

**SUSSEX COUNTY WATER QUALITY MANAGEMENT
POLICY ADVISORY COMMITTEE (PAC)**

BY-LAWS

I. NAME

The name of the organization shall be the Policy Advisory Committee (PAC) of the Sussex County "208" Water Quality Management Program, as created by resolution of the Sussex County Board of Chosen Freeholders dated August 10, 1976; and amended and revised May 24, 1977, February 14, 1980, and January 9, 2003.

II. PURPOSE

1. The purpose of the Policy Advisory Committee (PAC) is to critique and aid the staff of the Water Quality Management Program in determining the best, fairest and most practical means of dealing with water quality problems, issues, and to make recommendations concerning the same to the Sussex County Board of Chosen Freeholders. The encouragement of public participation in water quality issues is also a purpose of the PAC.
2. A major function for the PAC members is informing and motivating the Municipality or groups they represent to participate in the water quality management process.
3. The responsibilities of the Policy Advisory Committee (PAC) are:
 - a) To identify issues and make recommendations to the Board of Chosen Freeholders on areawide water quality problems and issues.
 - b) To recommend and prioritize criteria as to order of importance and criticality on those problems or issues.
 - c) To survey, evaluate and recommend values, goals and objectives on overall water quality management.
 - d) To test alternative methods and technologies available to obtain goals and objectives, and include implications of those alternatives.
 - e) To review, comment and make recommendations on, alternative methods of water quality management and its relationship to local-institutional-financial strategies.
 - f) To assess the development of the water quality management program, and to advise on policy matters relating to water quality guidelines and land use relationships.
 - g) To solicit views on the compatibility of water quality and land use controls that include other regional and local opinions as well as related programs and agencies.

- h) To obtain preferences and reactions of those charged with funding, capital improvements, administrative operations, surveillance and enforcement among other functions, and to request further study of plan aspects, if necessary in order to make an informed decision prior to making recommendations to the Sussex County Board of Chosen Freeholders.
- i) To promote communication, coordination and cooperation among all participants and those affected by the project and its implementation.
- j) To make policy recommendations, and to conduct educational programs and public hearings on water quality issues.
- k) To invite as much public participation as possible, evaluate public comment and reactions and methods.
- l) To evaluate and/or propose amendments to S.C. Water Quality Management Plans, and recommend same for action by the Board of Chosen Freeholders.
- m) To participate in any amendment, revision or update thereof, and implementation to the S.C. Water Quality Management Plan.
- n) To carry out such other duties pertaining to the water quality management program.

III. LOCATION OF OFFICE

1. The office of the organization shall be located in the Sussex County Division of Planning located in the County Administrative Center, One Spring Street, Newton, NJ 07860.
2. The office hours shall be during normal County hours, Monday through Friday, except legal holidays.
3. The PAC meetings are held in the Freeholder Meeting Room in the Sussex County Administrative Center.

IV. MEETINGS

1. Policy Advisory Committee shall hold its regular meetings monthly on the second Thursday of every month unless otherwise determined by the membership. Meetings shall begin at 7:30 p.m. and shall be held in the County Administrative Center unless otherwise determined by the membership. The alternate location shall be announced and posted for the public.
2. All regular meetings of PAC shall comply with the "NJ Open Public Meetings Act", Public Law 1975, Chapter #231 as amended, and shall be open to attendance and participation by the public. Subcommittee meetings are not subject to the provisions of this section and may be held without public participation or inclusion at the discretion of

