City of New Brunswick Stormwater Utility Study

Funded by the New Jersey Department of Environmental Protection

FINAL

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1 Introduction / Purpose

The purpose of this report is to document and provide the analysis of the work performed under the Stormwater Utility Feasibility Study (Study) for The City of New Brunswick, NJ (City). This report contains pertinent information that the City considered when the City moved forward with implementation of a stormwater utility.

2 What is a Stormwater Utility

According to the New Jersey Department of Environmental Projection (NJDEP), a stormwater utility is a public utility that assesses fees and uses the revenue from these fees to maintain infrastructure designed to control stormwater flooding and reduce pollutants from entering waterbodies. The stormwater fees collected under a stormwater utility are dedicated to stormwater management and provide a reliable and predictable source of revenue for addressing stormwater needs.

3 Background / History

3.1 Legislative History

In 2019, the New Jersey legislature passed the Clean Stormwater and Flood Reduction Act (“Enabling Legislation” or “the Act”), enacted to address stormwater management and flood reduction in the state of New Jersey. The Act aims to improve water quality, reduce flooding risks, and enhance stormwater infrastructure across the state. Key provisions of the Act include:

- The Act authorizes local governments to establish stormwater utilities which are empowered to assess fees on property owners based on their contribution to stormwater runoff.
- The Act identifies broad categories of expenses that can be funded by the fees.
- The Act directs utilities to provide for fee reductions or credits for stormwater management systems that effectively reduce, retain, or treat stormwater onsite.
- The Act exempts land actively devoted to agricultural or horticultural use that is valued, assessed, and taxed pursuant to the “Farmland Assessment Act of 1964.”
- The Act requires that any county, municipality, or authority that collects fees and charges remit to the State Treasurer annually an amount equal to five percent of all such fees and charges collected, or $50,000, whichever amount is less.
- The Act directs utilities how to collect unpaid fees.
- The Act directs that an annual report be published each year and provided to the Division of Local Government Services in the Department of Community Affairs and the Department of Environmental Protection outlining certain operations undertaken by the utility.

3.2 NJDEP Community Assistance Grants

To assist with the creation and implementation of Stormwater Utilities, NJDEP allocated approximately $2 million for technical assistance grants for local communities. In July 2022, NJDEP issued a Request for Expression of Interest offering to assist select entities in the formation of a stormwater utility at no cost. NJDEP proposed to provide this assistance by engaging the services of qualified consultants on behalf of the communities to provide individualized services to assess the feasibility of stormwater utility creation in accordance with the NJDEP's stormwater utility guidance.

In October 2022, the City formally requested assistance from the Department and was subsequently awarded a stormwater utility feasibility study. NJDEP then issued a Request for Proposals for qualified firms to conduct this study and others based on interest from the communities identified. In 2023, Arcadis U.S., Inc. (Arcadis) was awarded a contract by NJDEP to conduct a stormwater utility feasibility study in the City. Following award, NJDEP directed Arcadis to initiate the study and the kickoff meeting between the City, NJDEP, and Arcadis was held in January 2024.

4 New Brunswick Community Profile

New Brunswick is a city located in Middlesex County, New Jersey, United States. It serves as the county seat and is situated on the banks of the Raritan River. It is located in northern New Jersey, approximately 27 miles southwest of New York City. The City is home to approximately 55,000 residents and includes a mix of residential neighborhoods, commercial properties, as well as institutional properties. Notable institutions in New Brunswick include Rutgers University and the corporate headquarters of Johnson & Johnson corporation.

5 Existing Stormwater Management Program

5.1 Need for Stormwater Utility

Prior to beginning the study, New Brunswick had independently begun evaluations of data necessary to develop and implement a stormwater utility. This effort had already identified specific costs that could be funded via a Stormwater Utility. During discussions with City staff, it was felt that a New Brunswick stormwater utility should focus much of the funding on MS4 compliance related costs and systems operations and maintenance. The following table illustrates the Cost of Service developed by the City for funding by the Stormwater Utility.

Table 5-1 City Stormwater Utility Cost of Service Projection

Expenditure	2024	2025	2026	2027	2028	2029	Notes
Employee Costs							
Clerk	$19,404	$39,972	$41,171	$42,406	$43,679	$44,989	0.5 FTE (2024) increasing to 1.0 FTE (2025)
Engineering Aide	$20,498	$42,225	$43,492	$44,796	$46,140	$47,524	0.5 FTE (2024) increasing to 1.0 FTE (2025)
Management Specialist	$44,500	$91,670	$94,420	$97,253	$100,170	$103,175	0.5 FTE (2024) increasing to 1.0 FTE (2025)
Employee Training	$2,500	$5,150	$5,305	$5,464	$5,628	$5,796	
Employee Benefits	$76,000	$156,560	$161,257	$166,095	$171,077	$176,210	
Public Notifications							
Printing & Binding	$22,500	$46,350	$47,741	$49,173	$50,648	$52,167	
Other Contractuals							
Enginering Costs for MS4 Compliance	$90,000	$92,700	$95,481	$98,345	$101,296	$104,335	Assumed same cost year over year + inflation
Trazer Software Annual Software License	$25,000	$51,500	$53,045	$54,636	$56,275	$57,964	
Trazer Software Setup and Conversion	$40,000						One Time Cost
Insurance							
General Liability Insurance	$114,599	$236,073	$243,155	$250,450	$257,963	$265,702	
Payments to Regulatory Agencies							
EPA Compliance Fee	$35,000						
System Operations & Maintenance							
Storm Sewer Replacement / Repair		$1,236,000	$1,273,080	$1,311,272	$1,350,611	$1,391,129	
Storm Sewer Master Plan Study	$50,000	$200,000					
Total	**$540,000**	**$2,198,200**	**$2,058,146**	**$2,119,890**	**$2,183,487**	**$2,248,992**	

Inflation Rate	3.0%

The cost of service outlined above assumed that a Stormwater Utility would fund approximately half of the initial year (2024) and then fully fund the identified costs each year thereafter. For the purposes of projecting costs into the future a 3% inflation rate was assumed.

6 Stormwater Utility Rate Structure

A stormwater utility rate structure refers to the method used to determine how fees or charges are assessed to property owners for stormwater management services provided by a stormwater utility. This rate structure is designed to generate revenue necessary to fund the construction, maintenance, and operation of stormwater infrastructure and services.

6.1 Common Stormwater Utility Rate Structures

Common rate structures for stormwater utilities can vary depending on the specific needs and circumstances of the utility and the community it serves. Presented below are some common rate structures used by stormwater utilities:

1. Impervious Area-Based Rate: This rate structure uses impervious surface area as a surrogate for stormwater generated by a developed property. Analysis has demonstrated that impervious surfaces generate substantially more runoff than other ground covers such as forests, lawns, landscaping, etc. Smaller properties with impervious surfaces will often generate more stormwater runoff to manage than even larger undeveloped properties. As a result, this rate structure charges property owners based on the amount of impervious surface area on their property, such as rooftops, driveways, and parking lots. The greater the impervious area, the higher the stormwater fee.
2. Equivalent Residential Unit (ERU): Like the Impervious Area-Based rate structure above, under this rate structure, a standardized measurement is used to compare the impervious area of different properties to a typical single-family detached residential (SFR) property. In communities where SFR properties have

relatively similar amounts of impervious surface area, each SFR property may be assigned a charge of 1 ERU. Each non-SFR property (or "other developed property") is assigned a certain number of ERUs based on the impervious surface area converted into an equivalent number of residential properties. For example, if an office building and parking lot had 30,000 square feet of impervious area and the typical SFR property had 3,000 square feet of impervious surface area, then the office development would receive a bill ten times that of a SFR property (30,000 sf / 3,000 sf = 10 ERUs). The actual stormwater fee is calculated based on the number of ERUs times the rate. This approach simplifies billing and provides a consistent basis for fee calculation and is the most used rate structure in the United States.

   a. Tiered Rate Structure: This rate structure approach divides SFR properties into different tiers based on impervious area. Each tier is assigned a specific rate, with higher tiers paying higher rates. This approach is often used as a modifier to the ERU approach whereby SFR properties are grouped into similar cohorts of impervious surface area and billed a flat rate relative to the ERU for that cohort. This approach allows for greater equity while still maintaining the simplicity of the ERU method.

3. Combination Rate Structure: Some stormwater utilities use a combination of rate structures. For example, they may have a base fee for all properties and then additional charges based on impervious area, property type, or other factors. Or they may charge one rate for the gross area of a property and a second higher rate for the impervious area of the property. Philadelphia currently utilizes a combination rate structure.

It is important to note that the specific rate structure used by a stormwater utility may depend on regulations, community preferences, available data, and the goals of the stormwater management program. The rate structure should aim to balance fairness and affordability.

6.2 New Brunswick Rate Structure

The goal of any rate structure is to balance fairness, affordability, simplicity/ease of administration and the need to generate sufficient revenue to support stormwater infrastructure and services. One common method utilized by stormwater utilities is the ERU method. This approach allows for a simplification of the bill generation process since most customers are residential while still preserving equity. The first requirement in a ERU rate structure analysis is to determine the average amount of impervious surface area of SFR parcels. Figure 6-1 shows a group of SFR homes in New Brunswick. Multi-family dwellings such as apartment buildings, as well as condominium complexes that have common areas managed by a homeowner or property owners' association are typically excluded from the ERU calculation as those properties are handled as other developed properties, often receiving a single stormwater bill for the apartment building or condo complex.

Figure 6-1 - SFR Parcels in New Brunswick with Impervious Surfaces Identified

As seen in Figure 6-1, the impervious area has been estimated for the SFR parcels (red is buildings and blue is other impervious surface). Arcadis sourced impervious area estimations from New Jersey statewide data. Additionally, the City acquired impervious surface delineations from a private contractor prior to the start of this study which were generally more accurate than the data from the state. This analysis relied primarily on the City's data. The general quality of this data is considered sufficient for the purposes of a feasibility study.

6.2.1 New Brunswick's ERU Calculation

In advance of this study, the City performed their own independent ERU calculation. The scope of this study included a review of their calculation methodology and results. The City's preliminary calculation was generally consistent with Arcadis's approach and yielded similar results.

