to refund said amount paid of \$8,007.63 to Mr. James Edwards, 9 White Hall Hill Road, Andover, NJ, 07821.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2 nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 164-2024**

**AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 1
FOR PROPOSED RESURFACING OF VARIOUS STREETS (Bridget Way,
Catalina Drive, Camelot Drive, Mayfair Lane & Sandra Lane) – DRAINAGE
INLETS**

WHEREAS, the Township of Byram (Owner) and Campbell Foundry Company entered into a contract for proposed Drainage Inlets for Various Streets for a total of \$1,120.00 as stated in Resolution 90-2024; and

WHEREAS, in the process of completing the work, certain changes were authorized by the Owner as detailed in Change Order No. 1; and

WHEREAS, the revised work was negotiated between the engineer Harold Pellow & Associates and the Contractor and was found to require a net increase of \$590.00.

NOW, THEREFORE, BE IT RESOLVED by the Township of Byram in the County of Sussex, State of New Jersey to authorize the Mayor to execute Change Order No. 1 resulting in a net increase of \$590.00 resulting in an adjusted contract price of \$1,710.00.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing Resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 165 – 2024**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED
STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO
N.J.S.A. 40A:11-12 AND N.J.A.C. 5:34-7-29**

WHEREAS, the Township of Byram pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7-29, may without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of Byram has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, participation in the State Cooperative Pricing Program does not require a formal agreement with the Division of Purchase and Property, or its approval of the Director required; and

WHEREAS, contracts awarded under a State Cooperative Purchasing Contract, in excess of the Township’s bid threshold may be made by resolution of the Governing body; and

WHEREAS, the Township of Byram intends to enter into contracts with State Contract Vendors that the total of the contracts may exceed the Township’s bid threshold as referenced below:

<u>Description</u>	<u>Vendor</u>	<u>Contract No.</u>
Law Enforcement Firearms		
Equipment & Supplies	Atlantic Communications, Inc.	T-0106
Radio Communication Equip	Atlantic Communications, Inc.	T-0109

NOW THEREFORE BE IT RESOLVED, that the Township of Byram authorizing the Purchasing Agent to purchase certain goods or services from an approved New Jersey State Contract Vendor, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Byram pursuant to N.J.A.C. 5:30-5.5(b) the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Township of Byram and the referenced State Contract Vendors shall be from January 1, 2024 to December 31, 2024.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 169-2024**

**RESOLUTION TO AWARD BID FOR PROPOSED IMPROVEMENTS CO JOHNSON
PARK FIELD 8 RECONSTRUCTION**

WHEREAS, the Township of Byram opened bids for proposed improvements to CO Johnson Park – Field 8 Reconstruction on September 26, 2024 at 11:00 a.m.; and

WHEREAS, six bids were received from the following contractors:

Grade Construction \$566,805.21

Landtek Group. \$696,610.00

Dakota Contracting \$729,255.00

The Viersma Companies \$1,043,370.00

Applied Landscape Technologies \$1,089,270.00

Aspen \$1,149,975.00

WHEREAS, the lowest responsible bidder is Grade Construction in the amount of \$566,805.21;
and

WHEREAS, Township Dennis Keenan reviewed and recommended the award to Grade Construction in the amount of 566,805.21; and

WHEREAS, funds are available in the American Rescue Plan and Open Space Trust Funds; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council, County of Sussex, State of New Jersey to award the bid to Grade Construction in the amount not to exceed \$566,805.21. Certification of funds has been provided. The Mayor, Township Manager and Clerk are hereby authorized to sign any document associated with this award.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
RESOLUTION NO. 166 – 2024**

**AUTHORIZATION TO PURCHASE ONE (1) NEW SKID CUTTER UNDER THE SOURCEWELL
NATIONAL COOPERATIVE PURCHASING SYSTEM FOR BUDGET YEAR 2024**

WHEREAS, P.L. 2011, c. 139 allows contracting units to enter into agreements with state, regional, or single government agencies that award contracts for its own use and is authorized under its own laws to extend those contracts to other governmental agencies; and

WHEREAS, the Township of Byram is a member of the Sourcewell National Cooperative Purchasing System; and

WHEREAS, the Township of Byram Department of Public Works is in need of and desires to purchase a new Land Pride Skid Cutter under the Sourcewell National Cooperative Purchasing System to make the procurement process more efficient and to provide a cost savings to the Township of Byram; and

WHEREAS, the Township by this resolution is authorized to purchase said Land Pride Skid Cutter off of Contract #070821-LPI from Powerco, Inc., 12 Route 173, Clinton, NJ 08809 in an amount not to exceed the following; and:

1 Land Pride Skid Cutter -	\$7,826.00
1 Hyd Motor -	1,975.00
1 Case Drain Bundle -	139.00
1 Pressure Gauge Bundle	425.00
25% Sourcewell Discount -	(2,591.25)
Set-Up -	250.00
Delivery -	200.00
Total	<u>\$8,223.75</u>

WHEREAS, the source of funding for this purchase is the 2024 Municipal Budget – Road Repair & Maintenance Other Expense.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Township of Byram, County of Sussex, State of New Jersey as follows:

1. That the Township Council of the Township of Byram does hereby authorize the execution of the necessary purchase orders not to exceed \$8,223.75 for budget year 2024 to obtain a new Land Pride Skid Cutter & Accessories as specified and priced to the Sourcewell National Cooperative Purchasing System from Powerco, Inc.
2. That the Township shall be responsible to ensure that the goods and/or services procured through the system comply with all applicable laws of the State of New Jersey, Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. and all other provision of the revised statutes of the State of New Jersey.
3. That upon receipt, inspection and approval of vouchers therefore by the Township of Byram, payment, pursuant to said purchase orders, are hereby authorized with the same to be charges against funds established in the appropriate accounts for said purpose.
4. This Resolution shall take effect immediately upon passage.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:
I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC

**TOWNSHIP OF BYRAM
RESOLUTION NO. 167- 2024**

**AUTHORIZING APPOINTMENT OF THE TOWNSHIP ARCHITECT AND
AWARD OF PROFESSIONAL SERVICE CONTRACT IN CONNECTION
THEREWITH**

WHEREAS, the Township of Byram, pursuant to N.J.S.A. 40:55D-71b. has determined it necessary to appoint an Architect for the Township Council; and

WHEREAS, the Mayor and Council intend by this resolution to award to Fox Architectural Design P.C. a professional services contract for the scope of services at a rate not to exceed what is outlined in the September 12, 2024 proposal; and

WHEREAS, such award of contract shall be made as a non – fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the anticipated term of this contract is for one year; and

WHEREAS, The Nader Group, LLC has completed and submitted a Business Entity Disclosure Certification that he will not make any reportable contributions to any political candidate or candidate committee and that the contract will prohibit him from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contract for “Professional Services,” without competitive bids and the contract itself, must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Byram, County of Sussex and State of New Jersey that it hereby authorizes the Mayor, Township Manager and Clerk to enter into a contract with The Fox Architectural Design P.C. as described hereinabove; and

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

BE IT FURTHER RESOLVED that this Contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because these services are rendered or performed by a person authorized by law to practice a recognized profession; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the official Township Newspaper.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT, made this 1st day of October 2024 by and between:

TOWNSHIP OF BYRAM, a municipal corporation of the State of New Jersey with offices at 10 Mansfield Drive, Stanhope, NJ 07874

and:

FOX ARCHITECTURAL DESIGN P.C., 546 State Route 10 West, LedgeWOOD, New Jersey 07852.

W I T N E S S E T H

WHEREAS, the Township of Byram desires to retain Fox Architectural Design P.C., and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that all contracts be in writing,

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants herein contained, the parties hereto agree as follows:

1. Fox Architectural Design P.C. will provide architectural services for the Township of Byram.
2. Funds are available for this purpose.
3. The remuneration for services is outlined in the attached fee schedule.
4. The payment to be made for said services or otherwise, under this agreement, shall be by voucher as prescribed by law.
5. Fox Architectural Design P.C. agrees to review the Mandatory Equal Employment Opportunity Language (N.J.S.A 10-5-31 et seq.) (N.J.A.C. 17:27) attached hereto as 'Exhibit A' to satisfy the State of New Jersey's contracting requirements.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals as of the date first above written.

ATTEST:

TOWNSHIP OF BYRAM

Cynthia Church, Township Clerk

Alexander Rubenstein, Mayor

ATTEST:

Kenneth J. Fox, AIA PP



546 State Route 10 West, Ledgewood, NJ 07852

Office: 973-970-9355

Fax: 973-970-9356

www.foxarch.com

September 12, 2024

Mayor Alex Rubinstein & Council Members
Township of Byram
10 Mansfield Drive
Stanhope, NJ 07874

E-mail: arubenstein@byramtwp.org
E-mail: jsabatini@byramtwp.org
E-mail: cfranco@byramtwp.org
E-mail: fwawra@foxarch.com

RE: Architectural Services
2024 Professional Services Agreement
10 Mansfield Drive
Township of Byram

Dear Mayor and Council Members:

Thank you for the opportunity to provide my Architectural Services to you for various projects within the Township. My office, Fox Architectural Design, PC, has significant Municipal-related experience, and we look forward to working together with you this year.

I have attached my office's information, as well as our professional background and experience. Also attached are our Hourly Rates to accompany the Professional Services Agreement.

I look forward to meeting with you at your meeting on Tuesday, September 17th, and to answer any of your questions regarding our services.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'K. Fox', is written over a light blue horizontal line.

Kenneth J. Fox

Attachments: Proposal for Architectural Services
Contact Information Sheet
Key Personnel Sheet
Resumes
Our Experience with Similar Projects
Statement of Qualifications
Project References
Hourly Costs Proposal



546 State Route 10 West, Ledgewood, NJ 07852

Office: 973-970-9355

Fax: 973-970-9356

www.foxarch.com

September 12, 2024

Mayor Alex Rubinstein & Council Members
Township of Byram
10 Mansfield Drive
Stanhope, NJ 07874

E-mail: arubenstein@byramtwp.org
E-mail: jsabatini@byramtwp.org
E-mail: cfranco@byramtwp.org
E-mail: fwawra@foxarch.com

RE: Architectural Services
2024 Professional Services Agreement
10 Mansfield Drive
Township of Byram

Dear Mayor and Council Members:

Thank you for the opportunity to provide my Architectural Services to you for various projects within the Township. My office, Fox Architectural Design, PC, has significant Municipal-related experience, and we look forward to working together with you this year.

I have attached my office's information, as well as our professional background and experience. Also attached are our Hourly Rates to accompany the Professional Services Agreement.

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Kenneth J. Fox

Attachments: Proposal for Architectural Services
Contact Information Sheet
Key Personnel Sheet
Resumes
Our Experience with Similar Projects
Statement of Qualifications
Hourly Costs Proposal
Project References



CONTACT INFORMATION SHEET

KENNETH J. FOX

President

Fox Architectural Design, PC

546 State Route 10

Ledgewood, NJ 07852

973-970-9355 (Office)

973-970-9356 (Fax)

design@foxarch.com

FREDERICK T. WAWRA

Project Architect

Fox Architectural Design, PC

546 State Route 10

Ledgewood, NJ 07852

973-970-9355 (Office)

973-970-9356 (Fax)

fwawra@foxarch.com



KEY PERSONNEL

Kenneth J. Fox, AIA PP

Title: Principal Architect and President of the Corporation

Education: New Jersey Institute of Technology; School of Architecture (1976-81)

Degree: Bachelor of Architecture; Area of Concentration: Landscape Concepts

Licenses/Qualifications:

New Jersey architectural license: #AI-09263 (first licensed in 1985)

New York architectural license: #026365

Pennsylvania architectural license: #RA-016320-B

New Jersey Professional Planner license: #4149 (first licensed in 1987)

NCARB certification: #38122

Affiliations/Memberships:

American Institute of Architects

Metropolitan Builders & Contractors Association of NJ

Morris County Chamber of Commerce

Key Tasks: Design team consultation and general overseeing of project development.

Frederick T. Wawra, RA NCARB

Title: Senior Architect and Operations Manager

Education: Tulane University School of Architecture; New Orleans, Louisiana

(1991-96) & Bartlett School of Architecture; London, England (1995)

Degrees: Bachelor of Architecture and Master of Architecture

Licenses/Qualifications:

New Jersey architectural license: #AI-15044 (first licensed in 2000)

NCARB certification: #54666

Affiliations/Memberships:

Adjunct professor at County College of Morris

Key Tasks: Design development, construction and contract documents, construction administration and quality control.

Stewart R. Sansevere, NCARB

Title: Designer and Draftsman

Education: Wentworth Institute of Technology (1986-92)

Degree: Bachelor of Science in Architectural (1992)

Licenses/Qualifications:

NCARB council record holder

ARE candidate

Key Tasks: Design and construction document production. 3D modeling and rendering.

Jeffrey S. Hezel

Title: Designer and Draftsman

Education: New Jersey Institute of Technology (1986-91)

Degree: Bachelor of Architecture (1991)

Key Tasks: Design and construction document production. 3D modeling and rendering.

**We HEAR what you
DON'T say.**

Specializing in:

Waterfront

Custom Residential

Add-A-Levels

Commercial

Industrial

Municipal

Restaurant

Religious

New Built

As-Built

Rebuild

Renovations

Additions

Construction Admin.



Kenneth J. Fox

Principal Architect and
President

EDUCATION

- New Jersey Institute of Technology—New Jersey School of Architecture
1976—1981
Degree: Bachelor of Architecture, May 1981
Area of Concentration: Landscape Concepts
- Morris Knolls High School

MEMBERSHIPS

- NJ School of Architecture Dean's Council
- Board Member of Roxbury Township Chamber of Commerce
- Board Member of Metropolitan Builders and Contractors Association of NJ
- Board Member of the Housing Partnership of Morris County
- Member of County College of Morris, Design Department Advisory Committee
- Member of Morris Hills Regional District Career and Technical Education Advisory Committee (35 years)
- Adjunct Professor—County College of Morris (2000)
- Past President, Jefferson Township Rotary Club
- Member of Jefferson Township Chamber of Commerce
- Member of Sussex County Chamber of Commerce
- Member of Sussex County Economic Development Committee
- Member of Morris County Chamber of Commerce
- Council Member of Morris County **Leadership Morris** Alumni Association
- Member of Mount Olive Chamber of Commerce
- New Jersey Architectural License #09263

LICENSING & REGISTRATION

- New York Architectural License #026366
- Pennsylvania Architectural License #RA-016320-B
- NCARB Certification
 - ◇ Certified Green Professional
 - ◇ Certified Graduate Associate
- New Jersey Real Estate License
- Certified Construction Dispute Resolution Specialist

EXPERT WITNESS TESTIMONY

Superior Court, NJ, Morristown—The Honorable Paul Bangiola –DeYoung vs. DeYoung

Superior Court, NJ, Morristown –The Honorable Clamp-Chastney vs. DeVito Roofing

Arbitration, Wilkes Barre, PA-Expert Witness Value of Architectural Services

Professional Expert Witness as Architect and/or Planner

NEW JERSEY

Bergen County

Borough of North Arlington
Borough of Upper Saddle River
Borough of Westwood
Township of Lyndhurst
Township of Wyckoff

Essex County

Borough of Caldwell
Borough of Essex Fells
Borough of Roseland
City of Newark
City of Orange
Town of West Caldwell
Township of Bloomfield
Township of Fairfield
Township of Livingston
Township of Montclair
Township of Verona

Mercer County

Township of Ewing
Township of Hamilton

Hunterdon County

Borough of Flemington
Township of Hampton
Township of Readington

Hudson County

City of Hoboken
Jersey City

Morris County

Borough of Butler
Borough of Chatham
Borough of Chester
Borough of Florham Park
Borough of Kinnelon
Borough of Lincoln Park
Borough of Mendham
Borough of Morris Plains
Borough of Mount Arlington
Township of Mt. Olive
Borough of Mountain Lakes
Borough of Netcong
Borough of Riverdale
Borough of Rockaway
Borough of Victory Gardens
Borough of Wharton
Town of Boonton
Town of Dover
Town of Morristown
Township of Boonton
Township of Chatham
Township of Chester
Township of Denville
Township of East Hanover
Township of Hanover
Township of Harding

Township of Jefferson
Township of Long Hill
Township of Mendham
Township of Mine Hill
Township of Montville
Township of Morris
Township of Parsippany-Troy Hills

Township of Pequannock
Township of Randolph
Township of Rockaway
Township of Roxbury
Township of Washington

Monmouth County

Borough of Highlands
Borough of Sea Girt
Borough of Shrewsbury
City of Asbury Park
Township of Colts Neck
Township of Middletown

Ocean County

Township of Brick
Township of Stafford

Passaic County

Borough of North Haledon
Borough of Totowa
Township of West Milford

Somerset County

Borough of Bernardsville
Borough of North Plainfield
Borough of Peapack Gladstone
Township of Bernards
Township of Branchburg
Township of Raritan
Township of Warren

Sussex County

Borough of Andover
Borough of Branchville
Borough of Hopatcong
Borough of Stanhope
Borough of Sussex
Town of Newton
Township of Andover
Township of Byram
Township of Frankford
Township of Franklin
Township of Green
Township of Sparta
Township of Wantage

Union County

Town of Summit
Town of Westfield
Township of Berkeley Heights

Warren County

Town of Hackettstown
Township of Belvidere
Township of Mansfield
Township of Washington

NEW YORK

Town of Jewett



Frederick T. Wawra, RA

NCARB CGP

Senior Project Architect and
Operations Manager

EDUCATION

- Tulane University School of Architecture; New Orleans, Louisiana
1991 - 1994 / 1995 – 1996
- Bartlett School of Architecture (UCL); London, England
1994 – 1995
- Degrees: Bachelor of Architecture and Master of Architecture
- Member of Tau Sigma Delta Architectural Honor Society (Eta Alpha Chapter)
Initiated 1996

PROFESSIONAL

- Registered Architect: State of New Jersey (May 2000)
- National Council of Architectural Registration Boards – Certified for National License Reciprocity
- Certified Green Professional (CGP) and member of the National Association of Home Builders (NAHB)
- Extensive experience in all phases of residential and commercial projects, including site planning and design, zoning procedures, building design, structural design, building systems, construction administration, site construction inspections, bidding assistance, and project management.
- Is the office expert in administering municipal construction contracts, scheduling, and detailing municipal building facilities.
- Testified as an expert before Zoning Board of Adjustments on residential projects in multiple municipalities.
- Testified as an expert before Planning Boards on commercial projects in multiple municipalities.

TEACHING

- Adjunct Professor – Design Department: County College of Morris, Randolph, New Jersey (September 2003 to present)
- Created, developed and teaches/taught courses on:
 - Design lecture and studio for architecture, interior design, industrial design and fashion
 - Two-dimensional computer drafting and design using AutoCAD
 - Three-dimensional computer drafting, design and rendering using AutoCAD
- Adjunct Professor – Interior Design Department: Berkeley College, Paramus, New Jersey (2000 – 2005)
 - Created, developed and taught courses on hand drafting, 2D and 3D CAD drafting and design.

Professional Experience

2003 – present:

Adjunct Professor
County College of Morris
Randolph, New Jersey

2000 to present:

Licensed Senior Project
Architect and Operations
Manager
Fox Architectural Design
Ledgewood, New Jersey

2000 to 2005:

Adjunct Professor
Berkeley College
Waldwick and West Paterson
Campuses,
New Jersey

1996 to 1999:

Intern and Project Architect
Fox Architectural Design
Wharton, New Jersey

1989 to 1996:

Architectural Drafting Project
Assistant
Fox Architectural Design
Lake Hopatcong, Succasunna,
and Wharton, New Jersey



OUR EXPERIENCE WITH THIS TYPE OF PROJECT

1987—PRESENT

Fox Architectural Design, PC has previously been named as the Architect for the Municipality in the Township of Jefferson, as well as the Borough of Wharton, Township of Roxbury, Borough of Mine Hill and is presently performing services for those Municipalities. In addition, Fox Architectural Design, PC has been retained by numerous Municipalities and Counties, including Morris and Essex to provide consultation, testimony, design and construction administration for various projects. We have also coordinated and assisted on municipal projects funded by Community Development and Block Grants (CDBG) for various projects around Morris County.

Our in-depth and intricate understanding of how municipal, public safety and public works facilities operate allows us to look beyond the stated requirements and suggest alternates that may result in a different way of looking at the problems. Our insight that comes from seeing and analyzing many different local examples can potentially help create a more efficient and better functioning configuration. We feel that this is an unseen benefit that an experienced architect can provide to the client.

The following section contains a shortlist of projects, along with references and contact information, which provides evidence of our involvement with similar type projects.. Some of these projects are currently on the boards, and some are completed and occupied. If you need any additional information or clarification on any of these projects, please feel free to contact the reference, or contact us.