3. A quorum shall consist of not less than seven (7) voting members of the S.C. PAC.
4. Special meetings of the PAC may be called at the discretion of the Chairman or in his/her absence, the Vice-Chairman. However, if three (3) voting PAC members, wish to request a Special Meeting, the following procedure shall be followed: The request shall be either verbal or in writing to the Chairman or in his/her absence, the Vice Chairman or Staff. All persons making this request must be in attendance at the special meeting and shall be identified for the record. Failure of any persons requesting the special meeting to be in attendance may result in the cancellation of the meeting. The Special meeting shall be Noticed in the media and shall be held not earlier than seventy-two (72) hours (3 days) nor more than seven (7) days from date of request. Only business as set forth in the "PUBLIC NOTICE" shall be transacted at the special meetings. The PAC shall not make final recommendations at this meeting. However, it is left to the discretion of the PAC membership upon 3/4 of the voting members present to waive this rule on a case by case basis.
5. The SCWQMA staff shall send notices of all regular and special meetings of the PAC to all voting members of the PAC as follows:
 - a) Regular Meetings - at least ten (10) days prior to scheduled meeting.
 - b) Special Meetings - within seventy-two (72) hours upon notification of the request. This Notice shall include notification to local designated news media.
6. All Resolutions shall be drafted by SCWQMA Staff or counsel. Draft Resolutions shall be mailed to members with the meeting notice and agenda package no later than ten (10) days prior to a meeting. Resolutions by title, shall be noted on the Agenda for approval prior to submission to the Board of Chosen Freeholders. A simple majority of the voting members of the PAC present shall be necessary to adopt a Resolution.
7. AGENDA

The general order of business will be as follows:

1. Call Meeting to Order
2. Statement of compliance with Open Public Meetings Act
3. Attendance
4. Minutes
5. Correspondence
6. Program Manager's Report (items not addressed on agenda)
7. Attorney Report (items not addressed on agenda)
8. Presentations

9. Old Business: (define & itemize)
 - a. Resolutions
 - b. Carried over applications as scheduled
 - c. Sub-Committee Reports
 - d. Unfinished PAC Business
 10. New Business: (define & itemize)
 - a. Scheduled applications
 - b. New PAC Business
 - c. Other (define)
 11. Other Discussion
 12. Open to Public
 13. Executive Session (if needed)
 14. Adjournment
8. Standard Operating Procedures

The Public is invited to speak on any item under discussion by the PAC members only after receiving recognition by the Chairman.

Items that generate a large amount of citizen interest may be taken out of the regular position of the agenda by the consent of the PAC as an accommodation to the public, by moving the item up on the agenda or by tabling to another meeting time.

As a matter of policy, the PAC shall not take immediate action on items presented under the agenda heading of "Presentations." Any items that are to receive motions or resolutions are to be resolved at the time that they appear on the regular position on the agenda, provided that nothing herein may prevent the PAC, by two-thirds vote of members present from tabling or adjourning a matter to a future meeting or for additional study.

As a further matter of policy, the PAC will not take formal action on any matter not on the regular agenda and which has not been mailed or otherwise delivered to the members of the PAC at least 48 hours in advance of the meeting. The PAC, by majority vote can waive this requirement if the circumstances or urgent nature of the business so require.

V. MEMBERSHIP

A. Voting Membership

The voting membership of the S.C. "208" Water Quality Management Program Policy Advisory Committee, (PAC) shall consist of the following:

1. A designated representative shall be appointed by the Mayor of each municipality in the planning area for a term of one year. Appointment of alternates is encouraged.