6.2.1.1 Calculation Methodology

The City and Arcadis divided the total impervious surfaces on all of the single-family residential parcels divided by the number of single-family residential parcels – to calculate the ERU value. The initial ERU calculated by the City was found to be 1,912.59 square feet. Arcadis conducted an independent calculation and identified an ERU of 2,102 square feet. The variation between the City's and Arcadis's calculated ERU was the result of one key difference described below.

The City originally chose to include the small, attached condominium parcels within their calculation. Condominium parcels are considerably smaller than typical detached single-family homes with less impervious area and including them in the ERU calculation results in a lower average impervious area per parcel lower. Additionally, condominium parcels, especially those that have common area parking and amenities, do not capture the true impervious surface area per parcel unless aggregated between the actual homeowner's unit and the common area impervious surface area per unit. These two approaches resulted in ERU calculations with less than a 10% difference.

Using the impervious area and parcel data developed by the City, a distribution of detached single family parcels was prepared based on the impervious area. Figure 6-2 below shows the distribution of parcels based on their impervious surface area. Approximately 5,100 parcels were evaluated in the analysis and the average impervious surface area of a SFR parcel was found to be approximately 2,102 square feet. As such, the Equivalent Residential Unit was established at this measurement.

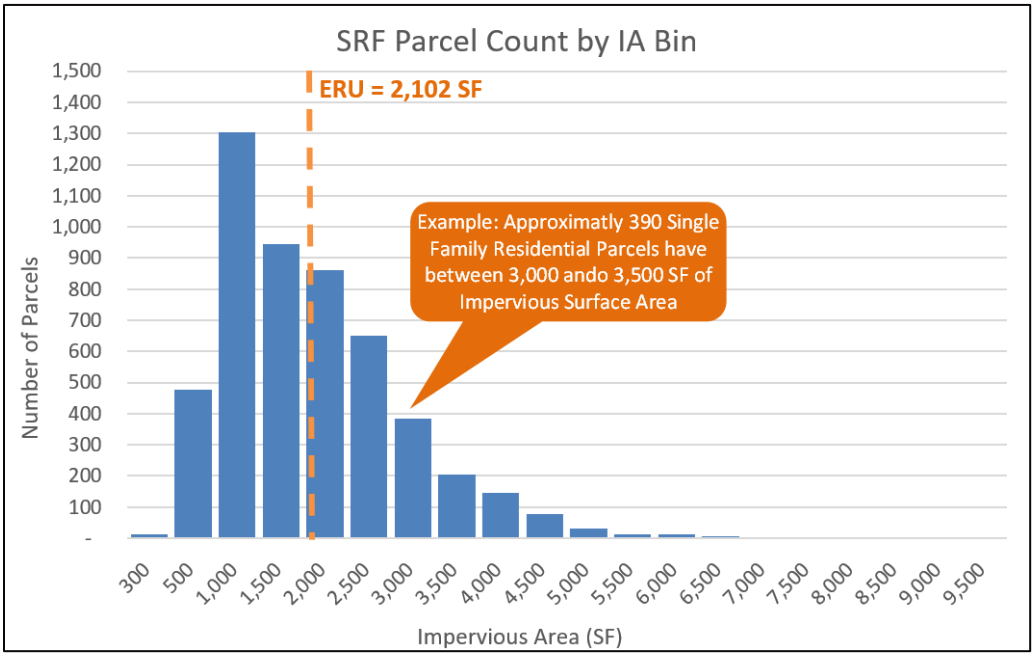

Figure 6-2 - Equivalent Residential Unit Histogram

Further evaluation of the data indicates that majority of the residential parcels fall within approximately 1,000 square feet and 2,500 square feet of impervious surface. City staff, elected officials, and other stakeholders felt that the difference between the largest and smallest impervious areas on SFR parcels warranted a SFR rate structure where SFR properties with more impervious area pay more than those with less impervious area.

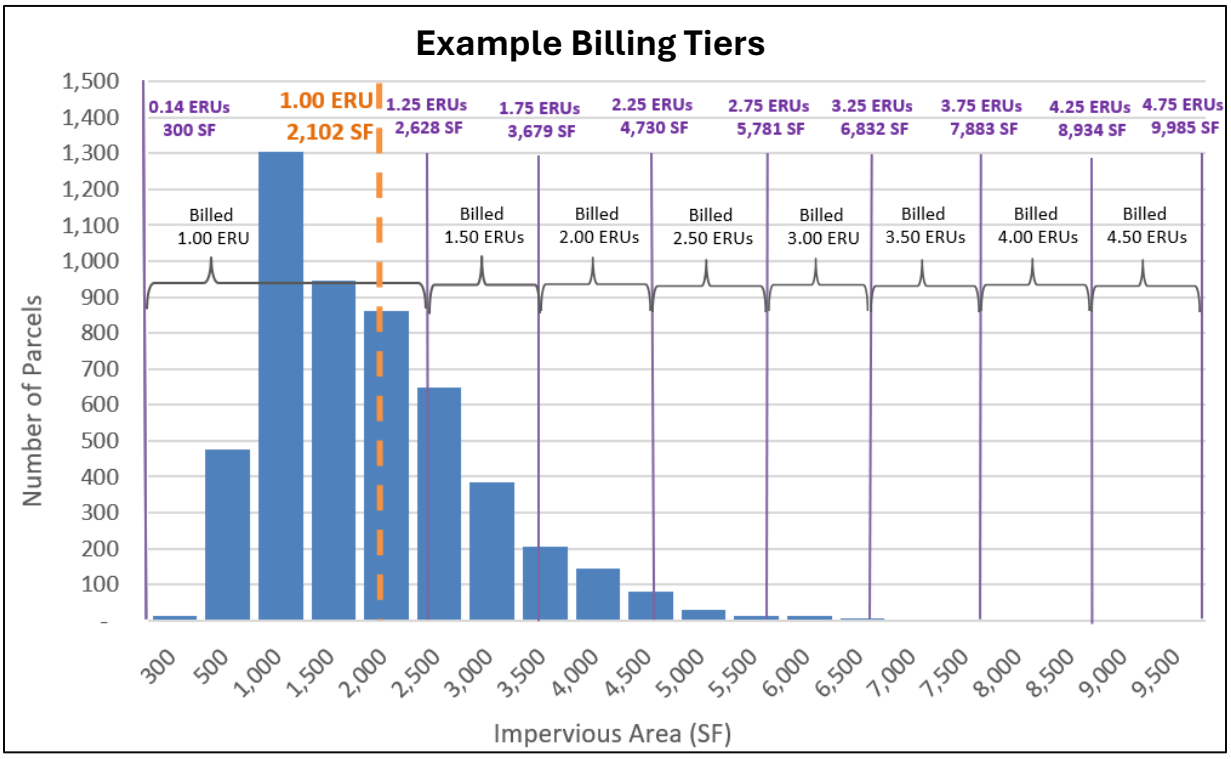

Figure 6-3 – Recommended Rate Structure

After several analyses, it was determined that all developed properties (i.e. any property with more than 300 SF of impervious surface) should be billed based on its impervious area and corresponding number of ERUs rounded to the nearest 0.5 ERUs. (see Figure 6-3). Properties with less than 300 SF of impervious surface (e.g. containing a very small amount of impervious area) would be considered to have 0 ERUs and not receive a fee. For properties with impervious surface areas greater than 300 square feet but less than 1.0 ERU, the minimum bill would be established as 1.0 ERU. Properties with impervious surfaces greater than 1.0 ERU (2,102 square feet), the property would be billed based on the number of ERUs rounded to the nearest 0.5 ERUs. Figure 6-3 illustrates how this would be executed. This approach strikes a reasonable balance between maintaining a relatively simple rate structure that is relatively easy for the rate payers to understand, could be managed by the City, and ensuring equitable distribution of costs amongst the rate payers. The examples below also illustrate the application of this approach on various parcels with varying amounts of impervious surface area.

- Example 1 (undeveloped parcel) = 250 SF / 2,102 SF (ERU) = 0.12 ERUs = 0 ERUs billed
- Example 2 (small SFR parcel) = 1,513 SF / 2,102 (ERU) = 0.72 ERUs = 1.0 ERUs billed [minimum bill)
- Example 3 (average SFR parcel) = 2,186 SF / 2,102 SF (ERU) = 1.04 ERUs = 1.0 ERUs billed
- Example 4 (large SFR parcel) = 2,943 SF / 2,102 (ERU) = 1.40 ERUs = 1.5 ERUs billed
- Example 5 (commercial parcel) = 33,317 SF / 2,102 (ERU) = 15.85 ERUs = 16.0 ERUs billed

To identify the charge for each parcel, one would simply multiply the number of ERUs by the rate per ERU and apply any applicable credits.

6.3 Stormwater Credits Requirements

Stormwater utility credits are reductions in the stormwater fee offered by stormwater utilities to property owners who implement specific stormwater management practices or features that help reduce the reduce, retain, or treat stormwater runoff. Common practices that may qualify for credits include rain gardens, permeable pavement, green roofs, rainwater harvesting systems, vegetated swales, and stormwater detention or retention basins. These credits are designed to encourage rate payers to adopt and maintain sustainable stormwater management practices, resulting in benefits for the environment and the community. The Act requires at a minimum that stormwater utilities to provide for:

1. a partial fee reduction in the form of a credit for any property that maintains and operates a stormwater management system that complies with the State and local stormwater management standards that were in place at the time the system was approved and that effectively reduces, retains, or treats stormwater onsite;
2. an additional partial fee reduction in the form of a credit for any property which has installed and is operating and maintaining current stormwater best management practices that reduce, retain, or treat stormwater onsite and which are approved by the county, municipality, or authority;
3. an additional partial fee reduction in the form of a credit for any property which has installed and is operating and maintaining green infrastructure that reduces, retains, or treats stormwater onsite and which exceeds any requirements for green infrastructure that may be applicable to that property under any rule or regulation adopted by the Department of Environmental Protection or the local stormwater control ordinance;

Although not technically a credit, the Act also stipulates that there is an exemption from fees and other charges for land actively devoted to agricultural or horticultural use that is valued, assessed, and taxed pursuant to the "Farmland Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.).