**We HEAR what you
DON'T say.**

Specializing in:

Municipal

Commercial

Industrial

Waterfront

Custom Residential

Add-A-Levels

Restaurant

Religious

New Build

As-Built

Rebuild

Renovations

Additions

Construction Admin.



STATEMENT OF QUALIFICATIONS

FOX ARCHITECTURAL DESIGN, PC | 546 State Route 10 | Ledgewood, NJ 07852
973-970-9355 (office) | 973-070-9356 (fax) | design@foxarch.com | www.foxarch.com
In Business since 1987 (37 Years)

Description & History of Firm

Fox Architectural Design, PC is a comprehensive and aggressive architectural firm located in the Township of Roxbury, in Morris County. The extensive completed body of work includes various project types such as municipal facilities, corporate structures, retail buildings, industrial facilities, new custom homes, and home additions. We pride ourselves on being able to incorporate original building design with functional proficiency while advancing and utilizing emerging technologies. In addition to custom design, our architects are recognized experts in project planning, handicapped accessibility requirements, structural analysis, roofing design and materials, energy conscious design, and Planning Board presentation and testimony. All Architects and Designers have been certified by the NAHB as a Certified Green Professional (CGP).

This year marks the beginning of Fox Architectural Design's 37th year in business. Kenneth J. Fox, AIA PP, originally founded the firm in 1987 as a sole proprietorship. In January 2004 the firm was converted to a Professional Corporation. There are no judgments, claims, or suits pending or outstanding, against the firm. The firm has always employed a core group of registered architects and professional designers. These dedicated individuals listen to the needs of the client to provide a cost effective, conscientious, intelligent, and functional design and consultation. Our contact with clients, as well as our good relationships with contractors, allow for a smooth and efficient transition from the design to construction phases. Fred Wawra, our Project Architect, will manage each project and assign key personnel to complete the necessary tasks. He is readily available to the client during the course of the project. In addition, Ken Fox acts as the firm's principal architect, and oversees the general progress on all projects. The staff at Fox Architectural Design has worked together on a significant number of municipal projects, which include municipal references that I believe will provide to you a stellar representation of our dedication and abilities to service the Municipality.

Our Experience with this Type of Project

Fox Architectural Design, PC has been named as the Architect for the Municipality in the Township of Jefferson, as well as the Borough of Wharton and Township of Roxbury and is presently performing services for those Municipalities. In addition, Fox Architectural Design, PC has been retained by numerous Municipalities, to provide consultation, testimony, and design for various projects. Many of these are listed herein.

Our in-depth and intricate understanding of how municipal, police, fire, and public works facilities operate allows us to look beyond the stated requirements and suggest alternates that may result in a different way of looking at the problems. Our insight that comes from seeing and analyzing many different local examples can potentially help create a more efficient and better functioning configuration. We feel that this is an unseen benefit that an experienced architect can provide to the client.

A list of projects, along with references and contact information, which provides evidence of our involvement with similar type projects. Some of these projects are currently on the boards, and some are completed and occupied. If you need any additional information or clarification on any of these projects, please feel free to contact the reference, or contact us.

Knowledge and Understanding of the CDBG regulations:

We have worked on a number of Morris County CDBG projects, and have coordinated submission and Contract Administration requirements, both with the Municipality and with the County Coordinator. (Morris County CDBG Reference: Tim Tansey / 973-285-6060 / ttansey@co.morris,nj.us)



PROJECT REFERENCES

Page 1

**Debra Millikin Administrator
Township of Jefferson**

1033 Weldon Road
Lake Hopatcong, NJ 07849
973-208-6102
dmillikin@jeffersontownship.net

**Jon Rheinhardt, Former Administrator
Borough of Wharton**

Current CFO for County of Bergen
One Bergen County Plaza 5th Floor
Hackensack, NJ 07601-7076
201-336-6560
jrheinhardt@co.bergen.nj.us

**Darren Carney—Municipal Planner
Township of Randolph**

502 Millbrook Avenue
Randolph, NJ 07869
973-989-7010

**John Whitehead, DPW Superintendent
Borough of Kinnelon**

130 Kinnelon Road
Kinnelon, NJ 07405
973-713-8619

**Rick Blood, Director of Public Works
Township of Roxbury**

96 N. Dell Avenue
Kenvil, NJ 07847
973-448-2069
bloodr@roxburynj.us

**Ralph Blakeslee, Administrator
Borough of Netcong**

23 Maple Avenue
Netcong, NJ 07857
973-347-0252
rblakeslee@netcong.org

Police Department Addition and Renovation
Municipal Building Addition Design
Board of Education School and Office Conversion
School Re-roofing Projects
School Fire Alarm Projects

Complete Police Department Renovation
Public Works Façade Renovation
Council Room Renovation
Renovated First Aid Facility
Library Bathrooms Renovation
Municipal Building Reorganization

Police Department Facilities Analysis

Garage Addition and Renovation of Public Works Facility
Borough Hall and Library Facilities Review
Volunteer Animal Shelter Expansion

Firehouse Roof Replacement
Township Municipal Building Roof Redevelopment
Library Replacement
Library Bathrooms Renovation
Community Center Roof Replacement
Community Center Interior Renovations

Firehouse Meeting Room Elevator and Exterior Stair



PROJECT REFERENCES

Page 2

Allison Ferrante, Township Engineer
Township of Rockaway

65 Mt. Hope Road
Rockaway, NJ 07866
973-983-2810
aferrante@rockawaytownship.org

Water and Field Operations New Building

Brian McNeilly, Administrator
Borough of Stanhope

77 Main Street
Stanhope, NJ 07874
973-347-0159—Ext. 14
bmcneilly@stanhopenj.gov

Police Department Facilities Analysis Review



HOURLY RATES

The following describes the basis for compensation for services performed during the calendar year 2024

EMPLOYEE CLASSIFICATION		
	Principal Architect	\$195.00 per hour
	Project Architect	\$175.00 per hour
	Project Designer	\$150.00 per hour
	Project Engineer	\$175.00 per hour
	Technician/Clerical	No Charge

PRINTING & REPRODUCTION COSTS (Additional Copies Only)			
11 x 17	18 x 24	24 x 36	30 x 42
\$1.25 per sheet	\$3.00 per sheet	\$6.00 per sheet	\$9.00 per sheet

In the case of any unforeseen costs that may arise, and/or are not addressed within this RFQ/Proposal, Fox Architectural Design, PC will request pre-authorization by the Municipality prior to incurring these costs. Upon approval from the Municipality fees will be invoiced per the hourly rates as shown above.

**TOWNSHIP OF BYRAM
RESOLUTION NO. 168-2024**

**RESOLUTION AUTHORIZING FOX ARCHITECTURAL DESIGN P.C. PROVIDE
ARCHITECTURAL DESIGN FOR THE CONCEPT PRESENTATION OF A
PROPOSED NEW POLICE DEPARTMENT FACILITY**

WHEREAS, the Byram Township Mayor and Council has determined that there is a need to authorize Fox Architectural Design P.C to provide architectural design for the concept presentation of a proposed police department facility; and

WHEREAS, Fox Architectural Design P.C provided a proposal dated September 12, 2024, for architectural design for the concept presentation of a proposed police department facility; and

WHEREAS, under Fees for Services:

Existing Documentation	\$1,300.00
Roof Structral Analysis	\$ 960.00
Design Phase	<u>\$6,600.00</u>
Total	\$8,500.00

as outlined in the September 12, 2024 proposal; and

WHEREAS, funds are available in Capital Ordinance #009-2023 – Additional Preliminary Expenses; and

WHEREAS, by Resolution No. 167-2024, Fox Architectural Design P.C. has been awarded a contract for 2024 without competitive bidding as a “Professional Service” in accordance with NJSA 40A:11-5 (1)(a) of the Local Public Contracts Law because these services are rendered or performed by a person authorized by law to practice a recognized profession.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council, County of Sussex, State of New Jersey that the Township of Byram hereby authorizes Fox Architectural Design P.C to provide architectural design for the concept presentation of a proposed police department facility not to exceed \$8,500.00.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST: I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk



546 State Route 10 West, Ledgewood, NJ 07852

Office: 973-970-9355

Fax: 973-970-9356

www.foxarch.com

September 12, 2024

Mayor Alex Rubinstein
Township of Byram
10 Mansfield Drive
Stanhope, NJ 07874

E-mail: arubenstein@byramtwp.org
E-mail: jsabatini@byramtwp.org
E-mail: cfranco@byramtwp.org
E-mail: fwawra@foxarch.com

RE: New Police Department Facility
10 Mansfield Drive
Township of Byram

Dear Alex:

It is a pleasure to provide this proposal to you for the Architectural Design necessary for a Concept Presentation of a proposed new Police Department facility within the existing older section of the Byram Municipal Building.

This letter is to confirm our understanding of the scope of the project and shall serve as our agreement for Architectural Services required for the Preliminary Design and Cost Estimate Phase of the proposed project.

SCOPE OF PROJECT

The following is a general outline of the scope of the project that we discussed without getting into every minor detail:

- ❖ Create Existing Documentation of the front, older section of the Byram Municipal Building, including Plans, Elevations, and Cross-section.
- ❖ Structural Analysis to be provided by Aaron, Isaac & Hildebrant Engineering of the existing roof truss system. It is understood that the "roofing material" and a significant portion of potentially rotted plywood would need to be removed and replaced, but it is our intention to save the roof structure if feasible.
- ❖ Provide a layout for the Police Department within the footprint of the existing 4,500 sq. ft. building.

- ❖ Make recommendations for those portions of the facility that are not “required”
- ❖ Maintaining the connection to the remaining portion of the Municipal Building (trailer area) is desired, but not required.
- ❖ Jail cells are not to be provided.
- ❖ There will be no dispatch area within the Police Department.
- ❖ Emergency Operating Center will be determined with the minimum amount required provided.
- ❖ A detailed Cost Estimate will be provided through a sub-contractor, Georges Chalemin of Evolution Construction.
- ❖ No Site Plan analysis information is to be provided.
- ❖ No coordination, nor Cost Analysis, of relocation of existing Municipal facilities.

Design Phase

We will visit the project site to take field measurements and to observe existing conditions, including utilities, function and aesthetic impacts as they relate to the design of the proposed project. I will meet with you and any Staff necessary to develop the floor plans for the Police Department. No building elevation changes or additional footprint areas are being considered at this time. We will develop the design according to the Police Department’s spatial criteria and aesthetic intentions.

Using the notes and ideas discussed in our initial meeting, and additional meetings anticipated, we will develop schematic floor plans outlining the needs of the Police Department. Entrance of the public will be considered. Location and facilities for Patrolmen to include separate entrance, locker rooms, and staff offices. Offices will be provided for officers as possible. Processing, interrogation, and meeting areas will be established. There will be no physical fitness room. We will not be taking this towards construction documents at this time. Therefore, utilities will be anticipated on the type of system to be installed, but no details are to be provided.

We will coordinate with your Township Engineer, Cory Stoner, site work that may be required by his office due to the design and layout of the Police department. The Design and Cost Estimates of all site improvements are to be from Harold E. Pellow & Associates, Inc.

Construction Cost Estimate

Once the construction documents are completed, we will develop a professional cost estimate utilizing the services of Georges Chalemin of Evolution Construction. We will have the cost estimate broken down into various pieces for analysis. It will also include the adjustments that are typical for a public project, and based upon typical prevailing wage scenario.

FEES FOR SERVICES

We will invoice you on an hourly basis for work performed as per our Professional Services Agreement with the estimates below being a "Not To Exceed" fee.

Existing Documentation.....\$1,300.00

Roof Structural Analysis (by Aaron, Isaac & Hildebrant Engineering).....\$ 960.00 *

Design Phase.....\$6,600.00

Construction Cost Estimate (by Evolution Construction).....\$5,600.00

Services After Completion of Construction Documents.....Hourly, As Requested

Postage, Printing and Reproduction Costs.....As per Fee Schedule

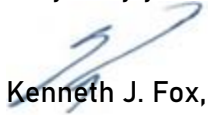
** The structural analysis fee assumes access above the existing ceiling is readily available. If ceiling areas must be cut to observe structure, then add \$1,250. This does not include patching the cut observation holes.*

In recognition of the relative risks and benefits of the Project to both the Client and the Consultant, the risks have been allocated such that the Client agrees, to the fullest extent permitted by law, to limit the liability of the Consultant to the Client for any and all claims, losses, costs, damages or any nature whatsoever or claims expenses from any cause or causes, including attorneys' fees and costs and expert-witness fees and costs, so that the total aggregate liability of the Consultant to the Client shall not exceed the Architect's total fee for services rendered on this Project. It is intended that this limitation apply to any and all liability or cause of action, however alleged or arising, unless otherwise prohibited by law.

If this Proposal/Agreement meets with your approval, please sign one copy, initial each page at the bottom, and return it to me with a Purchase Order.

I look forward to working with you on this project. If you have any questions regarding any aspect of this Proposal/Agreement, please feel free to give me a call to discuss.

Very truly yours,



Kenneth J. Fox, AIA PP

Enclosures

Municipality: _____

Mailing Address: _____

Signature _____

Date _____

Printed Name: _____

Title: _____

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
RESOLUTION NO. 154 – 2024**

**RESOLUTION AUTHORIZING THE SUPPORT OF A GYPSY MOTH, LDD
CONTROL PROGRAM BY THE STATE OF NEW JERSEY DEPARTMENT
OF AGRICULTURE**

WHEREAS, the Department of Agriculture inspectors have completed the LDD (gypsy moth) egg mass survey in Byram Township; and

WHEREAS, the survey results show that heavy outbreaks of the pest are expect in approximately 93 acres of Byram Township in the spring of 2025; and

WHEREAS, the Department of Agriculture will be requesting financial assistance from the U.S. Forest Service to possibly provide up to 50% reimbursement for spray costs for the 2025 aerial suppression program; and

WHEREAS, the anticipated treatment costs per acre could range from \$60 to \$65 per acre;

NOW THEREFORE BE IT HEREBY RESOLVED by the Mayor and Council of the Township of Byram authorize the support of a Gypsy Moth, LDD Control program by the New Jersey Department of Agriculture and raise the cost of the anticipated treatment not to exceed \$ 6,045.00 in the 2025 municipal budget.

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

ATTEST: I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on October 1, 2024.

Cynthia Church, RMC
Township Clerk



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF AGRICULTURE
PO Box 330
TRENTON NJ 08625-0330

EDWARD D. WENGRYN
Secretary

TAHESHA L. WAY
Lieutenant Governor

September 20, 2024

Mr. Joseph Sabatini
Township Manager
Byram Township
10 Mansfield Drive
Stanhope, New Jersey 07874

Dear Mr. Sabatini:

As requested, the Department of Agriculture inspectors have completed the LDD (gypsy moth) egg mass survey in your municipality. The survey results show that heavy outbreaks of the pest are expected in your municipality next spring.

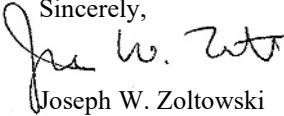
Approximately **93 acres** in one block using a single application of *B.t.k* qualify for the 2025 LDD (Gypsy Moth) Aerial Suppression Program. (See "Rules for Participation" and enclosed map).

The Department will be offering technical assistance in the form of preparing spray contracts, obtaining spray vendors, ensuring the proper timing of treatment and monitoring of the spray operation itself. Your municipality is responsible for supplying personnel to assist program staff in the ground monitoring of the application and pay the full cost of the aerial treatment. *Bacillus thuringiensis*, *B.t.* will be the only insecticide used on the program.

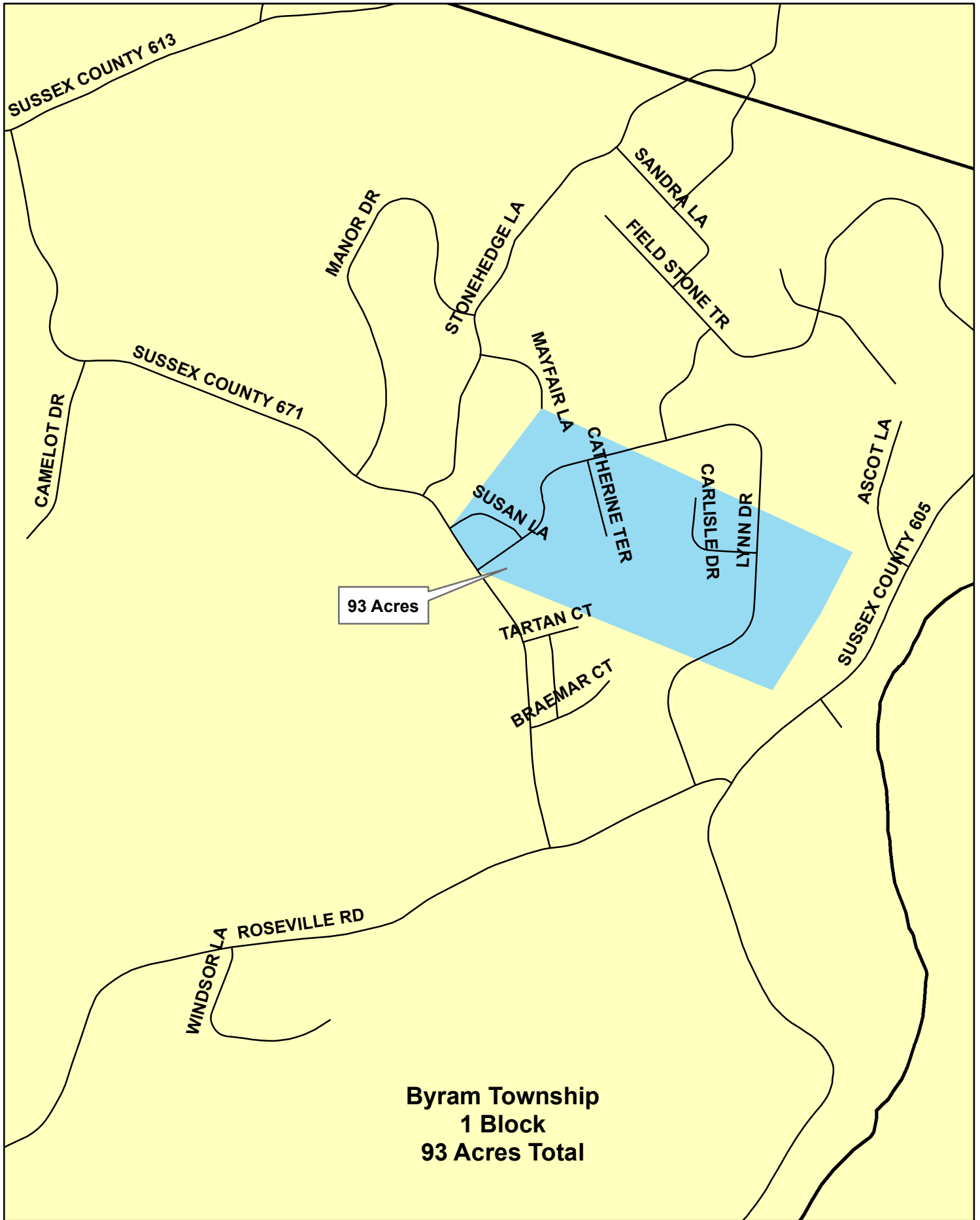
The Department will be requesting financial assistance from the U.S. Forest Service to possibly provide up to 50 % reimbursement of spray costs for the 2025 aerial suppression program. The anticipated treatment cost per acre could range from \$60 to \$65 per acre. Last year the cost of treatment was \$59.95 per acre.

If your municipality would like to participate in the LDD (gypsy moth) program, with technical assistance by the Department and up to a possible 50% reimbursement of spray costs by the U.S. Forest Service, please complete the enclosed forms and return them to this office by **November 29, 2024**. You must also select a representative who will attend the LDD (Gypsy Moth) Regional Meeting to be held in January 2025.

If we have not heard from you by **November 29th**, we shall assume your community is not interested in participating in the 2024 spray program. If you need any additional information about the LDD (gypsy moth) program, please feel free to call the Department at (609) 406-6939.

Sincerely,

Joseph W. Zoltowski
Director, Division
of Plant Industry

Enclosures



2025 LDD (GYPSY MOTH) CONTROL OPTIONS

Options

- #1 No _____ We do not wish to participate in the Gypsy Moth Aerial Suppression Program.
- #2 Yes _____ We will participate in the Suppression Program

We have reviewed the “Rules for Participation” and have selected one of the above options.