2. One designated representative of the Morris County Board of Chosen Freeholders
3. A minimum of five (5) and up to seven (7) designated representatives of the Sussex County Board of Chosen Freeholders which shall represent the citizenry-at-large. Members appointed by the Board of Chosen Freeholders shall serve for a term of three (3) years.
4. Each voting member, shall serve at the pleasure of the appointing body, which body may also name an alternate to vote in the absence of the designated representative on matters discussed in full during his/her presence. In the event of an application that has been carried over, the alternate may vote only if he/she has sufficient knowledge of application or has ascertained the intent or instruction of the appointing body. At no time shall a "PROXY" vote be accepted. No member shall represent more than one entity.
5. Vacancies in Office
A members position on the PAC, including Ex-Officio members, shall be deemed vacant in the occurrence of any of the events as follows:
 - a. Upon a judicial determination
 - b. Upon the filing of written resignation
 - c. Upon refusal of the member to qualify or serve
 - d. Upon the death of a member
 - e. Upon a determination by the appointing authority that the member no longer resides within or is employed by the territorial jurisdiction upon which his or her Membership is based.
 - f. Upon the removal of a member by the appointing authority for cause in accordance with the law or upon any other reason as prescribed by law.
 - g. Upon failure of the member to attend three (3) consecutive meetings of the PAC without due cause. Due cause shall be defined as illness, family emergency, or other emergent circumstances. The PAC, in its sole discretion, may determine whether or not a member's failure to attend constituted good cause. However, the PAC may not determine the occurrence of good cause in the event of a legitimate illness. Upon a member's failure to attend, the SCWQMA Staff shall notify the appointing authority in writing of the members failure and shall request the appointment of a replacement member.
6. Filling of Vacancies
Any vacancy on the PAC shall be filled by the appointing authority for the unexpired remainder of the member's term. In the case of at-large members, the PAC may submit recommendations to the Board of Chosen Freeholders.

A. Ex-Officio Membership

The Ex-Officio membership of the PAC shall consist of the appointed liaison of the Sussex County Board of Chosen Freeholders, Sussex County Water Quality Program Coordinator, and the Director of the Sussex County Division of Health.

VI. OFFICERS AND ORGANIZATION

1. Annual Reorganization Meeting

Each December, the Chairman shall appoint a nominating committee to report at the next Annual Reorganization Meeting. A reorganization meeting shall be held at the first regular monthly meeting held in January of each year when new officers shall be elected by the membership.

2. Chairman and Vice-Chairman

- a. The PAC shall elect from its voting members a Chairman and Vice-Chairman. In the absence of the regularly elected Chairman, the Vice-Chairman shall act as Chairman.
- b. In the event that both the Chairman and Vice Chairman are absent, the PAC members shall select a Chairman Pro-tem to conduct that specific meeting.
- c. The terms of the Chairman and Vice Chairman shall be for one (1) year. In the event of a vacancy, the PAC shall elect a successor to serve the remainder of the term.

3. Recording Secretary

The recording secretary shall be responsible for the recording of the Minutes of the PAC meetings and record keeping procedures. The recording secretary shall be a staff member of the Sussex County Division of Planning.

4. Sub-committees and Meetings

Sub-Committees shall be formed at the discretion of the Chairman. PAC members shall be solicited from time to time to serve on special committees. The sub-committee meetings are to be held at the discretion and time frame of its members. These meetings are not subject to the Open Public Meetings Act. Public access to these meetings is at the discretion of the sub-committee members. All reports from a sub-committee shall be submitted to the full PAC for approval.

VII STAFF

A. Project Manager

1. The SCWQMA/PAC staff shall consist of a project manager, Recording Secretary and other necessary supporting personnel as established by the Board of Chosen Freeholders. The Project Manager shall serve in an administrative capacity to provide supervision of all water quality management related affairs

goals, objectives and work elements of the continuous program. The project manager shall also perform coordination and liaison duties among other water quality management related agencies at all levels and will supervise daily performance of firms with which sub-agreements have been secured.

2. Under the approved S.C. Plan Amendment Procedure, staff may have a differing opinion than that of PAC membership. In the event that this should occur, Staff must submit his/her differing opinion in writing to the PAC membership in the Meeting package ten (10) days prior to the meeting. (Staff shall place this item on the agenda for discussion). PAC and Staff will discuss this difference of opinion, and in the event that the opinions remain unchanged after discussion, the Two opinions shall be submitted to the Board of Chosen Freeholders for final decision. At no time shall staff authorize a change from the PAC opinion to be submitted to the Board of Chosen Freeholders prior to discussion at a PAC meeting.
3. Staff shall prepare and provide educational information for members of the PAC. Staff shall make available any information necessary in order for a member to obtain enough knowledge to make an informed decision. Staff shall provide every new member a packet of information which shall include: definitions, abbreviations and their meanings, a copy of the 208 Water Quality Management Plan, the approved Plan Amendment Procedure, etc.
4. Staff shall communicate with the Chairman in the preparation of each meeting agenda. Staff shall advise the Chairman of any requests to be heard or presented. The agenda shall be sent to all members no less than ten (10) days prior to scheduled regular meeting. Said agenda shall be in the format as indicated in the By-Laws. Once the agenda is set and mailed, any requests to amend the Agenda must be made to the Chairman during the Regular PAC meeting. PAC shall vote on amending the agenda at that time.