6.4 Credit Policy

During discussions with City staff, it was noted that the State Enabling Legislation requires that opportunities be provided for credits to reduce stormwater fees in a stormwater utility. However, it was also noted that in other communities, credits often do not result in wide-scale voluntary construction of new stormwater controls. Generally, it has been found that many rate payers, especially in the non-residential sector, look for a 5-year return on investment when deciding to commit to construction of such infrastructure. Simply put, if a rain garden were to cost $5,000 to install, the credit realized from such construction would need to be $1,000 per year or more to entice most property owners to implement the rain garden. The following policies relative to a credit program were discussed during the study and would be included in a Credit Policy Manual.

Credit Eligibility

All developed properties should be eligible for credits. Developed properties are those that have 300 square feet or more of impervious surface area.

Credit Application & Application Fees

Property owners should be required to submit an application to receive a credit. Additionally, the application should include supporting documentation that demonstrates that the stormwater controls provide for effective reduction, retention, or treatment of stormwater runoff from their property. The application should include an application fee. This fee can discourage frivolous and incomplete applications and help offset the cost of reviews and subsequent impacts to stormwater utility revenues. The City should also consider making the application fee

proportionate to the stormwater utility bill. For example, properties with less than 2 ERUs pay $25 per application, properties with greater than 50 ERUs pay $100 This would provide some equity so that properties that receive small bills are not discouraged from applying for appropriate credits.

Maintenance Agreements

A maintenance agreement is a plan for how a stormwater control will be maintained. Additionally, it is an agreement between the community and the property owner that the stormwater control will be maintained per the plan. The plan should include specific maintenance tasks appropriate to the stormwater control(s) and schedules for when these tasks will be conducted. Because the agreement is between the community and the property owner and attached to the application, a verifiable means of determining compliance with the credit program is established and agreed upon. If a property already has maintenance obligations via an existing agreement, deed restrictions or otherwise, the requirement for a new maintenance agreement can be waived. It is our understanding that the City currently requires maintenance plans for new developments and that this would satisfy this requirement.

Inspections / Reporting

Inspections and/or reporting are an important part of any credit program. At a minimum a reporting program should be established with the credit program. Each year, an inspection report should be submitted by the property owner documenting that the tasks in the maintenance agreement have been completed and that the stormwater control is in proper operating condition. Where appropriate, the property owners can provide a self-evaluation of the stormwater controls. Some stormwater controls however may need to be evaluated by a professional (example, engineer, stormwater inspector, etc.).

Independent of the inspection report described above, it is recommended that the City also conduct periodic inspections of the stormwater controls to verify the information submitted by the property owners. These inspections could be regularly conducted (example, annually, semi-annually, etc.), randomly, based on complaints, or some combination thereof.

Should a property owner fail to submit an annual report or should an inspection show that the stormwater control has not been adequately maintained or is inoperable, it is recommended that the credit be suspended until such time as the identified issues are adequately addressed.

Credit Termination / Expiration

It is recommended that a credit not expire so long as the conditions of the credit are met, the maintenance agreement is successfully implemented, and the property remains in the name of the original applicant. Should the property be sold, it is recommended that a new application be submitted by the new property owner. During discussions with City staff, it was noted that property owners (assuming that the property had not been sold or transferred ownership) would need to affirm the credit once every 5 years but that this reapplication would be at no cost to the property owner.

7 Revenue Sufficiency

Revenue sufficiency is a critical aspect of managing a stormwater utility effectively and refers to the ability of a stormwater utility to generate enough income to cover its operating costs, capital expenses, debt service, and reserve funds over a set planning horizon. To assure revenue sufficiency, the City provided the anticipated costs to be funded by the stormwater utility to define the financial needs of the utility (capital and operating) and

determined the rate required to ensure that sufficient revenue is generated to support the operation, maintenance, and improvement of stormwater infrastructure.

To identify a rate sufficient to fund a program the following factors were considered in the calculations:

Rate Structure – The rate structure used in the analysis is described in Section 6.2. Property and impervious surface analysis had determined that the City has an impervious surface area of approximately 72.5 million square feet. This results in approximately 37,184 ERUs available for billing before credits are applied.

- SFR Properties – 6,103 ERUs
- Other Developed Properties (excluding roads) – 20,920 ERUs
- Impervious Surfaces Associated with Roads and Rights-of-Way – 10,161 ERUs
    - City Roads – 6,358 ERUs
    - County Roads – 842 ERUs
    - Private Roads – 39 ERUs
    - DOT Roads – 2,666 ERUs
    - Highway Administration Roads – 256 ERUs

Rate – The rate is the amount of money per year that would be billed for a single ERU. Multiplying the rate by the ERUs on a property calculates the amount of the bill before credits are applied.

Credits – Credits outline the amount of reduction due to rate payer for maintenance of a stormwater control. For the purposes of rate modeling, this is shown by reducing the number ERUs available for billing. This study assumes that no more than 10% of the revenue will be lost to credits for SFR and other developed and non-residential properties. It was assumed that the roadways generally did not have significant numbers of stormwater controls dedicated to reducing, retaining, or treating runoff from the roadways. After applying credits, approximately 13,695 net ERUs were available for billing.

- SFR Properties – 5,492 ERUs
- Other Developed Properties (excluding roads) – 18,828 ERUs
- Total Roads – 10,161 ERUs

Collection Rate – Collection rate refers to the amount of billed revenue that would be collected from rate payers. For the purposes of rate modeling, it has been assumed that 98% of billed revenue is collected. 98% was estimated by City staff based on current utility collections for other utilities in the City.

Outside Funding Sources – Although outside funding sources such as grants may be pursued by the City to supplement stormwater funding, for the purposes of this study no such revenue sources are reflected in the rate calculations.

Clean SW & Flood Reduction Fund Deduction – Under the Act, stormwater utilities are required to contribute five percent of the revenue to New Jersey Clean Stormwater and Flood Reduction fund. The law also stipulates that this contribution shall not exceed $50,000.

Surplus Transfer to General Fund – Under the State Enabling Legislation, to the extent there is available surplus revenue collected by a county or municipality from a stormwater utility established pursuant to P.L.2019, c.42 (C.40A:26B-1 et al.), an amount not to exceed five percent of the annual costs of operation of the utility may be transferred annually from the accounts of the municipal utility or county utility, as appropriate, and included in the

local budget. This was included in the rate modeling for New Brunswick to assist with offsetting costs associated with administrative costs for the utility, such annual financial auditing, etc.

ERU Growth Rate – For the purposes of rate modeling, it has been assumed that the ERUs available for billing will remain relatively static as the City does not have a significant amount of remaining developable land and therefore anticipates minor new developments. As such, the ERU growth rate for this modeling is assumed to be zero (0%) over the five-year projection period.

Inflation – An inflation rate of 3% has been assumed for cost escalation over the five-year projection period.

Rate Modeling – For the purposes of identifying a reasonable rate against different levels of service, a model was created using the factors discussed above.

The table below illustrates a rate that was determined sufficient to fund the program costs identified in Section 5 of this report over an approximate 5-year planning horizon. Based on the assumptions previously discussed, it was determined that a rate of $77 per ERU per year would provide sufficient coverage to operate the program for 5 years.

Table 7-1 Five-Year Forecast of Stormwater Funds

	2024 (Y1)	2025 (Y2)	2026 (Y3)	2027 (Y4)	2028 (Y5)
ERU Rate Increase	N/A	0%	0%	0%	0%
ERU Rate ($/Year)	$77.00	$77.00	$77.00	$77.00	$77.00
Net ERUs	17,241 (1/2 yr)	34,481	34,481	34,481	34,481
Total Billed Revenue	$1,327,528	$2,655,056	$2,655,056	$2,655,056	$2,655,056
Revenue Collected	$1,300,978	$2,601,955	$2,601,955	$2,601,955	$2,601,955
Other Revenues (Grants, etc.)	$0	$0	$0	$0	$0
Payment to Clean SW & Flood Reduction Fund	($50,000)	($50,000)	($50,000)	($50,000)	($50,000)
Total Revenue	$1,250,978	$2,551,955	$2,551,955	$2,551,955	$2,551,955
Total Expenses	$540,000	$2,198,200	$2,058,146	$2,119,890	$2,183,487
Net Revenue	$710,978	$353,755	$493,809	$432,065	$368,468
Transfer to General Fund (max 5% of cost of ops)	($27,000)	($109,910)	($102,907)	($105,995)	($109,174)
Year End Cash Balance	$683,978	$927,823	$1,318,725	$1,644,795	$1,904,088
Cash Balance as % of Annual Budget	127%	42%	64%	78%	87%

At the time of the rate modeling, it was anticipated that New Brunswick would be the first operating stormwater utility in the State of New Jersey. Additionally, some of the largest customers in the City were large state agencies including New Jersey DOT, Rutgers University, etc. Given that the stormwater utility concept is new in New Jersey and the uncertainty over how long it may take these agencies to determine if they are subject to a stormwater utility fee, a policy decision was made to keep the year end cash balance high. This decision was made to ensure that if these agencies delayed payment, core functions of the stormwater utility would still be able to operate. For reference, it was anticipated that revenue attributed to county / state roads and Rutgers University would be approximately $522,000 annually. Assuming that this revenue was realized, it was noted that this revenue could be utilized for additional capital expenditures for storm sewer maintenance / rehabilitation or other stormwater related needs.

8 Implementation Process

The City had already begun the process of evaluating a stormwater utility prior to the start of the NJDEP Assistance Grant. Arcadis provided assistance with select elements of the implementation process.

Stormwater Ordinance – Prior to implementation of the stormwater utility, Arcadis worked with the City to prepare a draft stormwater utility ordinance. The purpose of the ordinance is to provide the authorization by City elected officials to begin the stormwater utility billing process as well as codify the policies such as the rate structure, rate, appeals processes, etc. A copy of the final adopted stormwater utility ordinance passed on May 15th, 2024, is included as Appendix A to this report.