Township (Borough) of _____

County of _____

Signature _____

Title _____

Telephone Number () _____

Federal I.D. Number for Spray Reimbursement

V _ _ _ _ _

Please return this form by **November 29, 2024** to:

Joseph W. Zoltowski, Director
Division of Plant Industry
New Jersey Department of Agriculture
P.O. Box 330
Trenton, New Jersey 08625
Email: joseph.zoltowski@ag.nj.gov
(609) 406 - 6939 Office

Municipality: _____

County: _____

Representative for 2025 LDD (Gypsy Moth) Suppression Program

The following person (s) has been chosen to act as a representative for our municipality and will attend the Gypsy Moth Regional Meeting to be held in January 2025.

Name: _____

Address: _____

Telephone Number: () _____

Signature: _____

Position: _____

Date: _____

Please return this form by: **November 29, 2024**

Joseph W. Zoltowski, Director
Division of Plant Industry
New Jersey Department of Agriculture
P.O. Box 330
Trenton, New Jersey 08625
Email: joseph.zoltowski@ag.nj.gov
(609) 406 - 6939 Office

NEW JERSEY ADMINISTRATIVE CODE

TITLE 2 AGRICULTURE

CHAPTER 23 GYPSY MOTH

SUBCHAPTER 1. VOLUNTARY SUPPRESSION PROGRAM

2:23-1.1 Applicability

- (a) The conditions in this subchapter are applicable to voluntary participants in the gypsy moth suppression program.

2:23-1.2 Spray priorities

- (a) If it becomes necessary to protect trees in residential and recreational areas, the following set of priorities have been established by the Department of Agriculture:
1. Forested communities with at least 10 homes per 50 acres, defoliated once, and expecting heavy defoliation the following spring.
 2. Municipal and county recreational areas defoliated once, and expecting heavy defoliation the following spring.
 3. Forested communities with 5 homes per 50 acres defoliated once, and expecting heavy defoliation the following spring.
 4. Forested communities with at least 10 homes per 50 acres, or recreational areas not defoliated yet but expecting heavy defoliation the following spring.
 5. Watershed areas defoliated once and expecting heavy defoliation the following spring.
 6. Uninhabited, high-value timber forests defoliated once and expecting heavy defoliation next spring.

2:23-1.3 Local government participation

- (a) Spraying will only be done on a voluntary basis with local governments that agree to fully accept the following conditions for participation in their aerial spray program:
1. Request in writing an egg mass survey to determine status of the gypsy moth infestations in residential and recreational forests.
 2. Arrange for financing the total cost of treatments and make contractual agreement with the spray vendor, either provided by the State or obtained by local bidding.
 3. Assist in the administration and coordination of the spray programs, providing a town coordinator and all necessary labor to mark spray block boundaries.
 4. Adopt a resolution declaring the gypsy moth a "Public Nuisance." The public must be notified in advance, pursuant to the Open Public Meetings Act For Proposed Municipal Action (N.J.S.A. 10:4-9), of the date, time and place that the gypsy moth resolution will be discussed. A copy of this notice must be sent to the Department of Agriculture.

5. Notify the occupants by a properly served notification of the intent of the spray program. Spraying will only be done between the hours of 5:30 A.M. to 2:00 P.M., and 5:00 P.M. to 8:00 P.M. Each school district, within a participating municipality, shall agree upon and designate a normal student commuting time, not to exceed one hour, during which no spraying will be performed. In the event that the proposed spray area(s) encompass more than one school district in the municipality, the municipal governing body shall designate the one-hour spray shut down time, with the approval of affected school districts. Failure of the affected school districts to approve the designated shut down time shall result in the ineligibility of the municipality to participate in the aerial spray program.
6. A "contact person(s) shall be selected by the municipality so that residents may call to obtain the latest information on the aerial spray application, especially if spraying is postponed. The telephone number of the "contact" person shall be made known to the town residents.
7. Notify all affected school districts and bordering municipalities by first class mailing at least 21 days prior to the proposed date of treatment outlining the proposed treatment date, material to be used, along with the name and phone number of a local municipal contact person to answer further questions.
8. In addition to the resolution, a responsible municipal official shall certify to the Department of Agriculture that these notices have been served. No work will begin until certification is filed with the Department of Agriculture.
9. To give, on behalf of the Department of Agriculture, the notices required by N.J.A.C. 2:23-1.5.
10. Submit to the Department of Agriculture a copy of the spray vendor's invoice and proof of payment within 60 days following the statewide completion of the gypsy moth aerial suppression program.

2:23-1.4 The Department of Agriculture participation

- (a) If any of the conditions contained in N.J.A.C. 2:23-1.3 are not adhered to by the local government, the Department of Agriculture will not participate in the program.
- (b) If the conditions in N.J.A.C. 2:23-1.3 are met, the Department agrees to:
 1. Conduct surveys to determine the size and location of areas requiring treatment. Biological evaluation of all proposed treatment areas will be performed before insecticide application is initiated.
 2. Develop spray contracts and contact reputable applicators for competitive bidding.
 3. Select the most efficacious non-chemical insecticide (*Bacillus thuringiensis*), specify types of application aircraft, and specify proper timing of aerial application depending on foliage size (about 30 percent of full leaf expansion of the majority of oak species found in the proposed spray block), larval size (about 1/2 inch), air temperatures greater than 39 and less than 81 degrees Fahrenheit, no precipitation forecast for four hours of adequate drying time immediately following spray application, and winds under 10 miles per hour.
 4. Inform all participating local governments of the date of statewide completion of the suppression program. This notification shall be provided in writing within 10 days of statewide completion of the suppression program and shall serve as official notification to the local government of completion of the aerial suppression program.
 5. Request financial assistance for local governments to reduce treatment costs.
 6. If personnel are available, monitor the aerial application of the specified insecticide, inspect mixing equipment and spray aircraft to ensure that the specified dosage rate is applied.

2:23-1.5 Notification requirements

(a) Pursuant to N.J.S.A. 4:7-39, proper notification of all occupants who reside on the lands selected for treatment is required by doing the following:

1. Two newspaper notices are required to be placed in two newspapers having the best likelihood of informing the public. One notice is to be posted in the legal section and the other posted as a display ad. Both notifications shall appear at least seven days apart, the first of which shall be not earlier than 21 days prior to the proposed date of treatment or other action, and the second of which shall be not later than seven days prior to the proposed date thereof; All newspaper notifications shall contain the necessary information specified by the New Jersey Department of Environmental Protection's Community and Area Wide Pesticide notification requirements found at N.J.A.C. 7:30-9.10 et seq.
2. Mailing a notice by regular first class mail to the occupant of each affected parcel of property not later than 10 days prior to the proposed date of treatment or other action; and
3. Mailing a notice by first class mail to all bordering school districts and municipalities no later than 21 days prior to the proposed date of treatment or other action. This mailing shall include the proposed treatment date, the material to be used and the name and phone number of a local municipal contact person to answer questions concerning the spray operation.

2:23-1.6 (Reserved)

List of Bills - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Vendor	Description	Payment	Check Total
Claims Account			
45 - AMER HOSE & HYDRAULICS CO., INC.	PO 29374 D-2 Dump Cylinder Repacement - Quote #72	4,738.33	4,738.33
3530 - ANIMAL CARE EQUIPMENT & SERVICES, LLC	PO 29310 POLICE - KETCH POLES - QUOTE #18489	250.14	250.14
86 - APPROVED AUTO ELECTRIC, INC	PO 28129 2024 Blanket For Parts and Supplies	734.60	734.60
3841 - APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P	PO 29306 LABOR ATTORNEY - JULY 2024 SERVICES	4,300.00	4,300.00
3205 - BASSANI POWER EQUIPMENT, LLC	PO 29324 Repair Parts	117.68	117.68
149 - BLUE DIAMOND DISPOSAL, INC.	PO 28587 2ND-4TH QUARTER 2024 BLANKET PURCHASE OR	56,750.00	56,750.00
229 - CAMPBELL FOUNDRY COMPANY	PO 28823 DRAINAGE INLETS - VARIOUS STREETS (BRIDG	1,710.00	1,710.00
373 - DELSEA TERMITE & PEST CONTROL	PO 28142 2024 Blanket - Pest Control Services	32.00	32.00
2104 - DOVER BRAKE & CLUTCH CO., INC.	PO 28124 2024 Blanket For Parts and Supplies	387.60	387.60
3649 - EMBLEMS, INC.	PO 29406 POLICE - DEPARTMENT UNIFORM PATCHES	899.00	899.00
2352 - FASTENAL COMPANY	PO 28126 2024 Blanket For Supplies	182.99	182.99
3700 - FRED BEANS FORD OF WASHINGTON	PO 28122 2024 Blanket For Parts	142.53	142.53
592 - GENSERVE, LLC	PO 29432 Station 2 Gen Repairs - MCCPC Contract #	760.00	760.00
3783 - GREEN VALLEY GROUP, INC.	PO 29265 IMPROVEMENTS TO TENNIS COURTS AT CO JOHN	143,891.64	143,891.64
3804 - GTECH CAPITAL, LLC	PO 29412 Lien Redemption - TSC #2023-008 - 12 Jan	16,659.65	
	PO 29412 Lien Redemption - TSC #2023-008 - 12 Jan	5,300.00	21,959.65
649 - HAROLD E. PELLOW & ASSOCIATES,	PO 28226 HIGHLANDS - STORMWATER MGMT PLANNING: MS	3,453.63	
	PO 28242 1ST QUARTER 2024 BLANKET PURCHASE ORDER	1,688.01	
	PO 29383 ESCROW - JULY 2024 SERVICES - ELIZABETHT	2,261.63	7,403.27
649 - HAROLD E. PELLOW & ASSOCIATES,	PO 29386 ESCROW - JULY 2024 SERVICES - ELIZABETHT	1,992.76	
	PO 29387 ESCROW - JULY 2024 SERVICES - NJ NATURAL	168.75	
	PO 29388 RESURFACING OF MANOR DRIVE - JULY 2024 S	18.00	
	PO 29389 2024 RESURFACING OF VARIOUS STREETS - JU	1,343.63	3,523.14
649 - HAROLD E. PELLOW & ASSOCIATES,	PO 29390 RESURFACING OF STONEHEDGE LANE - JULY 20	357.76	
	PO 29391 ESCROW - JUNE 2024 SERVICES - ELIZABETHT	58.00	
	PO 29392 ESCROW - JULY 2024 SERVICES - HIGH POINT	216.00	
	PO 29393 ESCROW - JULY 2024 SERVICES - HIGH POINT	216.00	
	PO 29398 ESCROW - JULY 2024 SERVICES - PCV, LLC (	75.00	
	PO 29399 ESCROW - JULY 2024 SERVICES - PIRNOS	142.00	1,064.76
649 - HAROLD E. PELLOW & ASSOCIATES,	PO 29403 ESCROW - JULY 2024 SERVICES - VEOLIA WAT	37.50	
	PO 29404 ESCROW - JULY 2024 SERVICES - RAIMO OF S	37.50	
	PO 29427 ESCROW - JULY 2024 SERVICES - ANTONUCCI	232.00	
	PO 29428 ESCROW - JULY 2024 SERVICES - VEOLIA WAT	37.50	
	PO 29429 ESCROW - JULY 2024 SERVICES - VEOLIA WAT	142.00	
	PO 29430 ESCROW - JULY 2024 SERVICES - PANTHER LA	71.00	557.50
751 - JCP&L	PO 29409 MONTHLY SERVICE	418.38	418.38
751 - JCP&L	PO 29410 MONTHLY SERVICE	1,994.87	1,994.87
751 - JCP&L	PO 29415 MONTHLY SERVICE	58.31	58.31
751 - JCP&L	PO 29416 MONTHLY SERVICE	134.42	134.42
751 - JCP&L	PO 29419 MONTHLY SERVICE	255.60	255.60
1928 - LINDE GAS & EQUIPMENT, INC.	PO 28766 2024 Blanket for Tank Leases	33.20	33.20
3675 - LK HOLDING, LLC	PO 29302 PD-8 Damage Repairs	2,182.04	2,182.04
3699 - MARAZITI FALCON, LLP	PO 29424 ESCROW - AUGUST 2024 SERVICES - VENTURE	87.50	
	PO 29425 ESCROW - AUGUST 2024 SERVICES - NIEC	17.50	
	PO 29426 ESCROW - AUGUST 2024 SERVICES - WEBER BR	87.50	192.50
986 - MATTHEW BENDER & CO. INC.	PO 29119 2024-2025 RENEWAL - ACCOUNT #0099212528	130.00	130.00
2875 - MORTON SALT, INC.	PO 28379 2024 BLANKET PURCHASE ORDER - ROCK SALT	95,197.03	
	PO 29292 2024 BLANKET PURCHASE ORDER - ROCK SALT	20,844.13	116,041.16
1135 - MUSCONETCONG SEWERAGE AUTHORIT	PO 29434 4th Qtr 2024 Sewer Fees	17,157.64	
	PO 29434 4th Qtr 2024 Sewer Fees	11,438.43	28,596.07
2625 - NAPA AUTO PARTS	PO 28120 2024 Blanket For Parts	428.07	428.07
2437 - NAVITEND	PO 28589 2ND-4TH QUARTER 2024 - COMPUTER SERVICES	3,822.21	
	PO 29238 VPN RENEWAL - QUOTE #002207	160.00	
	PO 29384 NEW LAPTOP SET-UP	420.00	4,402.21
2024 - NJ DEPT OF LABOR & WORKFORCE	PO 29433 2023 Annual Assessment	93.00	93.00
1212 - NOR. JERSEY MUN EMP BENFT FUND	PO 28595 JAN-APRIL 2024 BLANKET PURCHASE ORDER -	6,679.00	
	PO 28595 JAN-APRIL 2024 BLANKET PURCHASE ORDER -	105.00	6,784.00
1775 - PENTELDATA	PO 28204 2024 BLANKET PURCHASE ORDER - BROADBAND	321.89	321.89
1301 - PERFORMANCE TRAILERS, INC.	PO 26728 Tool Box for Sewer Truck - Quote Date: 0	325.00	325.00

List of Bills - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Vendor	Description	Payment	Check Total
2703 - POWER PLACE, INC.	PO 28128 2024 Blanket For Supplies and Parts	230.99	230.99
115 - ROEMAR CORPORATION	PO 29083 POLICE - BADGES FOR PATROL (NEW HIRES)	1,205.85	1,205.85
3652 - ROYALTY CLEANING SERVICES, LLC	PO 28584 2ND-4TH QUARTER 2024 BLANKET PURCHASE OR	550.80	550.80
225 - RUTGERS, THE STATE UNIVERSITY	PO 28354 Training Seminar - Confirmation #85NHYFS	125.00	125.00
1468 - SCMUA	PO 28130 2024 Blanket For Leaves and Brush	314.17	
	PO 28131 2024 Blanket for Street Sweeping	1,035.05	
	PO 28132 2024 Blanket Bulky Waste	42.50	
	PO 28588 APRIL - DECEMBER 2024 BLANKET PURCHASE O	12,591.76	13,983.48
2551 - SID HARVEY'S INDUSTRIES, INC.	PO 29375 2024 Blanket for Supplies	54.76	54.76
1822 - SPARTA, TOWNSHIP OF	PO 28594 2ND-4TH QUARTER 2024 BLANKET PURCHASE OR	525.00	525.00
1138 - STATE OF NEW JERSEY	PO 29417 Life Hazard Use Registration	931.00	931.00
1554 - STATE OF NEW JERSEY	PO 29420 OCTOBER 2024 HEALTH INSURANCE PREMIUMS	107,483.21	
	PO 29420 OCTOBER 2024 HEALTH INSURANCE PREMIUMS	1,730.04	109,213.25
1045 - TCTA MEMBERSHIP SERVICES	PO 29144 WEBINAR - FORECLOSURE & BANKRUPTCY - MCE	90.00	90.00
3376 - TEAM LIFE, INC.	PO 29418 POLICE - AED BATTERY	397.00	397.00
2829 - THE CANNING GROUP, LLC	PO 29201 QPA SERVICES FOR REHAB OF CO JOHNSON PAR	4,350.00	4,350.00
2151 - THE STANDARD INSURANCE CO.	PO 28596 2ND-4TH QUARTER 2024 LIFE INSURANCE PREM	1,734.34	1,734.34
1884 - VERIZON	PO 29396 Monthly Service	709.41	709.41
1902 - VOGEL, CHAIT, COLLINS AND SCHNEIDER	PO 28635 2ND-4TH QUARTER 2024 BLANKET PURCHASE OR	3,587.50	3,587.50
1926 - WB MASON CO., INC.	PO 28159 2024 WATER COOLOR RENTAL & SUPPLIES	36.26	36.26
1926 - WB MASON CO., INC.	PO 29313 FINANCE/TAX OFFICE SUPPLIES - ORDER #S14	275.28	275.28
1930 - WELDON QUARRY CO., LLC	PO 28384 2024 Blanket for Stone and Aggregate	2,097.14	2,097.14
2626 - XTEL COMMUNICATIONS	PO 28640 2ND-4TH QUARTER 2024 BLANKET PURCHASE OR	339.26	339.26
TOTAL			552,231.87

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-020	GENERAL ADMIN OE	4,452.51			
01-201-20-120-020	CLERK OE	130.00			
01-201-20-130-020	FINANCE ADMINISTRATION OE	73.66			
01-201-20-145-020	TAX COLLECTION OE	241.32			
01-201-20-155-020	LEGAL SERVICES	7,887.50			
01-201-20-165-020	ENGINEERING	1,688.01			
01-201-23-220-020	GROUP INSURANCE	115,896.55			
01-201-25-240-020	POLICE OE	2,751.99			
01-201-25-250-020	POLICE RADIO & COMM & 911	194.90			
01-201-25-265-015	FIRE PREVENTION OE	525.00			
01-201-26-290-020	ROAD REPAIR & MAINT OE	23,490.64			
01-201-26-292-020	FLEET MAINTENANCE	8,796.16			
01-201-26-310-020	PUBLIC BLDGS & GROUNDS OE	1,604.82			
01-201-26-335-030	GARBAGE CONTRACT	68,988.72			
01-201-31-430-020	ELECTRICITY	390.02			
01-201-31-435-020	STREET LIGHTING	2,471.56			
01-201-31-440-020	TELEPHONE	1,175.66			
01-201-32-465-000	RECYCLING TAX APPROP.	353.04			
01-201-43-496-020	Musconetcong Sewer Fees	11,438.43			
01-203-26-292-020	(2023) FLEET MAINTENANCE		325.00		
01-213-07-000-000	RESERVE - FEDERAL/STATE GRANTS			145,240.86	
01-213-07-740-001	Highlands Grant			3,453.63	
01-216-55-000-000	Third Party Liens			16,659.65	
01-260-05-100	Due to Claims			0.00	418,229.63
TOTALS FOR	Current fund	252,550.49	325.00	165,354.14	418,229.63

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
04-215-55-042-000	VARIOUS STREET IMPROVEMENTS (004-2022)			3,071.63	
04-215-55-048-000	VARIOUS STREET IMPROVEMENTS (006-2023)			357.76	
04-260-05-100	Due to Claims			0.00	3,429.39
TOTALS FOR	Capital	0.00	0.00	3,429.39	3,429.39
05-201-55-502-020	OPERATING OE	760.00			
05-201-55-503-000	MSA Fees	17,157.64			
05-260-05-100	Due to Claims			0.00	17,917.64
TOTALS FOR	Sewer	17,917.64	0.00	0.00	17,917.64
17-260-05-100	Due to Claims			0.00	4,350.00
17-286-56-000-001	Reserve - Open Space			4,350.00	
TOTALS FOR	Open Space Trust	0.00	0.00	4,350.00	4,350.00
18-260-05-100	Due to Claims			0.00	87.50
18-280-56-000	Reserve For Developers Deposits			87.50	
TOTALS FOR	Developers Escrow Fund Fulton Bank	0.00	0.00	87.50	87.50
19-260-05-100	Due to Claims			0.00	102,332.07
19-286-56-000-013	Reserve - Storm Recovery/Snow Removal			95,197.03	
19-286-56-000-015	Reserve - Tax Sale Premiums			5,300.00	
19-286-56-000-400	Reserve - Uniform Construction Code			1,835.04	
TOTALS FOR	Other Trust	0.00	0.00	102,332.07	102,332.07
21-260-05-100	Due to Claims			0.00	93.00
21-286-56-000-001	Reserve - SUI			93.00	
TOTALS FOR	Unemployment Trust	0.00	0.00	93.00	93.00
24-260-05-100	Due to Claims			0.00	5,792.64
24-280-56-000	Reserve for Developers Escrow Deposits			5,755.14	
24-280-56-144	Veolia Water NJ (8 Mountain Ave) - 9778			37.50	
TOTALS FOR	Developers Escrow - VNB	0.00	0.00	5,792.64	5,792.64