Credit Policy Adoption / Implementation –The Act requires a credit policy. Arcadis worked with the City to prepare a stormwater utility credit policy manual. The manual outlines the credit policy, the application procedures, and maintenance policies. It should also be noted that the manual allows for retroactive credits (for all previous bills) for those applications received within 90 days of adoption of the manual. A copy of the adopted manual is included as Appendix B to this report.

Bill Delivery Method / Master Account File Development – Prior to implementation, a method of delivering bills and collecting revenues was identified by New Brunswick. It is common for communities to add a stormwater utility fee to an existing utilities bill (if available) as an additional line item, add it as a line item on the annual property tax bill, or issue stormwater utility only bill. Discussions with City staff noted that the existing utilities bill would serve as the delivery method for a Stormwater Utility bill. Where necessary, City staff would create “stormwater only” bills for properties that did not receive other utility bills but had greater than 300 square feet of impervious surface area. Creation of the master account file identifying specific charges by property and loading those charges into the City’s utility software was accomplished by City staff prior to issuance of the initial bills.

Appendix A

New Brunswick Stormwater Utility Ordinance

AN ORDINANCE TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE CITY OF NEW BRUNSWICK TO ESTABLISH A STORMWATER UTILITY IN THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, TITLE 13, "PUBLIC SERVICES", CHAPTER 13.12, STORMWATER UTILITY

BE IT ORDAINED by the New Brunswick City Council, as follows:

SECTION I

WHEREAS, the City of New Brunswick Sewer Utility is responsible for stormwater management in the City of New Brunswick; and

WHEREAS, New Jersey Stormwater Management Rules N.J.A.C. 7:8 provides that the purpose of the stormwater management statute is to facilitate municipal compliance with the Water Quality Act of 1977, and applicable EPA regulations, particularly those arising from § 405 of the Water Quality Act of 1987, and § 402 (p) of the Clean Water Act of 1977, and to enable municipalities to regulate stormwater discharges, establish a system of drainage facilities, construct and operate a system of stormwater management and flood control facilities, and to "fix and require payment of fees for the privilege of discharging stormwater."

WHEREAS, The State of New Jersey faces an extensive set of problems due to inadequate stormwater infrastructure and management, and these problems directly affect the health, safety, economic well-being, and quality of life of New Jersey residents.

WHEREAS, When storms occur, rainwater runs off of impervious surfaces such as roads, roofs, and parking lots, and into stormwater management systems and waterways. This stormwater carries with it oil, pesticides, other chemicals, sediments, and bacteria that may contaminate State waters, potentially making them unsafe for drinking, fishing, and recreational purposes. It is estimated that up to 60 percent of the State's existing water pollution is attributable to stormwater and nonpoint sources of pollution.

WHEREAS, Additionally, if a stormwater management system is not in place or is not able to adequately absorb, capture, or convey stormwater, then runoff in large volume and force may cause flooding and damage to homes, businesses, and property.

WHEREAS, New Jersey, in particular, is prone to pollution and flooding problems, with over 10 percent of its land area covered with impervious surfaces. These problems are particularly acute in the 21 urban New Jersey municipalities that have combined sewer systems, which routinely overflow and discharge untreated wastewater and stormwater into the State's waters, contributing to water pollution and impairing the use and enjoyment of those waters.

WHEREAS, Stormwater infrastructure in New Jersey currently lacks a dedicated source of funding and, consequently, receives few upgrades and little maintenance once built. In some instances, stormwater infrastructure goes unmonitored and unattended until it breaks down; in other instances, it is simply inadequate to manage stormwater.

WHEREAS, Establishment of local stormwater utilities presents an effective management strategy to address stormwater issues. Currently, there are more than 1,500 stormwater utilities operating in 40 states across the country and the District of Columbia. Stormwater utilities are often authorized to assess fair and equitable fees to fund the development, improvement, and management of stormwater infrastructure.

WHEREAS, the governing body therefore determines that it is in the public interest to authorize the establishment of local stormwater utilities, and to allow those utilities to assess fees that are based on a fair and equitable approximation of the proportionate contribution of stormwater runoff from any real property, in order to finance the improvement of the State's stormwater infrastructure, better control water pollution and flooding, restore and enhance the quality of the State's waters, and protect the public health, safety, welfare and the environment.

WHEREAS, the governing body further determines that green infrastructure is an effective approach to managing stormwater because it reduces and treats stormwater at its source while delivering other environmental, social, and economic benefits. The use of green infrastructure should be encouraged and, where appropriate, required to help decrease pollutant loads and runoff volumes to receiving waters.

WHEREAS, the governing body of a municipality is authorized by the Clean Stormwater and Flood Reduction Act (P.L.2019, c.42) to adopt a system of charges to fund the implementation of stormwater management programs and provides that among other powers municipalities have with respect to stormwater facilities, is the power by ordinance or resolution to:

(1) Exercise general regulation over the planning, location, construction, operation and maintenance of stormwater facilities in the municipality, whether or not owned and operated by the municipality;

(2) Adopt any rules and regulations deemed necessary to accomplish the purposes of this statute, including the adoption of a system of fees for services and permits;

(3) Establish standards to regulate the quantity of stormwater discharged and to regulate stormwater contaminants as may be necessary to protect water quality;

(4) Review and approve plans for stormwater management in proposed subdivisions or commercial developments;

(5) Issue permits for stormwater discharges, and for the construction, alteration, extension, and/or repair of stormwater facilities;

(6) Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution, and/or condition of the permit;

(7) Regulate and prohibit discharges into stormwater facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated;

(8) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of stormwater contamination, whether public or private;

WHEREAS, the City of New Brunswick ("the municipality") wishes to enact a stormwater management fee system based on factors that influence runoff, including land use and the amount of impervious surface on the property;

WHEREAS, all real property in the municipality, including property owned by public and tax-exempt entities, contributes to runoff and either uses or benefits from the stormwater management system;

WHEREAS, stormwater runoff contributes to nonpoint source pollution to the streams of the City's watersheds and a stormwater management program can reduce this type of pollution;

WHEREAS, stormwater can produce local or regional flooding and proper stormwater management can reduce potential hazards to property and thus help to preserve its value;

WHEREAS, a stormwater management fee system offers additional financial management options that could assist the City to improve stormwater and drainage services;

WHEREAS, stormwater management can be addressed across municipal boundaries and on a regional and/or watershed basis; and

WHEREAS, it is in the interests of the public to fund stormwater management with a user fee system that allocates the cost of stormwater management to all property owners in the City and that further seeks to base the amount of the stormwater management fee on the extent that each parcel of real property contributes to the need for stormwater management.

NOW THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NEW BRUNSWICK, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY THAT THERE IS HEREBY ESTABLISHED, CHAPTER 13.12, STORM WATER UTILITY

Section 13.12.010. Legislative Findings and Policy

(a) The City maintains a stormwater management system including, but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, and other components.

(b) The stormwater management system in the City needs regular maintenance and improvements.

(c) Water quality is degrading due to erosion and the discharge of nutrients, metals, oil, grease, toxic materials, and other substances into and through the stormwater management system.

(d) The public health, safety, and welfare is adversely affected by poor ambient water quality and flooding that results from inadequate management of both the quality and quantity of stormwater.

(e) All real property in the City either uses or benefits from the maintenance of the stormwater management system.

(f) The extent of use of the stormwater management system by each property is dependent on factors that influence runoff, including land use and the amount of impervious surface on the property.

(g) The costs of improving, maintaining, operating, and monitoring the stormwater management system should be allocated to the extent practicable, to all property owners based on the impact of runoff from the impervious areas of their property on the stormwater management system.

(h) Management of the stormwater management system to protect the public health, safety, and welfare requires adequate revenues and it is in the interest of the public to finance stormwater management adequately with a user charge system that is reasonable and equitable so that each

user of the stormwater management system pays to the extent to which s/he contributes to the need for it.

Section 13.12.020. Creation of Stormwater Utility

For those purposes of the Federal Clean Water Act and the New Jersey Clean Stormwater and Flood Reduction Act (P.L.2019, c.42), there is created a Stormwater Utility which shall consist of a manager or director and such staff as the municipality's governing body shall authorize. The Stormwater Utility, under the legislative policy, supervision and control of the governing body of the City shall:

1. Administer the acquisition, planning, design, construction, maintenance and operation of the stormwater management system, including capital improvements designated in the capital improvement program;

2. Administer and enforce this ordinance and all regulations and procedures adopted relating to the design, construction, maintenance, operation, and alteration of the stormwater management system, including, but not limited to, the quantity, quality and/or velocity of the stormwater conveyed thereby;

3. Advise the governing body and other City departments on matters relating to the utility;

4. Prepare and revise a stormwater management plan, including mapping of the stormwater collection system and stormwater management facilities, identifying pollutant sources and opportunities for retrofitting existing development with stormwater management practices, for adoption by the City's governing body;

5. Develop and implement an asset management program for a stormwater management system;

6. Review plans and approve or deny, inspect and accept extensions and connections to the system;

7. Enforce regulations to protect and maintain water quality and quantity within the system in compliance with water quality standards and New Jersey Pollutant Discharge Elimination System permits established by state, regional and/or federal agencies as now adopted or hereafter amended, including those associated with total maximum daily loads (TMDLs);

8. Annually analyze the cost of services and benefits provided; and the system and structure of fees, charges, civil penalties and other revenues of the utility.

Section 13.12.030. Definitions

For the purpose of this ordinance, the following definitions shall apply: Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

1. *Base Rate* means the stormwater user's annual fee per Equivalent Residential Unit.

2. *BMPs* (Best Management Practices) means activities or structural improvements that reduces, retains, or treats stormwater onsite.

3. *Construction* means the erection, building, acquisition, alteration, reconstruction, improvement or extension of the stormwater management system; preliminary planning to determine the economic and engineering feasibility of the stormwater management system; the engineering, architectural, legal, fiscal, and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action necessary in the construction of the stormwater management system.

4. *Developed Property* means a parcel in the municipality altered from a natural state that contains Impervious Surface Area equal to or greater than 300 square feet.

5. *Equivalent Residential Unit (ERU)* means the measure of impervious ground cover for a typical Single Family Residential Property used in assessing the fees for each Developed Property, and which has been determined to be 2,102 square feet.

6. *Exempt Property* means properties which are exempt from paying the fee, herein defined as agricultural land actively devoted to agricultural or horticultural use that is valued, assessed, and taxed pursuant to the "Farmland Assessment Act of 1964, P.L.1964, c. 48 (C.54:4-23.1 et seq.), as set forth in New Jersey Clean Stormwater and Flood Reduction Act (P.L.2019, c.42), as amended and supplemented from time to time.

7. *Fee or Stormwater Management Fee* means the charge established under this ordinance and levied on owners or users of parcels or pieces of real property to fund the costs of stormwater management and of operating, maintaining, and improving the stormwater management system in

the municipality. The stormwater management fee is in addition to any other fee that the municipality has the right to charge under any other rule or regulation of the municipality.

8. *Fiscal Year* means January 1 of a calendar year to December 31

9. *Green Infrastructure* means stormwater management measures that captures, filters, absorbs, and/or reuses stormwater to help restore the natural water cycle by reducing stormwater runoff, promoting infiltration, and/or enhancing evapotranspiration

10. *Impervious Surface* means a surface that prevents or impedes the infiltration of water into the ground. Impervious surfaces include, but are not limited to: sidewalks, packed dirt or stone paths, parking areas, driveways and private roads, pavements, driveway areas and roofs. Any surface areas designed to be gravel or crushed stone shall be regarded as impervious surfaces. Railroad track ballast is not included as Impervious Surface. The water surface area of a swimming pool is included as Impervious Surface.

11. *Impervious Surface Area* means a surface that prevents or impedes the infiltration of water into the ground. Impervious surfaces include, but are not limited to: sidewalks, packed dirt or stone paths, parking areas, driveways and private roads, pavements, driveway areas and roofs. Any surface areas designed to be gravel or crushed stone shall be regarded as impervious surfaces. Railroad track ballast is not included as Impervious Surface. The water surface area of a swimming pool is included as Impervious Surface.

12. *Reserved.*

13. *Other Developed Property* means all Developed Properties other than single family residential properties, including multi-family properties such as apartments, apartment-style and/or condominium buildings or complexes, common areas associated with such uses, and commercial, institutional, and industrial Property.

14. *Person* means any and all persons, natural or artificial, including any individual, firm or association, and any municipal or private corporation organized or existing under the laws of this or any other state or country.

15. *Property Owner* means the property owner of record as listed in the county's assessment roll. A property owner includes any individual, corporation, firm, partnership, or group of individuals acting as a unit, and/or any trustee, receiver, or personal representative

16. *Single Family Residential (SFR) Property* means all Developed Properties containing single family detached homes, attached homes, townhouses (including townhouse condominiums), duplexes and row homes. Residential Properties shall not include Developed Parcels containing: (a) structures used primarily for non-residential purposes, (b) mobile homes located within mobile home parks, (c) apartment buildings, or (d) apartment-style condominiums.

17. *Stormwater* means water resulting from precipitation, including rain and snow, which runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

18. *Stormwater Management Fee or Fee* means the charge established under this Chapter and levied on owners of pieces of real property to fund the costs of stormwater management and of operating, maintaining, and improving the local stormwater system.

19. *Stormwater Management* means the planning, design, construction, regulation, improvement, repair, maintenance, and operation of facilities and programs relating to water, flood plains, flood control, grading, erosion, tree conservation, and sediment control.

20. *Stormwater Management System* means any equipment, plant, structures, machinery, apparatus, management practices, design practices, planning activities, or land, or any combination thereof, acquired, used, constructed, implemented, or operated to convey stormwater, control or reduce stormwater runoff and associated pollutants or flooding, induce or control the infiltration of groundwater recharge of stormwater, or eliminate illicit or illegal non-stormwater discharges into stormwater

21. *Undeveloped Property* means any Developed Property which has less than 300 square feet of Impervious Surface Area.

22. *User* means the owner of record of property subject to the stormwater user's fee imposed by this ordinance.

23. *Water* means any storm water, surface water, snow melt or ground water.

Section 13.12.040. Funding of Stormwater Utility

Funding for the Stormwater Utility's activities may include, but not be limited to, the following:

1. Stormwater user's fees;

2. Civil penalties and damage assessments imposed for or arising from the violation of the City's stormwater management ordinance;

3. Stormwater permit and inspection fees;

4. Bonds issued pursuant to "Local Bond Law"; and

5. Other funds or income obtained from federal, state, local, and private grants, or revolving funds. To the extent that the stormwater user fees collected are insufficient to construct needed stormwater management system components, the cost of the same may be paid from such City funds as may be determined by the municipality's governing body.

Section 13.12.050. Stormwater Fund

All revenues generated by or on behalf of the Stormwater Utility shall be deposited in a Stormwater Utility fund and used exclusively for the Stormwater Utility.

Section 13.12.060. Purposes of the Stormwater Fund

The Stormwater Fund shall be used for the following purposes:

1. The acquisition by gift, purchase, or condemnation of real and personal property, and interests therein, necessary to construct, operate, and maintain stormwater control facilities.

2. All costs of administration and implementation of the stormwater management program, including the establishment of reasonable operating and capital reserves to meet unanticipated or emergency stormwater management requirements.

3. The costs of inventorying assets currently in place and of evaluating what is needed to address future stormwater management needs.

4. Engineering and design, debt service and related financing expenses, construction costs for new facilities, and enlargement or improvement of existing facilities.

5. Installation of green infrastructure practices.

6. Operation and maintenance of the stormwater system.

7. Monitoring, surveillance, and inspection of stormwater control devices.

8. Water quality monitoring and water quality programs.

9. Retrofitting developed areas for pollution control.

10. Inspection and enforcement activities.

11. Billing and administrative costs, to the extent permitted by the Clean Stormwater and Flood Reduction Act (P.L.2019, c.42).

12. Other activities which are reasonably required, including but not limited to those that are reasonable and necessary to comply with the municipal separate storm sewer (MS4) permit of the City.

13. The guidelines and the priority ranking system developed pursuant to this section for selecting projects or programs to be awarded grants or other forms of financial assistance from the fund shall include factors to ensure that grants or other forms of financial assistance from the fund are allocated to projects or programs that will serve communities that are disproportionally impacted by the effects of environmental degradation and climate change, and alleviate the negative effects on human health and the environment resulting therefrom.

Section 13.12.070. Scope of responsibility for stormwater management systems and facilities

1. The City owns or has rights established by written agreements which allow it to operate, maintain, improve and access those stormwater management systems and facilities which are located:
    a. Within public road rights-of-way;
    b. On private property but within easements granted to, and accepted by, the City, or are otherwise permitted to be located on such private property by written agreements for rights-of-entry, rights-of-access, rights-of-use or other permanent provisions for operation, maintenance, improvement and access to the stormwater management system facilities located thereon;

c. On land dedicated to, and accepted by, the City solely for the operation, maintenance, improvement and access to the stormwater management systems and facilities located thereon; or
d. On public land which is owned by the City and/or land of another governmental entity upon which the City has agreements providing for the operation, maintenance, improvement and access to the stormwater management systems and facilities located thereon.

2. Operation, maintenance and/or improvement of stormwater management systems and facilities which are located on private or public property not owned by the City, and for which there has been no written agreement granting easements, rights-of-entry, rights-of-access, rights-of-use or other form of dedication thereof to the City for operation, maintenance, improvement and access of such stormwater management and systems and facilities shall be and remain the legal responsibility of the property owner, except as otherwise provided for by the state and federal laws and regulations.
3. It is the express intent of this article to protect the public health, safety and welfare of people and property in general, but not to create any special duty or relationship with any individual person, or to any specific property within or outside the boundaries of the City. The City expressly reserves the right to assert all available immunities and defenses in any action seeking to impose monetary damages or equitable remedies upon the City, its elected officials, officers, employees and agents arising out of any alleged failure or breach of duty or relationship.
4. If any permit, plan approval, inspection or similar act is required by the City as a condition precedent to any activity or change upon property not owned by the City pursuant to this or any other regulatory ordinance, regulation or rule of the City, or under federal or state law, the issuance of such permit, plan approval or inspection shall not be deemed to constitute a warranty, express or implied, nor shall it afford the basis for any action, including any action based on failure to permit, negligent issuance of a permit, negligent plan approval, or negligent maintenance of any permitted stormwater management system or facility not expressly dedicated to and accepted by the City for further maintenance in an action seeking the imposition of money damages or equitable remedies against the City, its elected officials, officers, employees or agents.

Section 13.12.080. Operating Budget

The municipality's governing body shall adopt an operating budget for the Stormwater Utility each fiscal year. The operating budget shall set forth for such fiscal year the estimated revenues and the estimated costs for operations and maintenance, extension and replacement and debt service.

Section 13.12.090. Stormwater user's fees established

There shall be imposed a user fee on each and every developed property in the City, except Exempt Property as defined by the Clean Stormwater and Flood Reduction Act (P.L. 2019, c42). Said annual fee will be Seventy-Seven Dollars ($77.00) per Equivalent Residential Unit (ERU).

Section 13.12.100. Property classification for Stormwater User's Fees

It is hereby imposed upon each and every Developed Property except as provided below that is connected with, uses, or is benefited by the Stormwater Management System, either directly or indirectly, a User Fee for the use, benefit, operation, maintenance, repair, replacement and improvement of the Stormwater Management System.

The User Fee shall be calculated based on the amount of Impervious Surface Area on a Developed Property and divided by the Equivalent Residential Unit to determine the number of Equivalent Residential Units on the property. These units shall be rounded to the nearest 0.5 Equivalent Residential Unit with no Developed Property being billed less than 1.0 Equivalent Residential Unit. The User Fee charge for each property shall be determined by multiplying the number of Equivalent Residential Units by the Base Rate.