Total to be paid from Fund 01 Current fund	418,229.63
Total to be paid from Fund 04 Capital	3,429.39
Total to be paid from Fund 05 Sewer	17,917.64
Total to be paid from Fund 17 Open Space Trust	4,350.00
Total to be paid from Fund 18 Developers Escrow Fund Fulton Bank	87.50
Total to be paid from Fund 19 Other Trust	102,332.07
Total to be paid from Fund 21 Unemployment Trust	93.00
Total to be paid from Fund 24 Developers Escrow - VNB	5,792.64
	=====
	552,231.87

Checks Previously Disbursed

2024079	LENAPE VALLEY REGIONAL H S	PO# 28853	JULY - DECEMBER 2024 REGIONAL SCHO	601,661.50	10/01/2024
2024080	BYRAM TWP BD OF EDUCATION	PO# 28861	JULY - DECEMBER 2024 SCHOOL TAX LE	1,129,230.83	10/01/2024
2024081	THE DEPOSITORY TRUST COMPANY	PO# 29357	2005 OS BOND PRINCIPAL PAYMENT	60,000.00	10/01/2024
2024082	THE DEPOSITORY TRUST COMPANY	PO# 29358	SEMI-ANNUAL INTEREST PAYMENT - 200	1,200.00	10/01/2024
9093024	BYRAM TWP PAYROLL ACCT		09/30/2024 PAYROLL	193,361.37	9/26/2024

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
					1,985,453.70
Totals by fund	Previous Checks/Voids	Current Payments	Total		
Fund 01 Current fund	1,924,253.70	418,229.63	2,342,483.33		
Fund 04 Capital		3,429.39	3,429.39		
Fund 05 Sewer		17,917.64	17,917.64		
Fund 17 Open Space Trust	61,200.00	4,350.00	65,550.00		
Fund 18 Developers Escrow Fund Fulton Bank		87.50	87.50		
Fund 19 Other Trust		102,332.07	102,332.07		
Fund 21 Unemployment Trust		93.00	93.00		
Fund 24 Developers Escrow - VNB		5,792.64	5,792.64		
BILLS LIST TOTALS	1,985,453.70	552,231.87	2,537,685.57	=====	

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
Current fund					
DEPARTMENT 000					
01-216-55-000-001	29412	GTECH CAPITAL, LLC <i>Principal</i>	Lien Redemption - TSC #2023-008 - 12 Jan TOTAL FOR ACCOUNT	14,942.86	14,942.86
01-216-55-000-002	29412	GTECH CAPITAL, LLC <i>Interest & Costs</i>	Lien Redemption - TSC #2023-008 - 12 Jan TOTAL FOR ACCOUNT	1,716.79	1,716.79
TOTAL for DEPARTMENT 000					16,659.65
DEPARTMENT 100					
01-201-20-100-200	29313	WB MASON CO., INC. <i>Office Supplies</i>	ITEM #WBM24200 - FLAGSHIP PREMIUM COPY P TOTAL FOR ACCOUNT	50.30	50.30
01-201-20-100-216	28589	NAVITEND	OCTOBER 2024 COMPUTER SERVICES	3,822.21	4,402.21
	29238	NAVITEND	VPN SSL CERTIFICATE RENEWAL - 2 YEARS	160.00	
	29384	NAVITEND	NEW LAPTOP SET-UP	420.00	
TOTAL for DEPARTMENT 100					4,452.51
DEPARTMENT 120					
01-201-20-120-210	29119	MATTHEW BENDER & CO. INC. <i>Publications</i>	NJ ADMIN CODE T13 (CH 2, 3) ALCOHOL BEV TOTAL FOR ACCOUNT	130.00	130.00
TOTAL for DEPARTMENT 120					130.00
DEPARTMENT 130					
01-201-20-130-200	29313	WB MASON CO., INC.	ITEM #AAGPM83707 - AT-A-GLANCE DREAMS MO	23.88	73.66
	29313	WB MASON CO., INC.	ITEM #WBM35260 - WB MASON CO. KRAFT CLAS	18.68	
	29313	WB MASON CO., INC.	ITEM #LOG910006826 - LOGITECH WIRELESS M	19.98	
	29313	WB MASON CO., INC.	ITEM #BLS111288VZ1 - BLUE SKY ENTERPRISE	11.12	
TOTAL for DEPARTMENT 130					73.66

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 145					
01-201-20-145-200	Office Supplies	29313 WB MASON CO., INC.	ITEM #WBM35260 - WB MASON CO. KRAFT CLAS	125.18	
		29313 WB MASON CO., INC.	ITEM #AAGPM83707 - AT-A-GLANCE DREAMS MO	23.88	
		29313 WB MASON CO., INC.	ITEM #DPSR2087 - DATAPRODUCTS R2087 COMP	2.26	
		TOTAL FOR ACCOUNT			151.32
01-201-20-145-203	Seminars & Meetings	29144 TCTA MEMBERSHIP SERVICES	WEBINAR - NEW LEGISLATION CONCERNING FOR	90.00	
		TOTAL FOR ACCOUNT			90.00
TOTAL for DEPARTMENT 145					241.32
DEPARTMENT 155					
01-201-20-155-808	Legal Retainer	28635 VOGEL, CHAIT, COLLINS AND SCHNEIDER	AUGUST 2024 TWP ATTORNEY SERVICES	3,587.50	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	ASSESS BACKUP SEWER OPERATOR ISSUE; DRAF	60.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	CONTINUED REVISION, UPDATE & PREPARATION	1,020.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	REVIEW/ASSESS MEMO ON BACK UP SEWER ATTE	160.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	BEGIN REVISION, UPDATE & PREPARATION OF	160.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	REVIEW CORRESPONDENCE FROM JOSEPH SABATI	40.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	CORRESPONDENCE FROM/TO JOSEPH SABATINI R	20.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	CONTINUED REVISION, UPDATE & PREPARATION	1,340.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	CONTINUED REVISION, UPDATE & PREPARATION	460.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	CONTINUED REVISION, UPDATE & PREPARATION	760.00	
		29306 APRUZZESE, MCDERMOTT, MASTRO & MURPHY, P.C.	CONTINUED REVISION, UPDATE & PREPARATION	280.00	
		TOTAL FOR ACCOUNT			7,887.50
TOTAL for DEPARTMENT 155					7,887.50
DEPARTMENT 165					
01-201-20-165-020	ENGINEERING	28242 HAROLD E. PELLOW & ASSOCIATES,	JULY 2024 SERVICES - MUNICIPAL ENGINEERI	643.00	
		28242 HAROLD E. PELLOW & ASSOCIATES,	JULY 2024 SERVICES - 2025 NJDOT RUST FUN	260.63	
		28242 HAROLD E. PELLOW & ASSOCIATES,	JUNE 2024 SERVICES - CO JOHNSON BASKETBA	36.00	
		28242 HAROLD E. PELLOW & ASSOCIATES,	JULY 2024 SERVICES - PAPER STREET ROW VA	748.38	
		TOTAL FOR ACCOUNT			1,688.01
TOTAL for DEPARTMENT 165					1,688.01
DEPARTMENT 220					
01-201-23-220-230	Group Plans	28595 NOR. JERSEY MUN EMP BENFT FUND	OCTOBER 2024 DENTAL INSURANCE PREMIUMS	6,679.00	
		29420 STATE OF NEW JERSEY	OCTOBER 2024 HEALTH INSURANCE PREMIUMS -	71,861.78	
		29420 STATE OF NEW JERSEY	OCTOBER 2024 HEALTH INSURANCE PREMIUMS -	35,621.43	
		28596 THE STANDARD INSURANCE CO.	OCTOBER 2024 LIFE INSURANCE PREMIUMS - P	1,734.34	
		TOTAL FOR ACCOUNT			115,896.55
TOTAL for DEPARTMENT 220					115,896.55

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 240					
01-201-25-240-235	Uniform/Clothing Replacement	29406 EMBLEMS, INC.	ITEM #E46272 - BTPD - SERGEANT CHEVRON	265.00	
		29406 EMBLEMS, INC.	ITEM #E43059 - BTPD - WATERWHEEL SHOULDE	306.00	
		29406 EMBLEMS, INC.	ITEM #E34839 - BTPD - NLEOM SHOULDER PAT	328.00	
		29083 ROEMAR CORPORATION	POLICE HAT BADGE - #33, #34, #35	269.85	
		29083 ROEMAR CORPORATION	BREAST BADGE - SILVER #33, #34, #35 (QT	936.00	
			TOTAL FOR ACCOUNT		2,104.85
01-201-25-240-269	Medical Svcs	29418 TEAM LIFE, INC.	Shipping and Handling	17.00	
		29418 TEAM LIFE, INC.	POWERHEART G5 INTELLISENSE BATTERY LITHI	380.00	
			TOTAL FOR ACCOUNT		397.00
01-201-25-240-283	New Equipment	29310 ANIMAL CARE EQUIPMENT & SERVICES, LLC	5' STANDARD KETCH-ALL POLE (O/S)	196.00	
		29310 ANIMAL CARE EQUIPMENT & SERVICES, LLC	SHIPPING & HANDLING	54.14	
			TOTAL FOR ACCOUNT		250.14
TOTAL for DEPARTMENT 240					2,751.99
DEPARTMENT 250					
01-201-25-250-020	POLICE RADIO & COMM & 911	28204 PENTELDATA	SEPTEMBER 2024 BROADBAND SERVICES	194.90	
			TOTAL FOR ACCOUNT		194.90
TOTAL for DEPARTMENT 250					194.90
DEPARTMENT 265					
01-201-25-265-015	FIRE PREVENTION OE	28594 SPARTA, TOWNSHIP OF	SEPTEMBER 2024 FIRE PREVENTION SERVICES	525.00	
			TOTAL FOR ACCOUNT		525.00
TOTAL for DEPARTMENT 265					525.00
DEPARTMENT 290					
01-201-26-290-220	Operating Maintenance	28766 LINDE GAS & EQUIPMENT, INC.	INDUSTRIAL HIGH PRESSURE LEASE 08/20-09/	20.75	
		28766 LINDE GAS & EQUIPMENT, INC.	INDUSTRIAL ACETYLENE LEASE 08/20-09/20/2	12.45	
		28132 SCMUA	09/17/2024 - BULKY WASTE	42.50	
			TOTAL FOR ACCOUNT		75.70
01-201-26-290-248	Minor Equip	28128 POWER PLACE, INC.	KB KM BRISTLE BRUSH - ATTACHMENT MULTICU	230.99	
			TOTAL FOR ACCOUNT		230.99
		29292 MORTON SALT, INC.	09/03/24 - ROCK SALT DELIVERY 12.28 TONS	886.61	
		29292 MORTON SALT, INC.	09/12/24 - ROCK SALT DELIVERY 27.54 TONS	1,988.39	
		29292 MORTON SALT, INC.	09/13/24 - ROCK SALT DELIVERY 27.56 TONS	1,989.83	
		29292 MORTON SALT, INC.	09/03/24 - ROCK SALT DELIVERY 84.63 TONS	6,110.28	
		29292 MORTON SALT, INC.	09/17/24 - ROCK SALT DELIVERY 28.50 TONS	2,057.70	

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 290					
01-201-26-290-251	29292	MORTON SALT, INC.	09/18/24 - ROCK SALT DELIVERY 108.19 TON	7,811.32	
		Salt	TOTAL FOR ACCOUNT		20,844.13
01-201-26-290-253	28384	WELDON QUARRY CO., LLC	08/29/2024 - I-5 FABC	448.82	
	28384	WELDON QUARRY CO., LLC	08/02/2024 - I-5 FABC	382.92	
	28384	WELDON QUARRY CO., LLC	08/29/2024 - TAC-KOTE PAIL	87.25	
	28384	WELDON QUARRY CO., LLC	08/06/2024 - RAP SINGLE AXLE	725.00	
	28384	WELDON QUARRY CO., LLC	08/01/2024 - I-5 FABC	295.36	
	28384	WELDON QUARRY CO., LLC	08/06/2024 - 1/4" TOP MIX	157.79	
		Black Top	TOTAL FOR ACCOUNT		2,097.14
01-201-26-290-272	28354	RUTGERS, THE STATE UNIVERSITY	Work Zone Safety Awareness (Webinar) - F	125.00	
		Seminars/Training	TOTAL FOR ACCOUNT		125.00
01-201-26-290-492	29324	BASSANI POWER EQUIPMENT, LLC	Item #84005190 - Armature, Magneto	117.68	
		Park Vehicle Repair	TOTAL FOR ACCOUNT		117.68
TOTAL for DEPARTMENT 290					23,490.64
DEPARTMENT 292					
01-201-26-292-270	28120	NAPA AUTO PARTS	NAPA LIGHT BULB 9008	80.23	
	29374	AMER HOSE & HYDRAULICS CO., INC.	Hydraulic Fluid	93.00	
	28126	FASTENAL COMPANY	1 GAL GLOSS BLACK PAINT	182.99	
	29374	AMER HOSE & HYDRAULICS CO., INC.	Cylinder	3,578.50	
	28120	NAPA AUTO PARTS	CIRCUIT	9.91	
	28129	APPROVED AUTO ELECTRIC, INC	1231 MF 1000 CCA	569.70	
	28129	APPROVED AUTO ELECTRIC, INC	ROLLER	164.90	
	29374	AMER HOSE & HYDRAULICS CO., INC.	Elbow	16.83	
	29374	AMER HOSE & HYDRAULICS CO., INC.	Dump Bed Cylinder Repacment Labor	1,050.00	
	28120	NAPA AUTO PARTS	NAPA 9008 NVLE2 BULB	80.23	
	28124	DOVER BRAKE & CLUTCH CO., INC.	TRI-BALL PINTLE HITCH	387.60	
		DPW Fleet	TOTAL FOR ACCOUNT		6,213.89
01-201-26-292-280	28120	NAPA AUTO PARTS	NAPA OIL FILTER	36.60	
	28120	NAPA AUTO PARTS	NAPA CABIN AIR FILTER	73.30	
	28120	NAPA AUTO PARTS	AIR FILTER	68.00	
	28120	NAPA AUTO PARTS	NAPA CABIN AIR FILTER	36.65	
	28120	NAPA AUTO PARTS	NAPA OIL FILTER	9.15	
	28122	FRED BEANS FORD OF WASHINGTON	GASKET	22.87	
	28122	FRED BEANS FORD OF WASHINGTON	COIL ASY	80.18	
	28120	NAPA AUTO PARTS	NAPA GOLD AIR FILTER	34.00	
	28122	FRED BEANS FORD OF WASHINGTON	SPARK PL	39.48	
	29302	LK HOLDING, LLC	Supplemental	215.81	
	29302	LK HOLDING, LLC	Body Damage Repair PD-8 as per Estimate	1,966.23	
		Police Dept. Fleet	TOTAL FOR ACCOUNT		2,582.27
01-203-26-292-270	26728	PERFORMANCE TRAILERS, INC.	Part #1703150 - Buyers Steel Toolbox	325.00	
		(2023) DPW Fleet	TOTAL FOR ACCOUNT		325.00
TOTAL for DEPARTMENT 292					9,121.16

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Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 310					
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT CREDIT	-6.00	
		28142 DELSEA TERMITE & PEST CONTROL	09/16/24 - MONTHLY PEST CONTROL - LEE HI	32.00	
		29417 STATE OF NEW JERSEY	1904-52284-001-001 - AF01 - Fire Registr	128.50	
		29417 STATE OF NEW JERSEY	1904-52284-003-003 - AJ02 - Fire Registr	641.00	
		29417 STATE OF NEW JERSEY	1904-52284-002-002 - BB02 - Fire Registr	161.50	
		29375 SID HARVEY'S INDUSTRIES, INC.	VENT, AIR, FLOAT, TYPE, 1/8"	34.34	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT CREDIT	-12.00	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT CREDIT	-18.00	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT CREDIT	-6.00	
		28584 ROYALTY CLEANING SERVICES, LLC	SEPTEMBER 2024 JANITORIAL SERVICES	550.80	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT CREDIT	-6.00	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT CREDIT	-54.00	
		28159 WB MASON CO., INC.	5 GALLON WATER JUG	40.23	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT	54.00	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT CREDIT	-54.00	
		28159 WB MASON CO., INC.	5 GALLON WATER JUG	44.70	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT	60.00	
		28159 WB MASON CO., INC.	5 GALLON WATER JUG CREDIT	-44.70	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT CREDIT	-60.00	
		28159 WB MASON CO., INC.	SEPTEMBER 2024 WATERCOOLER RENTAL	3.80	
		28159 WB MASON CO., INC.	5 GALLON WATER DEPOSIT	54.00	
		29375 SID HARVEY'S INDUSTRIES, INC.	FILTER, SPIN-ON ELEMENT B100	20.42	
		28159 WB MASON CO., INC.	5 GALLON WATER JUG	40.23	
01-201-26-310-220		<i>Operating Maintenance</i>	TOTAL FOR ACCOUNT		1,604.82
					=====
TOTAL for DEPARTMENT 310					1,604.82
DEPARTMENT 335					
		28587 BLUE DIAMOND DISPOSAL, INC.	SEPTEMBER 2024 GARBAGE CONTRACT	56,750.00	
		28588 SCMUA	09/10/24 - GARBAGE TIPPING FEES	6,271.20	
		28588 SCMUA	09/17/24 - GARBAGE TIPPING FEES	5,967.52	
01-201-26-335-030		<i>GARBAGE CONTRACT</i>	TOTAL FOR ACCOUNT		68,988.72
					=====
TOTAL for DEPARTMENT 335					68,988.72
DEPARTMENT 430					
		29419 JCP&L	BALLFIELD WELL, ROSEVILLE RD. - ACCT #10	255.60	
		29416 JCP&L	TAMARACK PARK - ACCT #100116096270	134.42	
01-201-31-430-661		<i>P & R Utilities</i>	TOTAL FOR ACCOUNT		390.02
					=====
TOTAL for DEPARTMENT 430					390.02

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Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

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DEPARTMENT 435					
	29415	JCP&L	RT. 206/TAMARACK RD - ACCT #100128762331	58.31	
	29409	JCP&L	STREET LIGHTING ACCT #100000676716	418.38	
	29410	JCP&L	STREET LIGHTING ACCT #100000676781	1,994.87	
01-201-31-435-020		STREET LIGHTING	TOTAL FOR ACCOUNT		2,471.56
					=====
TOTAL for DEPARTMENT 435					2,471.56
DEPARTMENT 440					
	29396	VERIZON	Administration - Account #251-256-345-00	62.08	
	28204	PENTEldata	SEPTEMBER 2024 COMMERCIAL CABLE MODEM	126.99	
	28640	XTEL COMMUNICATIONS	SEPTEMBER 2024 LONG DISTANCE CHARGES	339.26	
01-201-31-440-601		A&E Utilities	TOTAL FOR ACCOUNT		528.33
	29396	VERIZON	DPW - Account #251-256-346-0001-55	170.57	
01-201-31-440-670		DPW Utilities	TOTAL FOR ACCOUNT		170.57
	29396	VERIZON	Police - Account #751-663-306-0001-55	476.76	
01-201-31-440-680		Public Safety	TOTAL FOR ACCOUNT		476.76
					=====
TOTAL for DEPARTMENT 440					1,175.66
DEPARTMENT 465					
	28588	SCMUA	09/17/24 - RECYCLING TAX	172.14	
	28588	SCMUA	09/10/24 - RECYCLING TAX	180.90	
01-201-32-465-000		RECYCLING TAX APPROP.	TOTAL FOR ACCOUNT		353.04
					=====
TOTAL for DEPARTMENT 465					353.04
DEPARTMENT 496					
	29434	MUSCONETCONG SEWERAGE AUTHORIT	4th Qtr 2024 Sewerage Fees	11,438.43	
01-201-43-496-020		Musconetcong Sewer Fees	TOTAL FOR ACCOUNT		11,438.43
					=====
TOTAL for DEPARTMENT 496					11,438.43
DEPARTMENT 740					
	28226	HAROLD E. PELLOW & ASSOCIATES,	JULY 2024 SERVICES - TASK #9 - MUNICIPAL	1,438.25	
	28226	HAROLD E. PELLOW & ASSOCIATES,	JULY 2024 SERVICES - TASK #8 - STORMWATE	1,224.88	
	28226	HAROLD E. PELLOW & ASSOCIATES,	JULY 2024 SERVICES - TASK #2 & #3 - COMM	90.50	
	28226	HAROLD E. PELLOW & ASSOCIATES,	APRIL 2024 SERVICES - TASK #11 - MS4 MAP	10.02	