A. The User Fee for an apartment-style condominium building (i.e. a condominium consisting of dwelling units above others) shall be charged in the same manner as an apartment building (i.e. accounting for all impervious surfaces of dwelling units and other common areas within the condominium) with the bill addressed to the homeowners' association or condominium association ("HOA"), as applicable. Bills in such instances shall not be addressed to individual unit owners of condominiums. In the event that an HOA is dissolved, extinguished or insolvent, or delinquent in payment of its User Fee for over 90 days, the individual unit owners shall be billed a prorated share of the User Fee charged to the HOA.
B. Exempt Properties shall not be charged a User Fee
C. Undeveloped Property shall not be charged a User Fee

Section 13.12.110. Adjustments to stormwater user's fees

A. Within 6 months of the effective date of this Ordinance, the Utility shall develop and implement procedures by action of the governing body whereby Users of the Stormwater Management

System may receive credit for onsite activities which reduce, retain, or treat stormwater runoff onsite. In establishing credits, the Utility shall at a minimum design the credits to:

1. Provide a partial fee reduction in the form of a credit for any property that maintains and operates a stormwater management system that complies with the State and local stormwater management standards that were in place at the time the system was approved and that effectively reduces, retains, or treats stormwater onsite;

2. An additional partial fee reduction in the form of a credit for any property which has installed and is operating and maintaining current stormwater best management practices that reduce, retain, or treat stormwater onsite and which are approved by the municipality;

3. An additional partial fee reduction in the form of a credit for any property which has installed and is operating and maintaining green infrastructure that reduces, retains, or treats stormwater onsite and which exceeds any requirements for green infrastructure that may be applicable to that property under any rule or regulation adopted by the Department of Environmental Protection or the local stormwater control ordinance.

B. No credit in User Fees shall be granted based on age, race, tax status, gender, sexual preference, economic status or religion of the Property Owner, or any other conditions unrelated to the approximation of the proportionate contribution of stormwater runoff to the Stormwater Management System.

Section 13.12.130. Property owners to pay charges

The owner of each lot or parcel, except Exempt Property, shall pay the stormwater user's fees and charges as provided in this ordinance.

Section 13.12.140. Billing procedures and penalties for late payment

1. Rate and Collection Schedule. The stormwater user's fee must be set at a rate, and collected on a schedule, established by ordinance or resolution.

2. Delinquent Bills. The stormwater user's fee shall be paid in person or by mail, and shall become delinquent as of 30 (thirty) days following the billing date. Any unpaid stormwater user's fee shall bear interest at the legal rate if it remains unpaid after 30 (thirty) days following the billing.

3. Penalties for Late Payment. Stormwater user's fees draw the same interest from the time they become due as taxes upon real estate in the City, and have the same remedies for the collection thereof with interest, cost and penalties as it has by law for collection of taxes upon real estate. The municipality shall be entitled to recover attorney's fees incurred in collecting delinquent fees. Any charge due under this ordinance which shall not be paid may be recovered at law by the municipality.

Section 13.12.150. Appeals of fees

1. Generally. Any person who disagrees with the calculation of the stormwater user's fee, as provided in this ordinance or resolution, or who seeks a stormwater user's fee adjustment based upon stormwater management practices, may appeal such fee determination to the Stormwater Utility within thirty (30) days from the date of the last bill containing stormwater user's fees charges. Any appeal shall be filed in writing and shall state the grounds for the appeal. The Stormwater Utility director may request additional information from the appealing party.

2. Adjustments. Stormwater user's fee adjustment for stormwater management practices may be considered for: reductions in runoff volume including discharge to a non-City drainage system; and properly designed, constructed, and maintained existing retention facilities, i.e. evaporation and recharge. Based upon the information provided by the Utility and the appealing party, the Stormwater Utility shall make a final calculation of the stormwater drainage fee. The Stormwater Utility shall notify the parties, in writing, of its decision.

Section 13.12.060. Public Engagement

1. Website - The governing body will create a website for the public to learn about the Stormwater Utility fee, using Americans with Disabilities Act (ADA) requirements in order to be accessible to all.

2. Hearings and Advisory Committees - Establish hearings and advisory committees to garner public input regarding the establishment and management of the Stormwater Utility.

Section 13.12.070. Reporting

The overseeing authority, agency, or governing body shall, within one year after establishment of the utility, and each year thereafter, prepare and submit to the Division of Local Government Services in

the Department of Community Affairs and the Department of Environmental Protection a report. This annual report shall include, but need not be limited to, information on the following:

1. The Stormwater Utility's service area;

2. The schedule of fees, other charges, and credits;

3. The number of properties subject to the Stormwater Utility's fees and other charges, and the number of properties of each land use type, including but not limited to residential, commercial, and industrial, that have been granted credits or exemptions from the fee, and the cumulative value of credits that have been granted to properties of each land use type;

4. The total revenues from Stormwater Utility fees and other charges collected;

5. The percentage and amount of revenues from fees and other charges spent on each of the purposes authorized in subsection e. of section 8 of P.L.2019, c. 42 (C.40A:26B-8); and

6. All stormwater management projects implemented in the previous fiscal year.

7. Any additional information required by the New Jersey Clean Stormwater and Flood Reduction Act (P.L.2019, c.42), as amended and supplemented from time to time.

I, Leslie R. Zeladon, City Clerk the City of New Brunswick, NJ, do hereby Certify the forgoing Ordinance is a true copy of the Original Ordinance adopted on second and final reading at a regular meeting of the New Brunswick City Council at its meeting on: MAY 15, 2024

Leslie R. Zeladon, City Clerk

Any reproduction of the Original Ordinance must contain the raised seal of the City of New Brunswick to be legally certified

COUNCILMEMBER	Y	N	NV	AB
CASTANEDA				
FERGUSON				
FLEMING				
GASKINS				
SICORA LUDWIG M				

COUNCILMEMBER	Y	N	NV	AB
CASTANEDA	X			
FERGUSON	X			
FLEMING S	X			
GASKINS				X
SICORA LUDWIG M	X			

COUNCILMEMBER	Y	N	NV	AB
ANDERSON, VP	X			
ESCOBAR, PRES	X			

COUNCILMEMBER	Y	N	NV	AB
ANDERSON, VP	X			
ESCOBAR, PRES	X			

FIRST READING VOTE ON MAY 1, 2024 MOVED S SECOND NV= NO VOTE AB= ABSENT

SECTION II

SEVERABILITY:

If any section, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

SECTION III

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION IV

EFFECTIVE DATE:

This Ordinance shall become effective 20 days following final adoption and publication as required by law.

ADOPTED ON FIRST READING
DATED: May 1, 2024

COUNCIL PRESIDENT

ADOPTED ON SECOND READING
DATED: May 15, 2024

COUNCIL PRESIDENT

ATTEST:

CITY CLERK

APPROVAL BY THE MAYOR ON THIS 16TH DAY OF MAY, 2024.

MAYOR

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY

TKS/kc

Appendix B

New Brunswick Stormwater Utility Credit Manual

BY THE MUNICIPAL COUNCIL:

WHEREAS, the governing body of a municipality is authorized by the Clean Stormwater and Flood Reduction Act (P.L.2019, c.42) to adopt a system of charges to fund the implementation of stormwater management programs; and

WHEREAS, the City of New Brunswick approved and created a Stormwater Utility by Ordinance O-052404 on May 16, 2024; and

WHEREAS, Section 13.12.110, Adjustments to Stormwater user's fees states "within 6 months of the effective date of this Ordinance, the Utility shall develop and implement procedures by action of the governing body whereby Users of the Stormwater Management System may receive credit for onsite activities which reduce, retain, or treat stormwater runoff onsite"; and

WHEREAS, the City Council may adopt a fee policy schedule to charge in the application process for credits and/or adjustments to Stormwater Utility fees.

NOW, THEREFORE, BE IT RESOLVED, by the New Brunswick City Council that City Council hereby approves the November 12, 2024 Stormwater Management Fee Credit & Adjustment Policy Manual; and

BE IT FURTHER RESOLVED, that Certified Copies of this Resolution shall be sent by the City Clerk to the following:

- City Administrator
- City Attorney
- Chief Financial Officer

ADOPTED: **November 20, 2024**

COUNCIL PRESIDENT

CITY CLERK

APPROVALS:

CITY ADMINISTRATOR

CITY ATTORNEY

CHIEF FINANCIAL OFFICER

TKS/sw

COUNCIL MEMBER	YES	NO	NO VOTE	ABSENT
MANUEL CASTANEDA				X
MATTHEW FERGUSON	X			
GLENN FLEMING S	X			
PETRA GASKINS				X
SUZANNE SICORA LUDWIG M	X			
JOHN ANDERSON, VP	X			
REBECCA ESCOBAR, PRES	X			

M=Moved S=Second

I, Leslie R. Zeledon, City Clerk of the City of New Brunswick, N.J., do hereby certify the forgoing resolution is a true copy of the original resolution adopted at the regular meeting of the New Brunswick City Council at its meeting on: November 20, 2024

Leslie R. Zeledon, City Clerk

Any reproduction of the original resolution must contain the raised seal of the City of New Brunswick to be legally certified

New Brunswick, NJ

Stormwater Management Fee

Credit & Adjustment Policy Manual

November 12, 2024

Contents

1 Introduction

1.1 The Need for Stormwater Management

Stormwater runoff is the rain or snow melt that flows off the land into ditches, culverts, catch basins and storm sewers and typically does not receive any treatment to remove pollutants before entering our local creeks, streams and other water bodies. Hard surfaces such as roofs, driveways, parking lots, and streets increase stormwater runoff by preventing the stormwater from being absorbed into the soil.

Stormwater runoff can pick up many substances that can pollute local water bodies such as fertilizer, pesticide, pet waste, sediment, oil, salt, trace metals, grass clippings, leaves, and litter. Polluted runoff can be generated anywhere people use or alter the land, such as farms, yards, roofs, driveways, parking lots, construction sites, and roadways.

Stormwater management is essential to protect the quality of our natural water resources for recreational activities such as swimming, fishing, and boating. Stormwater also needs to be managed to minimize the risk of flooding or erosion during storm events. Accordingly, the City of New Brunswick (City) maintains a system of sewers, drains, basins, infiltration and filtration facilities, inlets, manholes, ditches, outfalls and other infrastructure to convey and manage Stormwater in the City.

1.2 Stormwater Utility

To provide a dedicated source of funding and promote effective and sustainable stormwater management, the City has chosen to implement a Stormwater Management Fee system under authorization from the State of New Jersey via the New Jersey Clean Stormwater and Flood Reduction Act of 2019. As part of its equitable and uniform assessment and collection of Stormwater Management Fees, the City has established a Stormwater Management Fee Credit & Adjustment Policy presented herein to establish a process for owners of Developed Properties to obtain Credits (i.e. reductions in Fees). These credits are issued in recognition of on-stie infrastructure the Property Owner maintains that reduces, retains, or treats stormwater runoff.

2 Definitions

For the purpose of this manual, the following definitions shall apply: Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense.

1. **City:** The City of New Brunswick, Middlesex County, New Jersey.

2. **Credit Application:** The Stormwater Management Fee Credit Application that is attached hereto as Appendix A and must be used to obtain the Credits described in this Manual. A Homeowners' Association should use Form A2. All Other applicants should use Form A2.

3. **Credit:** A Fee reduction that a Property Owner receives for implementing and complying with the practices and policies contained in this manual.

4. **Developed Property:** Real property in the City altered from a natural state that contains Impervious Surface equal to or greater than 300 square feet.

5. **Equivalent Residential Unit ("ERU"):** The measure of impervious ground cover for a typical single family residential detached property in the City used in assessing the fees for each Developed Property, and which has been determined to be 2,102 square feet.

6. **Green Infrastructure:** means stormwater management measures that captures, filters, absorbs, and/or reuses stormwater to help restore the natural water cycle by reducing stormwater runoff, promoting infiltration, and/or enhancing evapotranspiration.

7. **Impervious Surface:** A surface that prevents or impedes the infiltration of water into the ground. Impervious Surfaces include, but are not limited to, sidewalks, packed dirt or stone paths, parking areas, driveways and private roads, pavements, driveway areas, and roofs. Any surface areas designed to be gravel or crushed stone shall be regarded as impervious surfaces. Railroad track ballast is not included as Impervious Surface. The water surface area of a swimming pool is included as Impervious Surface.

8. **Inspection Report:** The periodic inspection report(s) that document a SMS is being maintained and operated in such a way that it meets the requirements for issuance of a credit.

9. **Maintenance Agreement:** An agreement pertaining to the operation and maintenance of stormwater management systems.

10. **New Jersey Stormwater Best Management Practices ("BMP") Manual:** The most recent version of the New Jersey Department of Environmental Protection (NJDEP) Stormwater BMP Manual.

11. **Property Owner ("Owner"):** The property owner of record as listed in the county's assessment roll. A property owner includes any individual, corporation, firm, partnership, or group of individuals act as a unit, and/or any trustee, receiver, or personal representative.

12. **Stormwater:** water resulting from precipitation, including rain and snow, which runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

13. **Stormwater Management:** the planning, design, construction, regulation, improvement, repair, maintenance, and operation of facilities and programs relating to water, flood plains, flood control, grading, erosion, tree conservation, and sediment control.

14. **Stormwater Management Fee ("Fee")**: means the charge levied on owners of pieces of real property to fund the costs of stormwater management and of operating, maintaining, and improving the local stormwater system.

15. **Stormwater Management System ("SMS"):** means any equipment, plant, structures, machinery, apparatus, management practices, design practices, planning activities, or land, or any combination thereof, acquired, used, constructed, implemented, or operated to convey stormwater, control or reduce stormwater

runoff and associated pollutants or flooding, induce or control the infiltration of groundwater recharge of stormwater, or eliminate illicit or illegal non-stormwater discharges into stormwater.

16. **Stormwater Management Ordinance:** the City's Stormwater Management Ordinance located in Title 16, Chapter 16.24, Section 16.24.270A of the City's Code of Ordinances.

3 Credit Policy

A reduction in an applicable Stormwater Management Fee is available to property Owners who demonstrate compliance with the requirements of this manual. The general credit policies are as follows:

3.1 Application Process

3.1.1 Application Fee

The City may charge a reasonable fee to be submitted with the application. Fee schedules will be set by the City Council via ordinance. Applicants should contact the City prior to submitting an application to determine the current fee schedule. The fee associated with submitting a Credit Application, as applicable, shall be included with the application. Fees collected shall be deposited into the Stormwater Utility Fund to assist in offsetting costs associated with review of credit applications.

3.1.2 Optional Preapplication Meeting

Property Owners may schedule a pre-application meeting by emailing the City at tubc@cityofnewbrunswick.org or call 732-745-5031. Preapplication Meetings are a courtesy provided by the City as an opportunity for Owners to learn more about Stormwater Management Fee program, potential eligibility for Credits, and the application process prior to preparing a formal application.

3.1.3 Application Submission

To be considered for a Credit, the Property Owner shall submit a credit application in accordance with this manual. Completed credit applications can be sent with a check payable to the City of New Brunswick for any applicable fees to:

City of New Brunswick – Finance Department
78 Bayard Street, Rm 202
New Brunswick, NJ 08901

Credit applications will be reviewed on a rolling basis with no due date. See Section 3.1.6 3.1.5 for the timeline for Approved Credit adjustments to be applied to accounts.

By submitting a Credit Application, the Owner authorizes the City and/or their representatives to perform field inspections, with no less than 24 hours prior notice to the Owner, in order to investigate or ascertain information related to the application.

Each application shall include the following information at a minimum:

- Application form
- Property site map with SMS(s) location
- Scaled map for each SMS showing the following:
    - Contributing drainage area to SMS including measurement in acres
    - On-site Impervious Surface area draining to each SMS including measurement in square feet
    - Off-site Impervious Surface area draining to each SMS including measurement in square feet
- Supporting calculations and data necessary for verifying SMS eligibility
- Other information as deemed necessary by the City

3.1.4 Application Review

Applications will be reviewed within 60 days of receipt. Should further clarification be required an extension of 30 days may be requested, however no application shall take longer than 90 days to receive a written response or determination. If the Credit Application and/or accompanying documentation is found to be incomplete, the applicant will be notified in writing. Additional documentation/evidence/inspections may be requested by the City at any point during the application process. The Credit Application process does not relieve the property Owner of its obligations to make payments of Stormwater Management Fees that are assessed during the review process.

3.1.5 Application Determination

If a credit application is approved, then the City will provide written notification stating the conditions of the issuance of the Credit and effective date of the Credit. If the City does not approve the Credit Application in whole or in part, the property Owner shall also receive a written notice which includes the reason(s) for the decision.

3.1.6 Account Adjustment Timeline

Approved Credit Applications will be applied to accounts on the next billing cycle following credit approval. For any credit applications received within 90 days of the initial issuance of this credit manual, approved credits will be retroactive to the date of the initial stormwater fee. All other approved credits will not be retroactive.

3.1.7 Application Appeal

If the property Owner disagrees with the City's decision, the Owner may submit a request in writing to the City for a meeting to discuss such decision. The City will notify the property Owner as to the date and time of the meeting when the Credit Application will be considered. If the City does not approve the Credit Application in whole or in part, the property Owner shall also receive the reason(s) for the decision in the written notification.

3.1.8 Homeowners' Association Credits

A Homeowners' Association (HOA) may apply for credit for a SMS servicing the HOA or portion thereof; individual Property Owners cannot apply for credits for the HOA SMS. Upon approval, a credit will then be applied to each of the residential properties that comprise the HOA.

3.2 Credit Calculation & Fee Adjustment

The credit will be determined by identifying the percent of onsite Impervious Surface area draining to the SMS and multiplying that percentage by the amount of the credit applicable to the SMS. For example, if a property has an Impervious Surface area of 10,000 square feet and 5,000 square feet (50%) of the Impervious Surface area drains to a SMS which receives 30% credit, then the credit would be 50% multiplied by 30% resulting in a 15% reduction in the Stormwater Management Fee.

The credit for residential properties that comprise a HOA shall be calculated as follows:

*Approved Credit = [# Properties served by HOA SMS / Total # Properties that comprise HOA] * SMS Credit percentage*

The Fee for properties with approved Credits will be calculated using the formula:

*Fee = Original Fee * [1 – Approved Credit(s) Amount]*

Example: A property owner submits a Credit Application that is approved for a total credit rate of 25%. The annual original user fee was $1,000. The calculation is:

Annual User Fee = $1,000 * [1 – 0.25] = $750

Example: A HOA submits a Credit Application for a SMS that serves residential properties in the community. The approved credit is 20%. The annual original user fee for one of the residential properties that comprise the HOA was $105. The calculation is:

Annual User Fee = $105 * [1 – 0.20] = $84

3.3 Credit Renewal and Expiration

Approved Credits will not expire as long as the property Owner continues to comply with the requirements in this Manual (e.g., SMS inspection and maintenance, reporting, etc.). However, property Owners must submit a renewal application after 5 years affirming that the credit criteria and supporting requirements are still in effect. The renewal application shall not be charged an application fee.

Credits will automatically expire when a property changes ownership. New property Owners are required to submit a Credit Application to be eligible for a Credit. Applications for new property Owners will be administered in the same way as first-time applications.

3.4 Credit Termination

Upon written notice, the City, in its sole discretion, may revoke a Credit, for failure to meet Credit conditions or failure to meet minimum maintenance requirements. The City reserves the right to review for accuracy all plans, materials, and documentation submitted as part of a Credit Application and accompanying documentation at any time to determine if the conditions of the credit are being maintained.

3.5 Periodic Reporting

If a property has been granted a Credit, the property Owner must submit to the City periodic Inspection Reports to address the maintenance requirements. The Stormwater Management Fee Credit Inspection Report (Inspection Report) must be submitted annually starting one year after the Credit Application is approved. The Inspection Report shall contain a statement certifying that all maintenance activities outlined in the Maintenance Agreement (see Section 3.7) have been completed. Additionally, the report shall include list all preventative and corrective maintenance performed in the preceding 12 months as required in the Maintenance Agreement.

If the Inspection Report is incomplete or is not submitted to the City by the deadline for reporting as established in the Maintenance Agreement, the property shall be considered to be in noncompliance with the Credit program requirements; and the Credit will be suspended. The Credit will not be reinstated until the completed Inspection Report is submitted to the City with documentation that the property is in compliance with the requirements outlined in the Maintenance Agreement. There is no fee associated with submitting an Inspection Report.