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 740					
		28226 HAROLD E. PELLOW & ASSOCIATES,	JULY 2024 SERVICES - TASK #2 & #3 - COMM	16.00	
		28226 HAROLD E. PELLOW & ASSOCIATES,	APRIL 2024 SERVICES - TASK #11 - MS4 MAP	673.98	
01-213-07-740-001004		Stormwater Management Planning (14)	TOTAL FOR ACCOUNT		3,453.63
					=====
TOTAL for DEPARTMENT 740					3,453.63
DEPARTMENT 776					
		29265 GREEN VALLEY GROUP, INC.	DRAWDOWN #1	143,891.64	
01-213-21-776-030		2021 - American Rescue Plan	TOTAL FOR ACCOUNT		143,891.64
		28131 SCMUA	09/11/24 - STREET SWEEPINGS	34.60	
		28131 SCMUA	09/11/24 - STREET SWEEPINGS	1,000.45	
		28130 SCMUA	09/17/24 - BRUSH DISPOSAL	11.77	
		28130 SCMUA	09/18/24 - BRUSH DISPOSAL	128.25	
		28130 SCMUA	09/16/24 - BRUSH DISPOSAL	66.15	
		28130 SCMUA	09/12/24 - LEAF DISPOSAL	40.50	
		28130 SCMUA	09/12/24 - BRUSH DISPOSAL	67.50	
01-214-24-776-004		2024 - Clean Communities	TOTAL FOR ACCOUNT		1,349.22
					=====
TOTAL for DEPARTMENT 776					145,240.86
Capital					
DEPARTMENT 042					
		29389 HAROLD E. PELLOW & ASSOCIATES,	PREPARE REPORTS/MEMOS	151.88	
		29389 HAROLD E. PELLOW & ASSOCIATES,	TYPE MEMO TO OFFICIAL	18.00	
		29389 HAROLD E. PELLOW & ASSOCIATES,	ESTIMATE CERTIFICATE/VOUCHER	303.75	
		29388 HAROLD E. PELLOW & ASSOCIATES,	TYPE MEMO TO OFFICIAL	18.00	
		29389 HAROLD E. PELLOW & ASSOCIATES,	PROJECT MANAGEMENT	213.00	
		29389 HAROLD E. PELLOW & ASSOCIATES,	QUANTITY CALCULATIONS	101.25	
		28823 CAMPBELL FOUNDRY COMPANY	DRAINAGE INLETS FOR VARIOUS STREETS (BRI	1,120.00	
		28823 CAMPBELL FOUNDRY COMPANY	CHANGE ORDER #1 APPROVED 10/01/2024 - R	590.00	
		29389 HAROLD E. PELLOW & ASSOCIATES,	INSPECT CURB/SIDEWALK	555.75	
04-215-55-042-000		VARIOUS STREET IMPROVEMENTS (004-2022)	TOTAL FOR ACCOUNT		3,071.63
					=====
TOTAL for DEPARTMENT 042					3,071.63
DEPARTMENT 048					
		29390 HAROLD E. PELLOW & ASSOCIATES,	TYPE FINAL ESTIMATE CERTIFICATE	18.00	
		29390 HAROLD E. PELLOW & ASSOCIATES,	INSPECT CURB/SIDEWALK	151.88	
		29390 HAROLD E. PELLOW & ASSOCIATES,	PREPARE REPORTS/MEMOS	50.63	
		29390 HAROLD E. PELLOW & ASSOCIATES,	ESTIMATE CERTIFICATE/VOUCHER	101.25	
		29390 HAROLD E. PELLOW & ASSOCIATES,	TYPE MEMO TO OFFICIAL	36.00	
04-215-55-048-000		VARIOUS STREET IMPROVEMENTS (006-2023)	TOTAL FOR ACCOUNT		357.76
					=====

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 048					
TOTAL for DEPARTMENT 048					357.76
Sewer					
DEPARTMENT 502					
	29432	GENSERVE, LLC	Service Call Fee	200.00	
	29432	GENSERVE, LLC	Labor for Diag	560.00	
05-201-55-502-220		Maintenance	TOTAL FOR ACCOUNT		760.00
TOTAL for DEPARTMENT 502					760.00
DEPARTMENT 503					
	29434	MUSCONETCONG SEWERAGE AUTHORIT	4th Qtr 2024 Sewerage Fees	17,157.64	
05-201-55-503-000		MSA Fees	TOTAL FOR ACCOUNT		17,157.64
TOTAL for DEPARTMENT 503					17,157.64
Open Space Trust					
DEPARTMENT 000					
	29201	THE CANNING GROUP, LLC	QPA SERVICES FOR THE PROCUREMENT OF REHA	4,350.00	
17-286-56-000-001		Reserve - Open Space	TOTAL FOR ACCOUNT		4,350.00
TOTAL for DEPARTMENT 000					4,350.00
Developers Escrow Fund Fulton Bank					
DEPARTMENT 042					
	29424	MARAZITI FALCON, LLP	REVIEW & REVISE CROSS ACCESS EASEMENT FO	87.50	
18-280-56-042		Venture II, LLC - #1101154815	TOTAL FOR ACCOUNT		87.50
TOTAL for DEPARTMENT 042					87.50
Other Trust					
DEPARTMENT 000					
	28379	MORTON SALT, INC.	02/14/24 ROCK SALT DELIVERY 1,371.32 TON	95,197.03	
19-286-56-000-013		Reserve - Storm Recovery/Snow Removal	TOTAL FOR ACCOUNT		95,197.03

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
Other Trust					
DEPARTMENT 000					
19-286-56-000-015	29412	GTECH CAPITAL, LLC	Lien Redemption - TSC #2023-008 - 12 Jan	5,300.00	
		<i>Reserve - Tax Sale Premiums</i>	TOTAL FOR ACCOUNT		5,300.00
	28595	NOR. JERSEY MUN EMP BENFT FUND	OCTOBER 2024 DENTAL INSURANCE PREMIUMS -	105.00	
19-286-56-000-422	29420	STATE OF NEW JERSEY	OCTOBER 2024 HEALTH INSURANCE PREMIUMS -	1,730.04	
		<i>Uniform Construction Code - Fringe Benefits</i>	TOTAL FOR ACCOUNT		1,835.04
TOTAL for DEPARTMENT 000					102,332.07
Unemployment Trust					
DEPARTMENT 000					
21-286-56-000-001	29433	NJ DEPT OF LABOR & WORKFORCE	2023 - Catastrophic Illness Fund Assessm	93.00	
		<i>Reserve - SUI</i>	TOTAL FOR ACCOUNT		93.00
TOTAL for DEPARTMENT 000					93.00
Developers Escrow - VNB					
DEPARTMENT 001					
	29383	HAROLD E. PELLOW & ASSOCIATES,	APPLICATION & PLAN REVIEW	142.00	
	29391	HAROLD E. PELLOW & ASSOCIATES,	APPLICATION & PLAN REVIEW	58.00	
	29386	HAROLD E. PELLOW & ASSOCIATES,	APPLICATION & PLAN REVIEW	142.00	
	29386	HAROLD E. PELLOW & ASSOCIATES,	ATTENDANCE AT MEETING - 07/08/2024 & 07/	426.00	
	29386	HAROLD E. PELLOW & ASSOCIATES,	INSPECT SITE LAN/SUBDIVISION	1,050.00	
	29383	HAROLD E. PELLOW & ASSOCIATES,	ATTENDANCE AT MEETING - 07/23/2024 & 07/	213.00	
	29383	HAROLD E. PELLOW & ASSOCIATES,	INSPECT SITE PLAN/SUBDIVISION	975.00	
	29383	HAROLD E. PELLOW & ASSOCIATES,	ONSITE FIELD CHECK	71.00	
	29383	HAROLD E. PELLOW & ASSOCIATES,	ONSITE FIELD CHECK	860.63	
	29386	HAROLD E. PELLOW & ASSOCIATES,	ONSITE FIELD CHECK	303.76	
24-280-56-001	29386	HAROLD E. PELLOW & ASSOCIATES,	ONSITE FIELD CHECK	71.00	
		<i>Elizabethtown Gas Co. - #9707753709</i>	TOTAL FOR ACCOUNT		4,312.39
TOTAL for DEPARTMENT 001					4,312.39
DEPARTMENT 016					
24-280-56-016	29426	MARAZITI FALCON, LLP	COMMUNICATIONS W/C. PHILLIPS REGARDING E	87.50	
		<i>Weber Bros. Prop. LLC - #9707751164</i>	TOTAL FOR ACCOUNT		87.50
TOTAL for DEPARTMENT 016					87.50

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 048					
24-280-56-048	29398	HAROLD E. PELLOW & ASSOCIATES,	INSPECT SITE PLAN/SUBDIVISION	75.00	
		Paramount Carter Venture, LLC - #9707755047	TOTAL FOR ACCOUNT		75.00
TOTAL for DEPARTMENT 048					75.00
DEPARTMENT 055					
24-280-56-055	29404	HAROLD E. PELLOW & ASSOCIATES,	INSPECT SITE PLAN/SUBDIVISION	37.50	
		Raimo of Stanhope, Inc - #9707755749	TOTAL FOR ACCOUNT		37.50
TOTAL for DEPARTMENT 055					37.50
DEPARTMENT 118					
24-280-56-118	29399	HAROLD E. PELLOW & ASSOCIATES,	ONSITE FIELD CHECK	142.00	
		Chad Pirnos - #9707754679	TOTAL FOR ACCOUNT		142.00
TOTAL for DEPARTMENT 118					142.00
DEPARTMENT 135					
24-280-56-135	29425	MARAZITI FALCON, LLP	COMMUNICATIONS W/C. PHILLIPS REGARDING E	17.50	
		Gary Niec - #9707750003	TOTAL FOR ACCOUNT		17.50
TOTAL for DEPARTMENT 135					17.50
DEPARTMENT 142					
24-280-56-142	29430	HAROLD E. PELLOW & ASSOCIATES,	PREPARE REPORTS/MEMOS	71.00	
		Panther Lake RV, LLC - #9707753771	TOTAL FOR ACCOUNT		71.00
TOTAL for DEPARTMENT 142					71.00
DEPARTMENT 144					
24-280-56-144	29403	HAROLD E. PELLOW & ASSOCIATES,	INSPECT SITE PLAN/SUBDIVISION	37.50	
	29429	HAROLD E. PELLOW & ASSOCIATES,	ATTENDANCE AT MEETING - 07/17/2024	142.00	
		Veolia Water NJ (8 Mountain Ave) - 9778	TOTAL FOR ACCOUNT		179.50

List of Bills (Department/Account Detail) - (All Funds)

Meeting Date: 10/01/2024 For bills from 09/14/2024 to 09/27/2024

Account	P0 #	Vendor	Description	Payment	Account Total
DEPARTMENT 144					
24-280-56-144-001	29428	HAROLD E. PELLOW & ASSOCIATES, Veolia Water NJ (Trout Brook Rd) - 9778	INSPECT SITE PLAN/SUBDIVISION TOTAL FOR ACCOUNT	37.50	37.50
	TOTAL for DEPARTMENT 144				217.00
DEPARTMENT 182					
24-280-56-182	29387	HAROLD E. PELLOW & ASSOCIATES, NJ Natural Gas Company - #9707751680	INSPECT SITE PLAN/SUBDIVISION TOTAL FOR ACCOUNT	168.75	168.75
	TOTAL for DEPARTMENT 182				168.75
DEPARTMENT 184					
24-280-56-184	29427	HAROLD E. PELLOW & ASSOCIATES, Dominick J. Antonucci - #9707756564	APPLICATION & PLAN REVIEW TOTAL FOR ACCOUNT	232.00	232.00
	TOTAL for DEPARTMENT 184				232.00
DEPARTMENT 240					
24-280-56-240	29393	HAROLD E. PELLOW & ASSOCIATES,	APPLICATION & PLAN REVIEW	145.00	
	29392	HAROLD E. PELLOW & ASSOCIATES,	APPLICATION & PLAN REVIEW	71.00	
	29392	HAROLD E. PELLOW & ASSOCIATES,	APPLICATION & PLAN REVIEW	145.00	
	29393	HAROLD E. PELLOW & ASSOCIATES,	APPLICATION & PLAN REVIEW	71.00	
		High Point Utilities, LLC - #1494685800	TOTAL FOR ACCOUNT		432.00
TOTAL for DEPARTMENT 240				432.00	

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY
ORDINANCE NO. 016 - 2024**

**AN ORDINANCE TO AUTHORIZE A CAPITAL EXPENDITURE FOR THE
ACQUISITION OF SELF-CONTAINED BREATHING APPARATUS (SCBA) FOR USE
BY THE BYRAM TOWNSHIP FIRE DEPARTMENT TO PROVIDE FUNDING IN THE
AMOUNT NOT TO EXCEED \$25,000.00**

Purpose Statement: Acquisition of Self-Contained Breathing Apparatus (SCBA) for use by the Byram Township Fire Department.

WHEREAS, the Township of Byram is planning on purchasing new Self-Contained Breathing Apparatus (SCBA) equipment for the Byram Township Fire Department; and

WHEREAS, these purchases may include but not limited to, SCBA bottles, packs, and masks, together with all equipment, attachments and accessories necessary therefor or incidental thereto; and

WHEREAS, the Township of Byram has money available in the amount of \$25,000.00 from Capital Improvement Fund.

NOW, THEREFORE BE IT ORDAINED and enacted by the Council of the Township of Byram, County of Sussex, and State of New Jersey, as follows:

Section 1 – The Manager and Municipal Clerk are authorized to execute the acquisitions as set forth in plans. All actions shall be taken in accordance with the Local Public Contracts Law and other applicable regulations.

Section 2 – This ordinance shall be funded as follows:

\$25,000.00 Capital Improvement Fund

Section 3 – This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

Introduced: September 17, 2024 Adopted: October 1, 2024

Cynthia Church, RMC
Township Clerk

Alexander Rubenstein
Mayor

BYRAM TOWNSHIP COUNCIL					
	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

NOTICE OF ADOPTION

NOTICE is hereby given that Ordinance 016-2024 was introduced and passed first reading at a meeting of the Township Council of the Township of Byram, held at the Byram Township Municipal Building, Mansfield Drive, Byram Township, New Jersey, on the 17th day of September 2024. The said ordinance was further considered for final adoption at a meeting of the Township Council of The Township of Byram, held at the Byram Municipal Building, 10 Mansfield Drive, Byram Township, New Jersey, on the 1st day of October at 7:30 p.m. at which time all persons were given the opportunity to be heard. It was finally passed and adopted and will be in full force in the Township according to law.

Cynthia Church, RMC
Township Clerk

**TOWNSHIP OF BYRAM
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE NO: 018 - 2024

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
TOWNSHIP OF BYRAM TO GRANT A DRIVEWAY EASEMENT TO
MR. MARTIN EKHELAR AND MRS. CHRISTINE EKHELAR AND TO
VACATE, RELEASE AND EXTINGUISH ANY PUBLIC RIGHTS IN A
PORTION OF THE PAPER STREET OR RIGHT-OF-WAY LOCATED
OFF LACKAWANNA DRIVE AT 70-A LACKAWANNA DRIVE
PURSUANT TO N.J.S.A. 40:49-6 AND N.J.S.A. 40:67-21**

Purpose Statement: The purpose of this Ordinance is to grant a driveway easement to Mr. Martin Ekhelar and Mrs. Christine Ekhelar, and to vacate a portion of the paper street right-of-way located off Lackawanna Road at 70-A Lackawanna Drive and identified herein pursuant to N.J.S.A. 40:49-6 and N.J.S.A. 40:67-21.

WHEREAS, it was found and determined by the Mayor and Township Council of the Township of Byram that a portion of the paper street or right-of-way located off Lackawanna Drive at 70-A Lackawanna Drive is not needed for public use as described in Schedule A and shown in Attachment B, and

WHEREAS, the Mayor and Township Council of the Township of Byram hereby intend to vacate, release and extinguish the portion of a paper street or right-of-way running from Lackawanna Drive to Block 364.01, Lot 2.03 as described herein and in the attached Schedule A and shown on Attachment B.

WHEREAS, this road vacation will be subject to an easement to be granted simultaneously herewith to Mr. Martin Ekhelar and Mrs. Christine Ekhelar, the owners of Lot 2.03, Block 364.01 for their existing driveway located in accordance with Schedule A attached hereto for ingress and egress to their house subject to their obligation to maintain, repair and remove snow and ice, and this easement grant is authorized pursuant to N.J.S.A. 40A:12-13(b)(4).

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Byram as follows:

Section 1. Easement Grant for Existing Driveway. The Township Mayor and Clerk are authorized to execute a driveway easement for the existing driveway to Mr. Martin Ekhelar and Mrs. Christine Ekhelar and generally as described in Schedule C attached hereto and incorporated herein by reference.

Section 2. Portion of Street to Be Vacated. Any public rights as to the right-of-way of the following portion of the paper street or right-of-way from Lackawanna Drive located at 70-A Lackawanna Drive are hereby vacated except for all rights and privileges presently possessed by Public Utilities, as defined in R.S. 48:2-13, and any Cable Television Company as defined in the Cable Television Act, P.L. 1972, c. 186 (c.48:5A-1, et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the said area to be vacated:

THAT PORTION OF the paper street or right-of-way located off Lackawanna Drive at 70-A Lackawanna Drive in the Township of Byram that is hereby vacated is as follows:

- a. The paper street or right-of-way located off Lackawanna Drive at 70-A Lackawanna Drive: a portion containing approximately 18,733 square feet as described on the attached Schedule A, "Description of Proposed Vacation of a Portion of Paper Street (50' Wide) Byram Township, Sussex County, New Jersey", and shown on the map entitled Vacation Plan attached hereto as Attachment B. Said attachments are incorporated herein by reference.

Section 2. Notice. After being introduced and having passed a first reading, this ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage.

At least one (1) week prior to the time fixed for further consideration of this ordinance for final passage, a copy thereof, together with notice of its introduction and the time and place when and where the ordinance will be further considered for final passage, shall be mailed to every person whose lands may be affected hereby so far as may be ascertained. The Township Clerk shall mail said notice in accordance with N.J.S.A. 40:49-6.

Within sixty (60) days of the effective date of this Ordinance the Township Clerk shall file a copy, certified by her under seal of the Township to be a true copy, together with proof of publication thereof, in the Office of the Sussex County Clerk in accordance with N.J.S.A. 40:67-21.

Section 3. Severability. If any part of this Ordinance is for any reason held to be invalid such decision shall not affect the validity of the remaining portion of the Ordinance. Any ordinance or portion thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Section 4. Repealer.

All existing Ordinances and/or parts thereof which are inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, repealed.

Section 5. Effect. This Ordinance shall take effect in the time and manner prescribed by law.

Introduced: October 1, 2024 Adopted:

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

NOTICE OF INTRODUCTION

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Byram, in the County of Sussex, New Jersey, held on the 1st of October 2024. Introduced and read by title and passed on the first reading and that said Township Mayor and Council will further consider the Ordinance for second reading and final passage thereof at a meeting to be held on the 15th day of October, 2024 at 7:30 p.m., at the Township of Byram Municipal Building, 10 Mansfield Drive, Stanhope, New Jersey, at which time and place a public hearing will be held thereon by the Township Council and all persons and citizens in interest shall have an opportunity to be heard concerning same. Copies of this ordinance are available at the Clerk’s office Monday through Friday from 8:30 a.m. to 4:30 p.m.

Cynthia Church, RMC
Township Clerk

HAROLD E. PELLOW & ASSOCIATES, INC.
Consulting Engineers, Planners & Land Surveyors
17 PLAINS ROAD
AUGUSTA, NEW JERSEY 07822-2009

DAVID B. SIMMONS, JR.
NJ PROFESSIONAL ENGINEER &
LAND SURVEYOR #27831

PHONE: (973) 948-6463
FAX: (973) 948-2916
dsimmons@hpellow.com

SCHEDULE "A"

**DESCRIPTION OF PROPOSED
VACATION OF A PORTION OF
PAPER STREET (50' WIDE)
BYRAM TOWNSHIP, SUSSEX COUNTY, NEW JERSEY**

All that certain tract or parcel of land and premises situate, lying and being in the Township of Byram, County of Sussex, and the State of New Jersey.

BUTTED, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point in the southerly right-of-way line of Lackawanna Drive/Sussex County Route 607, width varies, and the easterly side line of Lot A as described in a deed of conveyance between Bilney Bros., Inc., and Township of Byram, recorded in the Sussex County Clerk's Office, at Newton, New Jersey, in Deed Book 946, Page 255 etc., executed July 22, 1974 and recorded July 31, 1974, thence,

- 1) Along the easterly side line of the aforementioned Lot A, South twenty-eight degrees, eleven minutes, zero seconds East (S. 28°-11'-00" E.), a distance of two hundred forty-five and forty-six hundredths feet, (245.46'), to a point of curvature, thence;
- 2) Along a curve to the right having a radius of one hundred and zero hundredths feet (100.00'), an arc distance of one hundred fifty seven and eight hundredths feet (157.08'), to a point in the northerly line of the lands of Byram Township, thence;
- 3) Along the northerly line of the lands of Byram Township, North sixty-one degrees, forty-nine minutes, zero seconds East (N. 61°-49'-00" E.), a distance of one hundred twelve and fifty hundredths feet, (112.50'), to a point in a curve, thence;
- 4) Along said curve to the left having a radius of one hundred fifty and zero hundredths feet (150.00'), an arc distance of one hundred ten and thirty hundredths feet (110.30'), to a point of tangency, thence;
- 5) North twenty-eight degrees, eleven minutes, zero seconds West (N. 28°-11'-00" W.), a distance of two hundred forty-nine and sixteen hundredths feet, (249.16'), to a point in the aforementioned southerly right-of-way line of Lackawanna Drive/Sussex County Route 607, thence;
- 6) Along the aforementioned southerly right-of-way line of said Lackawanna Drive/Sussex County Route 607, South fifty-seven degrees, thirty-four minutes, fifty-two seconds West (S. 57°-34'-52" W.), a distance of fifty and fourteen hundredths feet, (50.14'), to the point and place of beginning.