3.6 Inspections

The City may enter at reasonable times any property with an active Credit to inspect the condition or operation of SMS. If, after its review or inspection, the City finds the Credit Application or any Inspection Report to be inaccurate or any SMS(s) to be out of compliance with the Maintenance Agreement, the property Owner will be notified in writing with a notice and given 90 days to correct the inaccuracy or noncompliance (“Notice of Noncompliance”). Within 90 days following the Owner’s receipt of the Notice of Noncompliance, the Owner must provide to the City written documentation and evidence satisfactory to the City that the issues described in Notice of Noncompliance have been corrected and/or that the SMS is in compliance with all applicable program requirements. If the issues in the Notice of Noncompliance have not been corrected or the SMS is not in compliance as required by the Notice of Noncompliance, or if the property Owner fails to provide a response to the City within the 90-day period, the Credit will be suspended on the following billing cycle.

The Credit suspension will remain in effect until the property Owner provides evidence satisfactory to the City that the issues stated in the Notice of Noncompliance have been corrected or that the SMS has been in compliance with the Maintenance Agreement for at least three months.

3.7 Maintenance Agreements

Applicants will be required to enter into a Maintenance Agreement to assure the proper functioning of stormwater systems. Failure to comply with any/all requirements of a Maintenance Agreement may result in Credit suspension or terminationabove3.4.

For properties without an existing Maintenance Agreement at the time of application, a Maintenance Agreement shall be developed and entered into as part of the credit application process. In developing a new Maintenance Agreement, the guidance provided in Chapter 8 of the New Jersey Stormwater Best Management Practices Manual shall be used.

For those properties that have an existing Maintenance Agreement or other maintenance requirements documented in deed restrictions or other official documents, the applicant may submit a copy of the official documents that specify the maintenance obligations. If in the opinion of the City, the provided documentation

provides a sufficient level of maintenance requirements, the requirement for a new Maintenance Agreement shall be waived and the existing agreements / restrictions shall be used.

3.8 Credit Types

Credits will be provided for Stormwater Management Systems that effectively reduces, retains, or treats stormwater onsite in accordance with the following table:

Stormwater Management System	**Applicable Credit**
SMS complies with the State and local stormwater management standards that were in place at the time the system was approved	30%
SMS complies with the current NJ Stormwater BMP Manual	40%
SMS includes green infrastructure that exceeds any requirements for green infrastructure that may be applicable to the property under any rule or regulation adopted by the NJDEP or the local stormwater control ordinance	40% credit where there was no requirement for green infrastructure to be implemented or where larger portions of the site's Impervious Surfaces were captured than required. Where the green infrastructure captures only the Impervious Surface required (i.e. as part of a development or redevelopment) but is sized larger than required, the credit will be 40% plus 1% for each 10% increase in BMP storage volume greater than required up to a maximum 50% credit.
Innovation credit (see Section 3.8.1)	Up to 50% at City discretion

Examples:

- Property has a SMS built prior to current regulations and has been shown to meet the requirements in place at the time the property was developed. The SMS captures stormwater runoff from 75% of the Impervious Surface on the property and is well maintained. The credit would be 30% credit x 75% of Impervious Surface treated = 22.5% reduction in Stormwater Management Fee.
- Property has a SMS built prior to current regulations and has been shown to meet the requirements in place at the time the property was developed. The Stormwater Management System captures stormwater runoff from 75% of the Impervious Surface on the property but has not been maintained and the outlet structure is not properly functioning. The property is not eligible for a Credit.
- Property has an approved SMS meeting the requirements of the current NJ Stormwater BMP Manual, captures stormwater runoff from 75% of the Impervious Surface on the property, and is well maintained. The credit would be 40% credit x 75% of Impervious Surface treated = 37.5% reduction in Stormwater Management Fee.
- Property voluntary implements green infrastructure to capture runoff from 25% of the impervious surface from the property. There is no regulatory requirement for the property owner to implement green infrastructure. The green infrastructure is designed and sized in accordance with the current NJ

Stormwater BMP Manual. The credit would be 40% credit x 25% of Impervious Surface treated = 10% reduction in Stormwater Management Fee.

- Property is required to implement SMSs to manage stormwater runoff from a new parking lot constructed on the property which accounts for 20% of the Impervious Surface on the property. The SMSs include green infrastructure sized to meet (not exceed) the requirements of the NJ Stormwater BMP Manual related to the new parking lot. The credit would be 40% credit x 20% of Impervious Surface treated = 8% reduction in Stormwater Management Fee.
- Property is required to implement SMSs to manage stormwater runoff from a new parking lot constructed on the property which accounts for 20% of the Impervious Surface on the property. The SMSs include green infrastructure that are sized to exceed the requirements of the NJ Stormwater BMP Manual related to the new parking lot by allowing it to retain larger rain events than required (constructed volume is 50% greater than required). The credit would be (40% +5%) credit x 20% of Impervious Surface treated = 9% reduction in Stormwater Management Fee.
- Property is required to implement a SMS to manage stormwater runoff from a new parking lot constructed on the property which accounts for 20% of the Impervious Surface on the property. The SMSs include green infrastructure that are sized to exceed the requirements of the NJ BMP Manual related to the new parking lot by allowing it to retain larger rain events than required (constructed volume is 150% greater than required). The credit would be 50% credit x 20% of Impervious Surface treated = 10% reduction in Stormwater Management Fee.
- Property is required to implement SMSs to manage stormwater runoff from a new parking lot constructed on the property which accounts for 20% of the Impervious Surface on the property. The SMSs include green infrastructure that are sized to exceed the requirements of the NJ BMP Manual related to the new parking lot by allowing it to capture runoff from 60% of the Impervious Surface of the property. The credit would be 40% credit x 60% of Impervious Surface treated = 24% reduction in Stormwater Management Fee.

3.8.1 Innovation Credits

The City supports the use of innovative ideas and/or technology and encourages Property Owners to submit ideas for projects that are worthy of granting stormwater credits. The amount of approved credit is dependent upon specific site conditions including contributing Impervious Surface. Property Owners are encouraged to schedule a pre-application meeting to discuss innovative ideas/technologies that are used or being considered by the property Owner prior to preparing and submitting a Credit Application.

Appendix A

Credit Application Form

New Brunswick Stormwater Management Fee Credit Application (Form A1)

Owner's Name: _____ E-mail: _____

Phone Number: _____ Alt. Phone Number: _____

Property Address: _____

Mailing Address (if different from above): _____

Parcel Number: _____

Is application Fee per current Credit Manual included (y/n)?_____

Select the credit(s) being applied for (check all applicable boxes):

- ☐ SMS complies with the State and local stormwater management standards that were in place at the time the system was approved
- ☐ SMS complies with the current NJ Stormwater BMP Manual
- ☐ SMS includes green infrastructure that exceeds any requirements for green infrastructure that may be applicable to the property under any rule or regulation adopted by the NJDEP or the local stormwater control ordinance
- ☐ Innovation credit

Attach Documentation

Attach any supporting documentation as separate sheets. Include available drawings/sketches/plans pertaining to credits, including portion of the property's impervious surface captured by the stormwater management system.

Certification

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. By signing below, I agree to allow City staff or inspectors on site to review and verify the above information.

Signature **Print Name and Date**

Send completed form to:

Stormwater Management Fee Credit
City of New Brunswick – Finance Department
78 Bayard Street, Rm 202
New Brunswick, NJ 08901

New Brunswick Stormwater Management Fee
Homeowners' Association Credit Application (Form A2)

Homeowners' Association (HOA) Name: _____

HOA Location: _____

HOA Designated Representative: _____ E-mail: _____

Phone Number: _____ Alt. Phone Number: _____

Mailing Address: _____

Is application Fee per current Credit Manual included (y/n)?_____

Attach a list of Parcel Numbers (or addresses) of (a) Residential Parcels Serviced by HOA BMP and (b) Residential Parcels that comprise the HOA.

Select the credit(s) being applied for (check all applicable boxes):

- ☐ SMS complies with the State and local stormwater management standards that were in place at the time the system was approved
- ☐ SMS complies with the current NJ Stormwater BMP Manual
- ☐ SMS includes green infrastructure that exceeds any requirements for green infrastructure that may be applicable to the property under any rule or regulation adopted by the NJDEP or the local stormwater control ordinance
- ☐ Innovation credit

Attach Documentation

Attach any supporting documentation as separate sheets. Include available drawings/sketches/plans/descriptions pertaining to credits for the stormwater management system.

Certification

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. By signing below, I agree to allow City staff or inspectors on site to review and verify the above information.

Signature **Print Name and Date**

Send completed form to:

Stormwater Management Fee Credit
City of New Brunswick – Finance Department
78 Bayard Street, Rm 202
New Brunswick, NJ 08901

Appendix B

Credit Renewal Form

New Brunswick Stormwater Management Fee Credit Renewal Form (Form B1)

Owner's Name: _____ E-mail: _____

Phone Number: _____ Alt. Phone Number: _____

Property Address: _____

Mailing Address (if different from above): _____

Parcel Number: _____

Date of Original Application Approval: _____

Select the credit(s) being applied for (check all applicable boxes):

- ☐ SMS is currently functional based on the information provided in the original application
- ☐ SMS has been maintained in accordance with the maintenance agreement outlined in the credit conditions
- ☐ An annual inspection report of the SMS has been submitted to the City within the past 12 months

Certification

I certify that the information contained in the application is, to the best of my knowledge, correct and represents a complete and accurate statement. By signing below, I agree to allow City staff or inspectors on site to review and verify the above information.

Signature **Print Name and Date**

Mail Renewal Form to:

City of New Brunswick – Finance Department
78 Bayard Street, Rm 202
New Brunswick, NJ 08901

Arcadis U.S., Inc.
17-17 Route 208 North, Suite 200 East
Fair Lawn, New Jersey 07410
Phone: 201 797 7400
www.arcadis.com

Arcadis U.S., Inc.
15 East Midland Ave, Suite 3E
Paramus, NJ 07652
United States
Phone: 201 797 7400
www.arcadis.com