Containing 18,500 SF ± of land, be the same more or less.

Subject to the rights of any utilities or easements of record, should any exist.

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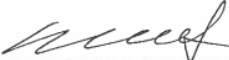
HAROLD E. PELLOW & ASSOCIATES, INC.
Consulting Engineers, Planners & Land Surveyors
17 PLAINS ROAD
AUGUSTA, NEW JERSEY 07822-2009

HAROLD E. PELLOW
NJ PROFESSIONAL ENGINEER &
LAND SURVEYOR #13229

PHONE: (973) 948-6463
FAX: (973) 948-2916
hpellow@hpellow.com

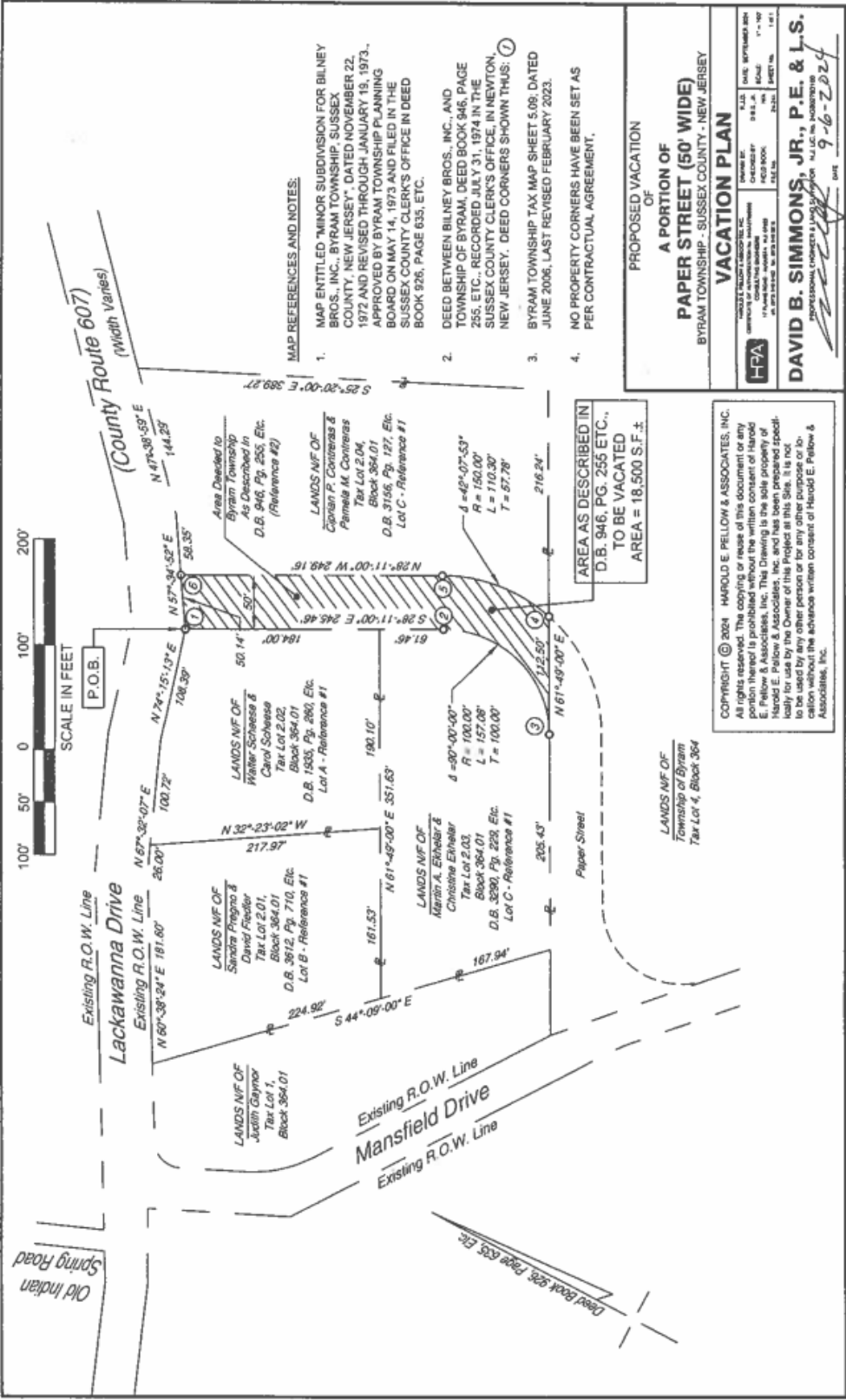
The area to be vacated is shown on Attachment "B" -- "Proposed Vacation of a Portion of Paper Street (50' Wide), Byram Township, Sussex County, New Jersey, Vacation Plan", prepared by Harold E. Pellow & Associates, Inc., David B. Simmons, Jr., P.E. & L.S., dated September 2024.

This description written September 6, 2024 by Harold E Pellow & Associates, Inc., Consulting Engineers, 17 Plains Road, Augusta, New Jersey 07822-2009.

 9-6-2024
David B. Simmons, Jr., P.E., L.S., P.P., C.M.E.
New Jersey Professional Engineer and Land Surveyor #27831
Certificate of Authorization No. 24GA27959300

SEAL

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HAROLD E. PELLOW & ASSOCIATES, INC.
Consulting Engineers, Planners & Land Surveyors
17 PLAINS ROAD
AUGUSTA, NEW JERSEY 07822-2009

DAVID B. SIMMONS, JR.
NJ PROFESSIONAL ENGINEER &
LAND SURVEYOR #27831

PHONE: (973) 948-6463
FAX: (973) 948-2916
dsimmons@hpellow.com

SCHEDULE "C"

DESCRIPTION OF PROPOSED
DRIVEWAY EASEMENT OVER THE PAPER STREET (50' WIDE)
OWNED BY BYRAM TOWNSHIP
BYRAM TOWNSHIP, SUSSEX COUNTY, NEW JERSEY

All that certain tract or parcel of land and premises situate, lying and being in the Township of Byram, County of Sussex, and the State of New Jersey.

BUTTED, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point in the southerly right-of-way line of Lackawanna Drive/Sussex County Route 607, width varies, and the easterly side line of Lot A as described in a deed of conveyance between Bilney Bros., Inc., and Township of Byram, recorded in the Sussex County Clerk's Office, at Newton, New Jersey, in Deed Book 946, Page 255 etc., executed July 22, 1974 and recorded July 31, 1974, thence,

- 1) Along the easterly side line of the aforementioned Lot A, South twenty-eight degrees, eleven minutes, zero seconds East (S. 28°-11'-00" E.), a distance of two hundred forty-five and forty-six hundredths feet, (245.46'), to a point of curvature, thence;
- 2) Along a curve to the right having a radius of one hundred and zero hundredths feet (100.00'), an arc distance of one hundred fifty seven and eight hundredths feet (157.08'), to a point in the northerly line of the lands of Byram Township, thence;
- 3) Along the northerly line of the lands of Byram Township, North sixty-one degrees, forty-nine minutes, zero seconds East (N. 61°-49'-00" E.), a distance of one hundred twelve and fifty hundredths feet, (112.50'), to a point in a curve, thence;
- 4) Along said curve to the left having a radius of one hundred fifty and zero hundredths feet (150.00'), an arc distance of one hundred ten and thirty hundredths feet (110.30'), to a point of tangency, thence;
- 5) North twenty-eight degrees, eleven minutes, zero seconds West (N. 28°-11'-00" W.), a distance of two hundred forty-nine and sixteen hundredths feet, (249.16'), to a point in the aforementioned southerly right-of-way line of Lackawanna Drive/Sussex County Route 607, thence;
- 6) Along the aforementioned southerly right-of-way line of said Lackawanna Drive/Sussex County Route 607, South fifty-seven degrees, thirty-four minutes, fifty-two seconds West (S. 57°-34'-52" W.), a distance of fifty and fourteen hundredths feet, (50.14'), to the point and place of beginning.

HAROLD E. PELLOW & ASSOCIATES, INC.
Consulting Engineers, Planners & Land Surveyors
17 PLAINS ROAD
AUGUSTA, NEW JERSEY 07822-2009

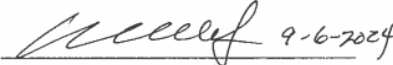
HAROLD E. PELLOW
NJ PROFESSIONAL ENGINEER &
LAND SURVEYOR #13229

PHONE: (973) 948-6463
FAX: (973) 948-2916
hpellow@hpellow.com

Containing 18,500 SF ± of land, be the same more or less.

Subject to the rights of any utilities or easements of record, should any exist.

This description written September 6, 2024 by Harold E Pellow & Associates, Inc., Consulting Engineers, 17 Plains Road, Augusta, New Jersey 07822-2009.


David B. Simmons, Jr., P.E., L.S., P.P., C.M.E.
New Jersey Professional Engineer and Land Surveyor #27831
Certificate of Authorization No. 24GA27959300

SEAL

Prepared by:

Thomas F. Collins, Jr., Esq.

DRIVEWAY EASEMENT

This Driveway Easement is made on _____, 2024,

BETWEEN BYRAM TOWNSHIP, a Municipal Corporation of the State of New Jersey, whose address is 10 Mansfield Drive, Byram, New Jersey 07874,

referred to as the Grantor,

AND

Martin A. Ekhelar and Christine Ekhelar, husband and wife, residing at 70-A Lackawanna Drive, Stanhope, New Jersey 07874,

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the Driveway Easement ("Easement") described below to Grantee. This transfer is made for the sum of One Dollar and 00/100 (\$1.00) and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged by the Grantor.

Tax Map Reference. (N.J.S.A. 46:15-1.1) The municipality is Byram Township located in Sussex County, New Jersey. The Driveway Easement being conveyed hereby is located on a portion of a dedicated paper street right-of-way that transects Block 364.01, Lot 2.03 as depicted on the Official Tax Maps of Byram Township.

Property. The Driveway Easement is located in a portion of a dedicated paper street right-of-way owned by the Grantor. Grantee is the record owner of Block 364.01, Lot 2.03. This Driveway Easement is a grant of an Easement for a driveway and ingress and egress along the existing driveway as it is currently located August 2024 as described in the attached Schedule "B" ("Easement Area"). The legal description is annexed hereto as Schedule "B".

Purposes of the Easement. This Easement conveys to Grantee, its successors, assigns, heirs, administrators, transferees,

agents, and contractors ("Agents") the right to use the Easement Area for the purposes of a private driveway for ingress and egress to the Grantee's property and house known as Lot 2.03, Block 364.01. It is further the intention of this Easement to grant to Grantee and its Agents access to, and the right to enter upon the Easement Area at all times, for the purposes of the Easement and all related activities or actions.

The Grantee shall have the obligation of maintaining the Easement Area, in the event the Grantee shall perform any work within the Easement Area or which causes damage to the road surface, the Grantee shall promptly restore the surface of the Easement Area, to the extent reasonably practicable, to the condition in which such surface was found before such work was undertaken.

Said Easement shall run with the land and shall be binding upon and inure to the benefit of the Grantee and Grantor and their respective successors and assigns in title or interest, in perpetuity.

Signatures. The Grantor signs this Driveway Easement as of the date at the top of the first page.

BYRAM TOWNSHIP

Cindy Church, RMC

Alexander Rubenstein, Mayor

STATE OF NEW JERSEY)

SS:

COUNTY OF SUSSEX)

I CERTIFY that on _____, 2024, Cindy Church, personally came before me and this person acknowledged under oath, to my satisfaction, that:

(a) this person, Cindy Church, is the Clerk of Byram Township, the municipal corporation named in this Easement;

(b) this person is attesting witness to the signing of this Easement by the proper corporate officer, Alexander Rubenstein, who is the Mayor of the municipal corporation;

(c) this Easement was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper ordinance adopted its Governing Body;

(d) this person signed this proof to attest to the truth of these facts; and

(e) the full and actual consideration paid or to be paid for the transfer of title is \$1.00 (Such consideration is defined in N.J.S.A. 46:15-5)

Notary

HAROLD E. PELLOW & ASSOCIATES, INC.
Consulting Engineers, Planners & Land Surveyors
17 PLAINS ROAD
AUGUSTA, NEW JERSEY 07822-2009

DAVID B. SIMMONS, JR.
NJ PROFESSIONAL ENGINEER &
LAND SURVEYOR #27831

PHONE: (973) 948-6463
FAX: (973) 948-2916
dsimmons@hpellow.com

SCHEDULE "B"

DESCRIPTION OF PROPOSED
DRIVEWAY EASEMENT OVER THE PAPER STREET (50' WIDE)
OWNED BY BYRAM TOWNSHIP
BYRAM TOWNSHIP, SUSSEX COUNTY, NEW JERSEY

All that certain tract or parcel of land and premises situate, lying and being in the Township of Byram, County of Sussex, and the State of New Jersey.

BUTTED, BOUNDED AND DESCRIBED AS FOLLOWS:

Beginning at a point in the southerly right-of-way line of Lackawanna Drive/County Route 607, width varies, and the easterly side line of Lot A as described in a deed of conveyance between Bilney Bros., Inc., and Township of Byram, recorded in the Sussex County Clerk's Office, at Newton, New Jersey, in Deed Book 946, Page 255 etc., executed July 22, 1974 and recorded July 31, 1974, thence,

- 1) Along the easterly side line of the aforementioned Lot A, South twenty-eight degrees, eleven minutes, zero seconds East (S. 28°-11'-00" E.), a distance of two hundred forty-five and forty-six hundredths feet, (245.46'), to a point of curvature, thence;
- 2) Along a curve to the right having a radius of one hundred and zero hundredths feet (100.00'), an arc distance of one hundred fifty seven and eight hundredths feet (157.08'), a chord bearing of South sixteen degrees, forty-nine minutes, zero seconds West (S. 16°-49'-00" W.), and a chord distance of one hundred forty-one and forty-two hundredths feet (141.42'), to a point in the northerly line of the lands of Byram Township, thence;
- 3) Along the northerly line of the lands of Byram Township, North sixty-one degrees, forty-nine minutes, zero seconds East (N. 61°-49'-00" E.), a distance of one hundred twelve and fifty hundredths feet, (112.50'), to a point in a curve, thence;
- 4) Along a curve to the left having a radius of one hundred fifty and zero hundredths feet (150.00'), an arc distance of one hundred ten and thirty hundredths feet (110.30'), a chord bearing of North seven degrees, seven minutes, three seconds West (N. 07°-07'-03" W.), and a chord distance of one hundred seven and eighty-three hundredths feet (107.83'), to a point of tangency, thence;
- 5) North twenty-eight degrees, eleven minutes, zero seconds West (N. 28°-11'-00" W.), a distance of two hundred forty-nine and sixteen hundredths feet, (249.16'), to a point in the aforementioned southerly right-of-way line of Lackawanna Drive/County Route 607, thence;
- 6) Along the aforementioned southerly right-of-way line of Lackawanna Drive/County Route 607, South fifty-seven degrees, thirty-four minutes, fifty-two seconds West (S. 57°-34'-52" W.), a distance of fifty and fourteen hundredths feet, (50.14'), to the point and place of beginning.

Containing 18,733 SF ± of land, be the same more or less.

HAROLD E. PELLOW & ASSOCIATES, INC.
Consulting Engineers, Planners & Land Surveyors
17 PLAINS ROAD
AUGUSTA, NEW JERSEY 07822-2009

HAROLD E. PELLOW
NJ PROFESSIONAL ENGINEER &
LAND SURVEYOR #13229

PHONE: (973) 948-6463
FAX: (973) 948-2916
hpellow@hpellow.com

Subject to the rights of any utilities or easements of record, should any exist.

This description written June 28, 2024 by Harold E Pellow & Associates, Inc., Consulting Engineers, 17 Plains Road,
Augusta, New Jersey 07822-2009.

PRELIMINARY

David B. Simmons, Jr., P.E., L.S., P.P., C.M.E.
New Jersey Professional Engineer and Land Surveyor #27831
Certificate of Authorization No. 24GA27959300

SEAL

K:\Projects\Municipal\Byram\Council\24-241 - Vacation of a Paper Street\24241-Description.doc

**ORDINANCE FOR ADOPTION OF THE FLOODPLAIN MANAGEMENT
REGULATIONS
OF THE
TOWNSHIP OF BYRAM, SUSSEX COUNTY**

ORDINANCE NO. 017-2024

**AN ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE
TOWNSHIP OF BYRAM CODE OF ORDINANCES TO REPEAL CHAPTER 136
– FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 136 –
FLOOD DAMAGE PREVENTION; TO ADOPT FLOOD HAZARD MAPS; TO
DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR
SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Legislature of the State of New Jersey has, in N.J.S.A. 40:48 et seq and N.J.S.A. 40:55D et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of Township of Byram, and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare, and

WHEREAS, the Township of Byram was accepted for participation in the National Flood Insurance Program on January 5, 1984 and the Mayor and Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65 and 70 necessary for such participation; and

WHEREAS, the Township of Byram is required, pursuant to N.J.A.C. 5:23 et seq., to administer and enforce the State building codes, and such building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas; and

WHEREAS, the Township of Byram is required, pursuant to N.J.S.A. 40:49-5, to enforce zoning codes that secure safety from floods and contain certain provisions that apply to the development of lands; and

WHEREAS, the Township of Byram is required, pursuant to N.J.S.A.58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Byram that the following floodplain management regulations are hereby adopted.

SECTION 1. RECITALS

The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2: These regulations specifically repeal and replace the following ordinance(s) and regulation(s): Chapter 136 – Flood Damage Prevention adopted by the Township Committee (now Township Council) of the Township of Byram 12-7-1983; amended in its entirety 6-21-2011 by Ord. No. 8-2011.

136-1 SCOPE AND ADMINISTRATION

136-1.1 Title. These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter “Uniform Construction Code,” consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter “FHACA”), N.J.A.C. 7:13, shall be known as the *Floodplain Management Regulations* of the Township of Byram (hereinafter “these regulations”).

136-1.2 Scope. These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Section 136-2.

136-1.3 Purposes and objectives. The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- (1) Protect human life and health.
- (2) Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- (3) Manage the alteration of natural floodplains, stream channels and shorelines;
- (4) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- (6) Contribute to improved construction techniques in the floodplain.
- (7) Minimize damage to public and private facilities and utilities.
- (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- (9) Minimize the need for rescue and relief efforts associated with flooding.
- (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.

- (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- (12) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

136-1.4 Coordination with Building Codes. Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the Township of Byram administer and enforce the State building codes, the Mayor and Council of the Township of Byram does hereby acknowledge that the Uniform Construction Code contains certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

136-1.5 Ordinary Building Maintenance and Minor Work. Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with the Substantial Damage and Substantial Improvement Section 136-3.13.

136-1.6 Warning. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

136-1.7 Other laws. The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

136-1.8 Violations and Penalties for Noncompliance. No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1250, imprisonment for a term not exceeding ninety (90) days or a period of community service not exceeding 90 days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a 30 day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30 day period, a fine greater than \$1250 may be imposed if the court has not determined otherwise, or if

upon reinspection of the property, it is determined that the abatement has not been substantially completed.

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

136-1.8.1 Solid Waste Disposal in a Flood Hazard Area. Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.

136-1.9 Abrogation and greater restrictions. These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

136-2 APPLICABILITY

136-2.1 General. These regulations, in conjunction with the Uniform Construction Code, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the Uniform Construction Code; and other buildings and development activities.

136-2.2 Establishment of Flood Hazard Areas. The Township of Byram was accepted for participation in the National Flood Insurance Program on January 5, 1984.

The National Flood Insurance Program (NFIP) floodplain management regulations encourage that all Federal, State, and Local regulations that are more stringent than the minimum NFIP standards take precedence in permitting decisions. The FHACA requires that the effective Flood Insurance Rate Map, most recent preliminary FEMA mapping and flood studies, and Department delineations be compared to determine the most restrictive mapping. The FHACA also regulates unstudied flood hazard areas in watersheds measuring 50 acres or greater in size and most riparian zones in New Jersey. Because of these higher standards, the regulated flood hazard area in New Jersey may be more expansive and more restrictive than the FEMA Special Flood Hazard Area. Maps and studies

that establish flood hazard areas are on file at office of the Township Construction Official located at 10 Mansfield Drive, Stanhope, NJ 07874.

The following sources identify flood hazard areas in this jurisdiction and must be considered when determining the Best Available Flood Hazard Data Area:

- 1) **Effective Flood Insurance Study.** Special Flood Hazard Areas (SFHAs) identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study, Sussex County, New Jersey (All Jurisdictions)" dated September 29, 2011 and the accompanying Flood Insurance Rate Maps (FIRM) identified in Table 136-2.2(1) whose top level document (appendix map) effective date is September 29, 2011 are hereby adopted by reference.

Table 136-2.2(1)

Map Panel #	Effective Date	Suffix	Map Panel #	Effective Date	Suffix
34037C0315	09/29/11	E	34037C0403	09/29/11	E
34037C0318	09/29/11	E	34037C0404	09/29/11	E
34037C0319	09/29/11	E	34037C0406	09/29/11	E
34037C0383	09/29/11	E	34037C0408	09/29/11	E
34037C0384	09/29/11	E	34037C0410	09/29/11	E
34037C0391	09/29/11	E	34037C0411	09/29/11	E
34037C0392	09/29/11	E	34037C0412	09/29/11	E
34037C0401	09/29/11	E	34037C0416	09/29/11	E
34037C0402	09/29/11	E			

- 2) **Federal Best Available Information.** The Township of Byram shall utilize Federal flood information as listed in the table below that provides more detailed hazard information, higher flood elevations, larger flood hazard areas, and results in more restrictive regulations. This information may include but is not limited to preliminary flood elevation guidance from FEMA (such as Advisory Flood Hazard Area Maps, Work Maps or Preliminary FIS and FIRM). Additional Federal Best Available studies issued after the date of this ordinance must also be considered. These studies are listed on FEMA's Map Service Center. This information shall be used for floodplain regulation purposes only.

Table 136-2.2(2)

Map Panel #	Preliminary Date	Map Panel #	Preliminary Date
None as of the Date of this Ordinance.			

- 3) **Other Best Available Data.** The Township of Byram shall utilize high water elevations from flood events, groundwater flooding areas, studies by federal or state agencies, or other information deemed appropriate by the Township of Byram. Other “best available information” may not be used which results in less restrictive flood elevations, design standards, or smaller flood hazard areas than the sources described in Section 136-2.2 (1) and (2), above. This information shall be used for floodplain regulation purposes only.
- 4) **State Regulated Flood Hazard Areas.** For State regulated waters, the NJ Department of Environmental Protection (NJDEP) identifies the flood hazard area as the land, and the space above that land, which lies below the “Flood Hazard Area Control Act Design Flood Elevation”, as defined in Section 136-9, and as described in the New Jersey Flood Hazard Area Control Act at N.J.A.C. 7:13. A FHACA flood hazard area exists along every regulated water that has a drainage area of 50 acres or greater. Such area may extend beyond the boundaries of the Special Flood Hazard Areas (SFHAs) as identified by FEMA. The following is a list of New Jersey State studied waters in this community under the FHACA, and their respective map identification numbers.

Table 136-2.2(3) List of State Studied Waters

Name of Studied Water	File Name	Map Number
Lubbers Run	FFMR0010	L-1
Lubbers Run	FFMR0011	L-2
Lubbers Run	FFMR0012	L-3
Lubbers Run	FFMR0013	L-4
Lubbers Run	FFMR0014	L-5
Musconetcong Rv	FFMR0059	MU-22
Musconetcong Rv	FFMR0060	MU-23
Musconetcong Rv	FFMR0061	MU-24
Musconetcong Rv	FFMR0063	MU-26
Musconetcong Rv	FFMR0064	MU-27
Wills Bk	FFMR0099	WS-1

136-2.3 Establishing the Local Design Flood Elevation (LDFE).

The Local Design Flood Elevation (LDFE) is established in the flood hazard areas determined in Section 136-2.2, above, using the best available flood hazard data sources, and the Flood Hazard Area Control Act minimum Statewide elevation requirements for lowest floors in Zone A, ASCE 24 requirements for critical facilities as specified by the building code, plus additional freeboard as specified by this ordinance.

At a minimum, the Local Design Flood Elevation shall be as follows:

- 1) For a delineated watercourse, the elevation associated with the Best Available Flood Hazard Data Area determined in Section 136-2.2, above plus one foot or as described by N.J.A.C. 7:13 of freeboard; or
- 2) For any undelineated watercourse (where mapping or studies described in 136-2.2 (1) and (2) above are not available) that has a contributory drainage area of 50 acres or more, the applicants must provide one of the following to determine the Local Design Flood Elevation:
 - a. A copy of an unexpired NJDEP Flood Hazard Area Verification plus one foot of freeboard and any additional freeboard as required by ASCE 24; or
 - b. A determination of the Flood Hazard Area Design Flood Elevation using Method 5 or Method 6 (as described in N.J.A.C. 7:13) plus one foot of freeboard and any additional freeboard as required by ASCE 24. Any determination using these methods must be sealed and submitted according to Section 136-5.2-3.
- 3) AO Zones – For Zone AO areas on the municipality’s FIRM (or on preliminary flood elevation guidance from FEMA), the Local Design Flood Elevation is determined from the FIRM panel as the highest adjacent grade plus the depth number specified plus one foot of freeboard. If no depth number is specified, the Local Design Flood Elevation is three (3) feet above the highest adjacent grade.
- 4) Class IV Critical Facilities - For any proposed development of new and substantially improved Flood Design Class IV Critical Facilities, the Local Design Flood Elevation must be the higher of the 0.2% annual chance (500 year) flood elevation or the Flood Hazard Area Design Flood Elevation with an additional 2 feet of freeboard in accordance with ASCE 24.

136-3 DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

136-3.1 Floodplain Administrator Designation. The Township Engineer is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees.

136-3.2 General. The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render

interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Section 136-7.

136-3.3 Coordination. The Floodplain Administrator shall coordinate with the Construction Official to administer and enforce the flood provisions of the Uniform Construction Code.

136-3.4 Duties. The duties of the Floodplain Administrator shall include but are not limited to:

- (1) Review all permit applications to determine whether proposed development is located in flood hazard areas established in Section 136-2.
- (2) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
- (3) Interpret flood hazard area boundaries and provide available flood elevation and flood hazard information.
- (4) Determine whether additional flood hazard data shall be obtained or developed.
- (5) Review required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
- (6) Establish, in coordination with the Construction Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 136-3.13.
- (7) Coordinate with the Construction Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
- (8) Review requests submitted to the Construction Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the Uniform Construction code to determine whether such requests require consideration as a variance pursuant to Section 136-7.
- (9) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
- (10) Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NJDEP Bureau of Flood Engineering, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
- (11) Inspect development in accordance with Section 136-6 and inspect flood hazard

areas to determine if development is undertaken without issuance of permits.

- (12) Prepare comments and recommendations for consideration when applicants seek variances in accordance with Section 136-7.
- (13) Cite violations in accordance with Section 136-8.
- (14) Notify the Federal Emergency Management Agency when the corporate boundaries of Township of Byram have been modified.
- (15) Permit Ordinary Maintenance and Minor Work in the regulated areas discussed in Section 136-2.2.

136-3.5 Use of changed technical data. The Floodplain Administrator and the applicant shall not use changed flood hazard area boundaries or base flood elevations for proposed buildings or developments unless the Floodplain Administrator or applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) revision and has received the approval of the Federal Emergency Management Agency. A revision of the effective FIRM does not remove the related feature(s) on a flood hazard area delineation that has been promulgated by the NJDEP. A separate application must be made to the State pursuant to N.J.A.C. 7:13 for revision of a flood hazard design flood elevation, flood hazard area limit, floodway limit, and/or other related feature.

136-3.6 Other permits. It shall be the responsibility of the Floodplain Administrator to assure that approval of a proposed development shall not be given until proof that necessary permits have been granted by Federal or State agencies having jurisdiction over such development, including section 404 of the Clean Water Act. In the event of conflicting permit requirements, the Floodplain Administrator must ensure that the most restrictive floodplain management standards are reflected in permit approvals.

136-3.7 Determination of Local Design Flood Elevations. If design flood elevations are not specified, the Floodplain Administrator is authorized to require the applicant to:

- (1) Obtain, review, and reasonably utilize data available from a Federal, State, or other source, or
- (2) Determine the design flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques. Such analyses shall be performed and sealed by a licensed professional engineer. Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

It shall be the responsibility of the Floodplain Administrator to verify that the applicant's proposed Best Available Flood Hazard Data Area and the Local Design Flood Elevation in any development permit accurately applies the best available flood hazard data and methodologies for determining flood hazard areas and design elevations described in 136-2.2 and 136-2.3 respectively. This information shall be provided to the Construction Official and documented according to

136-3.8 Requirement to submit new technical data. Base Flood Elevations may increase or decrease resulting from natural changes (e.g. erosion, accretion, channel migration, subsidence, uplift) or man-made physical changes (e.g. dredging, filling, excavation) affecting flooding conditions. As soon as practicable, but not later than six months after the date of a man-made change or when information about a natural change becomes available, the Floodplain Administrator shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 Code of Federal Regulations Section 65.3. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

136-3.9 Activities in riverine flood hazard areas. In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the Floodplain Administrator shall not permit any new construction, substantial improvement or other development, including the placement of fill, unless the applicant submits an engineering analysis prepared by a licensed professional engineer that demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the design flood elevation more than 0.2 feet at any point within the community.

136-3.10 Floodway encroachment. Prior to issuing a permit for any floodway encroachment, including fill, new construction, substantial improvements and other development or land-disturbing-activity, the Floodplain Administrator shall require submission of a certification prepared by a licensed professional engineer, along with supporting technical data, that demonstrates that such development will not cause any increase in the base flood level.

136-3.10.1 Floodway revisions. A floodway encroachment that increases the level of the base flood is authorized if the applicant has applied for a Conditional Letter of Map Revision (CLOMR) to the Flood Insurance Rate Map (FIRM) and has received the approval of FEMA.

136-3.11 Watercourse alteration. Prior to issuing a permit for any alteration or relocation of any watercourse, the Floodplain Administrator shall require the applicant to provide notification of the proposal to the appropriate authorities of all adjacent government jurisdictions, as well as the NJDEP Bureau of Flood Engineering and the Division of Land Resource Protection. A copy of the notification shall be maintained in the permit records and submitted to FEMA.

136-3.11.1 Engineering analysis. The Floodplain Administrator shall require submission of an engineering analysis prepared by a licensed professional engineer, demonstrating that the flood-carrying capacity of the altered or relocated portion of the watercourse will be maintained, neither increased nor decreased. Such watercourses shall be maintained in a manner that preserves the channel's flood-carrying capacity.

136-3.12 Development in riparian zones All development in Riparian Zones as described in N.J.A.C. 7:13 is prohibited by this ordinance unless the applicant has received an individual or general permit or has complied with the requirements of a permit by rule or permit by certification from NJDEP Division of Land Resource Protection prior to application for a floodplain development permit and the project is compliant with all other Floodplain Development provisions of this ordinance. The width of the riparian zone can range between 50 and 300 feet and is determined by the attributes of the waterbody and designated in the New Jersey Surface Water Quality Standards N.J.A.C. 7:9B. The portion of the riparian zone located outside of a regulated water is measured landward from the top of bank. Applicants can request a verification of the riparian zone limits or a permit applicability determination to determine State permit requirements under N.J.A.C. 7:13 from the NJDEP Division of Land Resource Protection.

136-3.13 Substantial improvement and substantial damage determinations. When buildings and structures are damaged due to any cause including but not limited to man-made, structural, electrical, mechanical, or natural hazard events, or are determined to be unsafe as described in N.J.A.C. 5:23; and for applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, ordinary maintenance and minor work, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Construction Official, shall:

- (1) Estimate the market value, or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
- (2) Determine and include the costs of all ordinary maintenance and minor work, as discussed in Section 136-1.5, performed in the floodplain regulated by this ordinance in addition to the costs of those improvements regulated by the Construction Official in substantial damage and substantial improvement calculations.
- (3) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.
- (4) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage
- (5) Notify the applicant in writing when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage. The Floodplain Administrator shall also provide all letters documenting substantial damage and compliance with flood resistant construction requirements of the building code to the NJDEP Bureau of Flood Engineering.

136-3.14 Department records. In addition to the requirements of the building code and these regulations, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the Uniform Construction Code, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; NJDEP delineations, records of issuance of permits and denial of permits; records of ordinary maintenance and minor work, determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the Uniform Construction Code and these regulations including as-built Elevation Certificates; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the Uniform Construction Code. The Floodplain Administrator shall also record the required elevation, determination method, and base flood elevation source used to determine the Local Design Flood Elevation in the floodplain development permit.

136-3.15 Liability. The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

136-4 PERMITS

136-4.1 Permits Required. Any person, owner or authorized agent who intends to conduct any development in a flood hazard area shall first make application to the Floodplain Administrator and shall obtain the required permit. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

136-4.2 Application for permit. The applicant shall file an application in writing on a form furnished by the Floodplain Administrator. Such application shall:

- (1) Identify and describe the development to be covered by the permit.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.

- (4) Be accompanied by a site plan and construction documents as specified in Section 136-5, grading and filling plans and other information deemed appropriate by the Floodplain Administrator.
- (5) State the valuation of the proposed work, including the valuation of ordinary maintenance and minor work.
- (6) Be signed by the applicant or the applicant's authorized agent.

136-4.3 Validity of permit. The issuance of a permit under these regulations or the Uniform Construction Code shall not be construed to be a permit for, or approval of, any violation of this appendix or any other ordinance of the jurisdiction. The issuance of a permit based on submitted documents and information shall not prevent the Floodplain Administrator from requiring the correction of errors. The Floodplain Administrator is authorized to prevent occupancy or use of a structure or site which is in violation of these regulations or other ordinances of this jurisdiction.

136-4.4 Expiration. A permit shall become invalid when the proposed development is not commenced within 180 days after its issuance, or when the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions shall be requested in writing and justifiable cause demonstrated. The Floodplain Administrator is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each.

136-4.5 Suspension or revocation. The Floodplain Administrator is authorized to suspend or revoke a permit issued under these regulations wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or code of this jurisdiction.

136-5 SITE PLANS AND CONSTRUCTION DOCUMENTS

136-5.1 Information for development in flood hazard areas. The site plan or construction documents for any development subject to the requirements of these regulations shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas, floodway boundaries and flood zone(s), base flood elevation(s), and ground elevations when necessary for review of the proposed development. For buildings that are located in more than one flood hazard area, the elevation and provisions associated with the most restrictive flood hazard area shall apply.
- (2) Where base flood elevations or floodway data are not included on the FIRM or in the Flood Insurance Study, they shall be established in accordance with Section 136-5.2.
- (3) Where the parcel on which the proposed development will take place will have more than 50 lots or is larger than 5 acres and base flood elevations are not included on the FIRM or in the Flood Insurance Study, such elevations shall be established in accordance with Section 136-5.2(3).
- (4) Location of the proposed activity and proposed structures, and locations of

existing buildings and structures

- (5) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.
- (6) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose. The applicant shall provide an engineering certification confirming that the proposal meets the flood storage displacement limitations of N.J.A.C. 7:13.
- (7) Extent of any proposed alteration of sand dunes.
- (8) Existing and proposed alignment of any proposed alteration of a watercourse.
- (9) Floodproofing certifications, V Zone and Breakaway Wall Certifications, Operations and Maintenance Plans, Warning and Evacuation Plans and other documentation required pursuant to FEMA publications.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by these regulations but that are not required to be prepared by a registered design professional when it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance.

136-5.2 Information in flood hazard areas without base flood elevations (approximate Zone A). Where flood hazard areas are delineated on the effective or preliminary FIRM and base flood elevation data have not been provided, the applicant shall consult with the Floodplain Administrator to determine whether to:

- (1) Use the Approximation Method (Method 5) described in N.J.A.C. 7:13 in conjunction with Appendix 1 of the FHACA to determine the required flood elevation.
- (2) Obtain, review, and reasonably utilize data available from a Federal, State or other source when those data are deemed acceptable to the Floodplain Administrator to reasonably reflect flooding conditions.
- (3) Determine the base flood elevation in accordance with accepted hydrologic and hydraulic engineering techniques according to Method 6 as described in N.J.A.C. 7:13. Such analyses shall be performed and sealed by a licensed professional engineer.

Studies, analyses, and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator prior to floodplain development permit issuance. The accuracy of data submitted for such determination shall be the responsibility of the applicant. Where the data are to be used to support a Letter of Map Change (LOMC) from FEMA, the applicant shall be responsible for satisfying the submittal requirements and pay the processing fees.

136-5.3 Analyses and certifications by a Licensed Professional Engineer. As applicable to the location and nature of the proposed development activity, and in addition to the requirements

of this section, the applicant shall have the following analyses signed and sealed by a licensed professional engineer for submission with the site plan and construction documents:

- (1) For development activities proposed to be located in a regulatory floodway, a floodway encroachment analysis that demonstrates that the encroachment of the proposed development will not cause any increase in base flood elevations; where the applicant proposes to undertake development activities that do increase base flood elevations, the applicant shall submit such analysis to FEMA as specified in Section 136-5.4 and shall submit the Conditional Letter of Map Revision, if issued by FEMA, with the site plan and construction documents.
- (2) For development activities proposed to be located in a riverine flood hazard area where base flood elevations are included in the FIS or FIRM but floodways have not been designated, hydrologic and hydraulic analyses that demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachments will not increase the base flood elevation more than 0.2 feet at any point within the jurisdiction. This requirement does not apply in isolated flood hazard areas not connected to a riverine flood hazard area or in flood hazard areas identified as Zone AO or Zone AH.
- (3) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained, neither increasing nor decreasing the channel's flood-carrying capacity. The applicant shall submit the analysis to FEMA as specified in Section 136-5.4. The applicant shall notify the chief executive officer of all affected adjacent jurisdictions, the NJDEP's Bureau of Flood Engineering and the Division of Land Resource Protection; and shall provide documentation of such notifications.
- (4) For analyses performed using Methods 5 and 6 (as described in N.J.A.C. 7:13) in flood hazard zones without base flood elevations (approximate A zones).

136-5.4 Submission of additional data. When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change (LOMC) from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

136-6 INSPECTIONS

136-6.1 General. Development for which a permit is required shall be subject to inspection. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of these regulations or the building code. Inspections presuming to give authority to violate or cancel the provisions of these regulations or the building code or other ordinances shall not be valid.

136-6.2 Inspections of development. The Floodplain Administrator shall inspect all development in flood hazard areas authorized by issuance of permits under these regulations. The Floodplain Administrator shall inspect flood hazard areas from time to time to determine if development is undertaken without issuance of a permit.

136-6.3 Buildings and structures. The Construction Official shall make or cause to be made, inspections for buildings and structures in flood hazard areas authorized by permit in accordance with the Uniform Construction Code, N.J.A.C. 5:23.

- 1) **Lowest floor elevation.** Upon placement of the lowest floor, including the basement, and prior to further vertical construction, certification of the elevation required in Section 136-15.2 shall be submitted to the Construction Official on an Elevation Certificate.
- 2) **Installation of attendant utilities** (electrical, heating, ventilating, air-conditioning, and other service equipment) and sanitary facilities elevated as discussed in Section 136-15.2.
- 3) **Final inspection.** Prior to the final inspection, certification of the elevation required in Section 136-15.2 shall be submitted to the Construction Official on an Elevation Certificate.

136-6.4 Manufactured homes. The Floodplain Administrator shall inspect manufactured homes that are installed or replaced in flood hazard areas to determine compliance with the requirements of these regulations and the conditions of the issued permit. Upon placement of a manufactured home, certification of the elevation of the lowest floor shall be submitted on an Elevation Certificate to the Floodplain Administrator prior to the final inspection.

136-7 VARIANCES

136-7.1 General. The Township Planning Board shall hear and decide requests for variances. The Township Planning Board shall base its determination on technical justifications submitted by applicants, the considerations for issuance in Section 136-7.5, the conditions of issuance set forth in Section 136-7.6, and the comments and recommendations of the Floodplain Administrator and, as applicable, the Construction Official. The Township Planning Board has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of these regulations.

136-7.2 Historic structures. A variance to the substantial improvement requirements of this ordinance is authorized provided that the repair or rehabilitation of a historic structure is completed according to N.J.A.C. 5:23-6.33, Section 1612 of the International Building Code and R322 of the International Residential Code, the repair or rehabilitation will not preclude the structure's continued designation as a historic structure, the structure meets the definition of the historic structure as described by this ordinance, and the variance is the minimum necessary to preserve the historic character and design of the structure.

136-7.3 Functionally dependent uses. A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use provided the variance is the minimum necessary to allow the construction or substantial improvement, and that all due consideration has been given to use of methods and materials that minimize flood damage during the base flood and create no additional threats to public safety.

136-7.4 Restrictions in floodways. A variance shall not be issued for any proposed development in a floodway when any increase in flood levels would result during the base flood discharge, as evidenced by the applicable analysis and certification required in Section 136-5.3(1).

136-7.5 Considerations. In reviewing requests for variances, all technical evaluations, all relevant factors, all other portions of these regulations, and the following shall be considered:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage.
- (2) The danger to life and property due to flooding or erosion damage.
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners.
- (4) The importance of the services provided by the proposed development to the community.
- (5) The availability of alternate locations for the proposed development that are not subject to flooding or erosion and the necessity of a waterfront location, where applicable.
- (6) The compatibility of the proposed development with existing and anticipated development.
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for that area.
- (8) The safety of access to the property in times of flood for ordinary and emergency vehicles.
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwater and the effects of wave action, where applicable, expected at the site.
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets, and bridges.

136-7.6 Conditions for issuance. Variances shall only be issued upon:

- (1) Submission by the applicant of a showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site limit compliance with any provision of these regulations or renders the elevation standards of the building code inappropriate.
- (2) A determination that failure to grant the variance would result in exceptional

hardship due to the physical characteristics of the land that render the lot undevelopable.

- (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.
- (4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Notification to the applicant in writing over the signature of the Floodplain Administrator that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and that such construction below the base flood level increases risks to life and property.

136-8 VIOLATIONS

136-8.1 Violations. Any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by the building code is presumed to be a violation until such time as that documentation is provided.

136-8.2 Authority. The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner's agent, or to the person or persons doing the work for development that is not within the scope of the Uniform Construction Code, but is regulated by these regulations and that is determined to be a violation.

136-8.3 Unlawful continuance. Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by N.J.S.A. 40:49-5 as appropriate.

136-8.4 Review Period to Correct Violations. A 30-day period shall be given to the property owner as an opportunity to cure or abate the condition. The property owner shall also be afforded an opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if a court has not determined otherwise or, upon reinspection of the property, it is determined that the abatement has not been substantially completed.

136-9 DEFINITIONS

136-9.1 General. The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction

Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

136-9.2 Definitions

30 DAY PERIOD – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

100 YEAR FLOOD ELEVATION – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

500 YEAR FLOOD ELEVATION – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

A ZONES – Areas of ‘Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

AH ZONES– Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO ZONES – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

ACCESSORY STRUCTURE – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

AGRICULTURAL STRUCTURE - A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in

such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

AREA OF SHALLOW FLOODING – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. **AREA OF SPECIAL FLOOD HAZARD** – see **SPECIAL FLOOD HAZARD AREA**

ALTERATION OF A WATERCOURSE – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

ASCE 7 – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

ASCE 24 – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

BASE FLOOD ELEVATION (BFE) – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the “100-year flood elevation”.

BASEMENT – Any area of the building having its floor subgrade (below ground level) on all sides.

BEST AVAILABLE FLOOD HAZARD DATA - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA AREA- The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BEST AVAILABLE FLOOD HAZARD DATA ELEVATION - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

BREAKAWAY WALLS – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that (1) it allows the free passage of floodwaters, and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

BUILDING – Per the FHACA, “Building” means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

CONDITIONAL LETTER OF MAP REVISION - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CONDITIONAL LETTER OF MAP REVISION - FILL -- A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

CRITICAL BUILDING – Per the FHACA, “Critical Building” means that:

- a. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood,

such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or

- b. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

DEVELOPMENT – Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

DRY FLOODPROOFING – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

ELEVATED BUILDING – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

ELEVATION CERTIFICATE – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

ENCROACHMENT – The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

FEMA PUBLICATIONS – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

FLOOD OR FLOODING

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - 1. The overflow of inland or tidal waters.
 - 2. The unusual and rapid accumulation or runoff of surface waters from any source.
 - 3. Mudslides (I.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along

the path of the current.

- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

FLOOD HAZARD AREA DESIGN FLOOD ELEVATION – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

FLOOD INSURANCE RATE MAP (FIRM) – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

FLOODPLAIN OR FLOOD PRONE AREA – Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

FLOODPLAIN MANAGEMENT REGULATIONS – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOODPROOFING – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

FLOODPROOFING CERTIFICATE – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure's lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

FREEBOARD – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

FUNCTIONALLY DEPENDENT USE – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

HABITABLE BUILDING– Pursuant to the FHACA Rules (N.J.A.C. 7:13), means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

HARDSHIP – As related to Section 136-7 of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Township Planning Board requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

HISTORIC STRUCTURE – Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved State program as determined by the Secretary of the Interior; or
 - 2. Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- a. Prior to January 31, 1980; or
- b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered “lawfully existing” for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on a Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

LETTER OF MAP REVISION - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must

maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP REVISION – FILL -- A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

LICENSED DESIGN PROFESSIONAL – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

LICENSED PROFESSIONAL ENGINEER - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

LOCAL DESIGN FLOOD ELEVATION (LDFE) – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

LOWEST ADJACENT GRADE – The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

LOWEST FLOOR – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

MANUFACTURED HOME – A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

MANUFACTURED HOME PARK OR SUBDIVISION – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MARKET VALUE – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the tax assessor's office, or (3) established by a qualified independent appraiser.

NEW CONSTRUCTION – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

NON-RESIDENTIAL – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 136-98 New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include but are not limited to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

RESIDENTIAL – Pursuant to the ASCE 24:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and

- c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL – “Solid Waste Disposal” shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than 6 months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION – The Start of Construction is as follows:

- a. For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA), this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

STRUCTURE – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

SUBSTANTIAL DAMAGE – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

VARIANCE – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.

VIOLATION – A development that is not fully compliant with these regulations or the flood

provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

WATERCOURSE. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

WET FLOODPROOFING – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

136-10 SUBDIVISIONS AND OTHER DEVELOPMENTS

136-10.1 General. Any subdivision proposal, including proposals for manufactured home parks and subdivisions, or other proposed new development in a flood hazard area shall be reviewed to assure that:

- (1) All such proposals are consistent with the need to minimize flood damage.
- (2) All public utilities and facilities, such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage.
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from structures.

136-10.2 Subdivision requirements. Where any portion of proposed subdivisions, including manufactured home parks and subdivisions, lies within a flood hazard area, the following shall be required:

- (1) The flood hazard area, including floodways, and base flood elevations, as appropriate, shall be delineated on tentative subdivision plats.
- (2) Residential building lots shall be provided with adequate buildable area outside the floodway.
- (3) The design criteria for utilities and facilities set forth in these regulations and appropriate codes shall be met.

136-11 SITE IMPROVEMENT

136-11.1 Encroachment in floodways. Development, land disturbing activity, and encroachments in floodways shall not be authorized unless it has been demonstrated through hydrologic and hydraulic analyses required in accordance with Section 136-5.3(1), that the proposed encroachment will not result in any increase in the base flood level during occurrence of the base flood discharge. If Section 136-5.3(1) is satisfied, proposed elevation, addition, or reconstruction of a lawfully existing structure within a floodway shall also be in accordance with Section 136-15.2 of this ordinance and the floodway requirements of N.J.A.C. 7:13.

136.1.1 Prohibited in floodways. The following are prohibited activities:

- (1) The storage of unsecured materials is prohibited within a floodway pursuant to N.J.A.C. 7:13.
- (2) Fill and new structures are prohibited in floodways per N.J.A.C. 7:13.

136-11.2 Sewer facilities. All new and replaced sanitary sewer facilities, private sewage treatment plants (including all pumping stations and collector systems) and on-site waste disposal systems shall be designed in accordance with the New Jersey septic system regulations contained in N.J.A.C. 14A and N.J.A.C. 7:9A, the UCC Plumbing Subcode (N.J.A.C. 5:23) and Chapter 7, ASCE 24, to minimize or eliminate infiltration of floodwater into the facilities and discharge from the facilities into flood waters, or impairment of the facilities and systems.

136-11.3 Water facilities. All new and replacement water facilities shall be designed in accordance with the New Jersey Safe Drinking Water Act (N.J.A.C. 7:10) and the provisions of Chapter 7 ASCE 24, to minimize or eliminate infiltration of floodwater into the systems.

136-11.4 Storm drainage. Storm drainage shall be designed to convey the flow of surface waters to minimize or eliminate damage to persons or property.

136-11.5 Streets and sidewalks. Streets and sidewalks shall be designed to minimize potential for increasing or aggravating flood levels.

136-11.6 Limitations on placement of fill. Subject to the limitations of these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwater, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the UCC (N.J.A.C. 5:23). Proposed fill and encroachments in flood hazard areas shall comply with the flood storage displacement limitations of N.J.A.C. 7:13.

136-11.7 Hazardous Materials. The placement or storage of any containers holding hazardous substances in a flood hazard area is prohibited unless the provisions of N.J.A.C. 7:13 which cover the placement of hazardous substances and solid waste is met.

136-12 MANUFACTURED HOMES

136-12.1 General. All manufactured homes installed in flood hazard areas shall be installed pursuant to the Nationally Preemptive Manufactured Home Construction and Safety Standards Program (24 CFR 3280).

136-12.2 Elevation. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be elevated such that the bottom of the frame is elevated to or above the elevation specified in Section 136-15.2.

136-12.3 Foundations. All new, relocated, and replacement manufactured homes, including substantial improvement of existing manufactured homes, shall be placed on foundations as specified by the manufacturer only if the manufacturer's installation instructions specify that the home has been designed for flood-resistant considerations and provides the conditions of applicability for velocities, depths, or wave action as required by 24 CFR Part 3285-302. The Floodplain Administrator is authorized to determine whether the design meets or exceeds the performance necessary based upon the proposed site location conditions as a precondition of issuing a flood damage prevention permit. If the Floodplain Administrator determines that the home's performance standards will not withstand the flood loads in the proposed location, the applicant must propose a design certified by a New Jersey licensed design professional and in accordance with 24 CFR 3285.301 (c) and (d) which conforms with ASCE 24, the accepted standard of engineering practice for flood resistant design and construction.

136-12.4 Anchoring. All new, relocated, and replacement manufactured homes to be placed or substantially improved in a flood hazard area shall be installed using methods and practices which minimize flood damage and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

136-12.5 Enclosures. Fully enclosed areas below elevated manufactured homes shall comply with the requirements of Section 136-15.2.

136-12.6 Protection of mechanical equipment and outside appliances. Mechanical equipment and outside appliances shall be elevated to or above the elevation of the bottom of the frame required in Section 136-15.2.

Exception. Where such equipment and appliances are designed and installed to prevent water from entering or accumulating within their components and the systems are constructed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding up to the elevation required by Section 136-15.2, the systems and equipment shall be permitted to be located below that elevation. Electrical wiring systems shall be permitted below the design flood elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

136-13 RECREATIONAL VEHICLES

136-13.1 Placement prohibited. The placement of recreational vehicles shall not be authorized in high hazard areas and in floodways.

136-13.2 Temporary placement. Recreational vehicles in flood hazard areas shall be fully licensed and ready for highway use and shall be placed on a site for less than 180 consecutive days.

136-13.3 Permanent placement. Recreational vehicles that are not fully licensed and ready for highway use, or that are to be placed on a site for more than 180 consecutive days, shall meet the requirements of Section 136-15.2 for habitable buildings and Section 136-12.3.

136-14 TANKS

136-14.1 Tanks. Underground and above-ground tanks shall be designed, constructed, installed, and anchored in accordance with ASCE 24 and N.J.A.C. 7:13.

136-15 OTHER DEVELOPMENT AND BUILDING WORK

136-15.1 General requirements for other development and building work. All development and building work, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in these regulations or the Uniform Construction Code (N.J.A.C. 5:23), shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Meet the limitations of Section 136-5.3(1) of this ordinance when located in a regulated floodway;
- (3) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic and hydrodynamic loads, including the effects of buoyancy, during the conditions of flooding up to the Local Design Flood Elevation determined according to Section 136-2.3;
- (4) Be constructed of flood damage-resistant materials as described in ASCE 24 Chapter 5;
- (5) Have mechanical, plumbing, and electrical systems above the Local Design Flood Elevation determined according to Section 136-2.3 or meet the requirements of ASCE 24 Chapter 7 which requires that attendant utilities are located above the Local Design Flood Elevation unless the attendant utilities and equipment are:
 - i. Specifically allowed below the Local Design Flood Elevation; and
 - ii. Designed, constructed, and installed to prevent floodwaters, including any backflow through the system from entering or accumulating within the components.
- (6) Not exceed the flood storage displacement limitations in fluvial flood hazard areas in accordance with N.J.A.C. 7:13; and
- (7) Not exceed the impacts to frequency or depth of offsite flooding as required by N.J.A.C.

7:13 in floodways.

136-15.2 Requirements for Habitable Buildings and Structures.

- 1) Construction and Elevation in A Zones not including Coastal A Zones.
 - a. No portion of a building is located within a V Zone.
 - b. No portion of a building is located within a Coastal A Zone, unless a licensed design professional certifies that the building's foundation is designed in accordance with ASCE 24, Chapter 4.
 - c. All new construction and substantial improvement of any habitable building (as defined in Section 136-9) located in flood hazard areas shall have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 136-2.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate.
 - d. All new construction and substantial improvements of non-residential structures shall:
 - i. Have the lowest floor, including basement, together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated to or above the Local Design Flood Elevation as determined in Section 136-2.3, be in conformance with ASCE Chapter 7, and be confirmed by an Elevation Certificate; or
 - ii. Together with the attendant utility and sanitary facilities, be designed so that below the Local Design Flood Elevation, the structure:
 1. Meets the requirements of ASCE 24 Chapters 2 and 7; and
 2. Is constructed according to the design plans and specifications provided at permit application and signed by a licensed design professional, is certified by that individual in a Floodproofing Certificate, and is confirmed by an Elevation Certificate.
 - e. All new construction and substantial improvements with fully enclosed areas below the lowest floor shall be used solely for parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding. Enclosures shall:
 - i. For habitable structures, be situated at or above the adjoining exterior grade along at least one entire exterior wall, in order to provide positive drainage of the enclosed area in accordance with N.J.A.C. 7:13; enclosures (including crawlspaces and basements) which are below grade on all sides are prohibited;
 - ii. Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters unless the structure is non-residential and the requirements of 136-15.2(1)(d)ii are met;

- iii. Be constructed to meet the requirements of ASCE 24 Chapter 2;
- iv. Have openings documented on an Elevation Certificate; and
- v. Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C.7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:
 - 1. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.
 - 2. The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;
 - 3. The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement;

136-15.3 Garages and accessory storage structures. Garages and accessory storage structures shall be designed and constructed in accordance with the Uniform Construction Code.

136-15.4 Fences. Fences in floodways that have the potential to block the passage of floodwater, such as stockade fences and wire mesh fences, shall meet the requirements of Section 136-5.3(1). Pursuant to N.J.A.C. 7:13, any fence located in a floodway shall have sufficiently large openings so as not to catch debris during a flood and thereby obstruct floodwaters, such as barbed-wire, split-rail, or strand fence. A fence with little or no open area, such as a chain link, lattice, or picket fence, does not meet this requirement. Foundations for fences greater than 6 feet in height must conform with the Uniform Construction Code. Fences for pool enclosures having openings not in conformance with this section but in conformance with the Uniform Construction Code to limit climbing require a variance as described in Section 136-7 of this ordinance.

136-15.5 Retaining walls, sidewalks, and driveways. Retaining walls, sidewalks and driveways that involve placement of fill in floodways shall meet the requirements of Section 136-5.3(1) and N.J.A.C. 7:13.

136-15.6 Swimming pools. Swimming pools shall be designed and constructed in accordance with the Uniform Construction Code. Above-ground swimming pools and below-ground swimming pools that involve placement of fill in floodways shall also meet the requirements of Section 136-5.3(1). Above-ground swimming pools are prohibited in floodways by N.J.A.C. 7:13.

136-15.7 Roads and watercourse crossings.

- (1) For any railroad, roadway, or parking area proposed in a flood hazard area, the travel surface shall be constructed at least one foot above the Flood Hazard Area Design Elevation in accordance with N.J.A.C. 7:13.
- (2) Roads and watercourse crossings that encroach into regulated floodways or riverine waterways with base flood elevations where floodways have not been designated, including roads, bridges, culverts, low- water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, shall meet the requirements of Section 136-5.3(1).

136-16 TEMPORARY STRUCTURES AND TEMPORARY STORAGE

136-16.1 Temporary structures. Temporary structures shall be erected for a period of less than 180 days. Temporary structures shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the base flood. Fully enclosed temporary structures shall have flood openings that are in accordance with ASCE 24 to allow for the automatic entry and exit of flood waters.

136-16.2 Temporary storage. Temporary storage includes storage of goods and materials for a period of less than 180 days. Stored materials shall not include hazardous materials.

136-16.3 Floodway encroachment. Temporary structures and temporary storage in floodways shall meet the requirements of Section 136-5.3(1).

136-17 UTILITY AND MISCELLANEOUS GROUP U

136-17.1 Utility and Miscellaneous Group U. In accordance with Section 312 of the International Building Code, Utility and Miscellaneous Group U includes buildings and structures that are accessory in character and miscellaneous structures not classified in any specific occupancy in the Building Code, including, but not limited to, agricultural buildings, aircraft hangars (accessory to a one- or two-family residence), barns, carports, communication equipment structures (gross floor area less than 1,500 sq. ft.), fences more than 6 feet (1829 mm) high, grain silos (accessory to a residential occupancy), livestock shelters, private garages, retaining walls, sheds, stables, tanks and towers.

136-17.2 Flood loads. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be anchored to prevent flotation, collapse or lateral movement resulting from flood loads, including the effects of buoyancy, during conditions up to the Local Design Flood Elevation as determined in Section 136-2.3.

136-17.3 Elevation. Utility and miscellaneous Group U buildings and structures, including substantial improvement of such buildings and structures, shall be elevated such that the lowest floor, including basement, is elevated to or above the Local Design Flood Elevation as determined in Section 136-2.3 and in accordance with ASCE 24. Utility lines shall be designed and elevated in

accordance with N.J.A.C. 7:13.

136-17.4 Enclosures below base flood elevation. Fully enclosed areas below the design flood elevation shall be constructed in accordance with Section 136-15.2 and with ASCE 24 for new construction and substantial improvements. Existing enclosures such as a basement or crawlspace having a floor that is below grade along all adjoining exterior walls shall be abandoned, filled-in, and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13 when the project has been determined to be a substantial improvement by the Floodplain Administrator.

136-17.5 Flood-damage resistant materials. Flood-damage-resistant materials shall be used below the Local Design Flood Elevation determined in Section 136-2.3.

136-17.6 Protection of mechanical, plumbing, and electrical systems. Mechanical, plumbing, and electrical systems, equipment and components, heating, ventilation, air conditioning, plumbing fixtures, duct systems, and other service equipment, shall be elevated to or above the Local Design Flood Elevation determined in Section 136-2.3.

Exception: Electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment shall be permitted to be located below the Local Design Flood Elevation provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the Local Design Flood Elevation in compliance with the flood-resistant construction requirements of ASCE 24. Electrical wiring systems shall be permitted to be located below the Local Design Flood Elevation provided they conform to the provisions of NFPA 70 (National Electric Code).

SECTION 3. SEVERABILITY.

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

SECTION 4. EFFECTIVE DATE.

This ordinance shall take effect upon final adoption and will be published as required by law.

Introduced: September 17, 2024 Adopted:

BYRAM TOWNSHIP COUNCIL

	Councilwoman Franco	Councilman Gallagher	Councilman Proctor	Councilman Roseff	Mayor Rubenstein
Motion					
2nd					
Yes					
No					
Abstain					
Absent					

NOTICE OF INTRODUCTION

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Byram, in the County of Sussex, New Jersey, held on the 1st of October 2024. Introduced and read by title and passed on the first reading and that said Township Mayor and Council will further consider the Ordinance for second reading and final passage thereof at a meeting to be held on the 15th day of October, 2024 at 7:30 p.m., at the Township of Byram Municipal Building, 10 Mansfield Drive, Stanhope, New Jersey, at which time and place a public hearing will be held thereon by the Township Council and all persons and citizens in interest shall have an opportunity to be heard concerning same. Copies of this ordinance are available at the Clerk's office Monday through Friday from 8:30 a.m. to 4:30 p.m.

Cynthia Church, RMC
Township Clerk