B. Attorney

1. There shall be an attorney to the PAC as provided by the Board of Chosen Freeholders.
2. The Attorney shall provide updated information on any regulatory changes as they occur at the NJDEP and USEPA.
3. The Attorney shall provide advice and assistance to the Board and Staff.
4. The Attorney shall prepare or review all Resolutions for the PAC.

VIII. AMENDMENTS TO THE BY-LAWS

A. Amendment Procedure

Proposed amendments or deletions to the By-Laws shall be acted on by Resolution during the Regular PAC meetings.

1. The Chairman shall form a sub-committee to review and prepare amendments to the By-Laws. The sub-committee members may seek information and assistance from any other member or resource, including the PAC committee attorney.
2. The Sub-committee shall submit a completed draft for distribution to the full membership of PAC for their review and comment at a regular meeting of the PAC.
3. All PAC members shall be provided with a copy of the Draft amendments and/or proposals to the By-Laws at least ten (10) days prior to the meeting for which the amendment appears on the agenda for discussion.
4. Upon agreement to the amendments as presented, a final draft shall be prepared including all additions and/or deletions as agreed to by the majority of PAC members present. This final document shall be placed on the agenda for final approval by the PAC. It is then forwarded to the Board of Chosen Freeholders for final approval.
5. A copy of the By-Laws as approved shall be distributed to all PAC members, PAC attorney, Staff, and shall be given to any and all new members appointed to the PAC.

I certify that the above By-Laws were adopted by a majority vote of the Policy Advisory Committee of the Sussex County Water Quality Management Program at its regular meeting held on the 9th day of January, 2003

John Armeno, Chairman

APPENDIX A DEFINITIONS

This section covers definitions utilized in the By-Laws as well as normal terminology used in Water Quality Management issues.

Public Interest Groups - For the purpose of this committee, a Public Interest Group shall be a recognized Environmental or Educational committee, commission, association, organization or similar structured entity that is a representative of the governing body or citizens at large and recognized by the Board of Chosen Freeholders.

Areawide: For the purpose of the By-Laws this term shall mean the jurisdiction covered by the Sussex County Water Quality Management Program. This includes all of Sussex County and part of Morris County Musconetcong Planning Region.

TWA - Treatment Works Approval - This is required for any new or expanded devices or system used in the storage, treatment recycling or reclamation of municipal or industrial wastes of a liquid nature.

NJPDES - New Jersey Pollutant Discharge Elimination System. - This type of permit is required for waste water discharges over 2,000 gallons per day.

Types of NJPDES Permits Include:

- a. DSW - Discharge to Surface Water
- b. DGW- Discharge to Groundwater

DAC - Discharge Allocation Certificate - Designates the quantity and quality of pollutants which may be discharged to surface water.

Water Quality Certification - Required for projects which require federal permitting or licensing for discharges into State waters and/or adjacent wetlands.

DMR - Discharge Monitoring Report - required to be filed monthly with the NJDEP by facility operators holding current NJPDES Permits

mgd - Million gallons per day

gpd - Gallons per day

Waters of the State Classifications:

FW1 - Freshwater wholly within Federal or State lands or special holdings that are preserved for posterity and are not subject to manmade discharges as designated in the Surface Water Quality Standards .

FW2 - Surface waters (fresh) that meet certain water quality criteria contained in the Surface Water Quality Standards.

TP - Trout Production

TM - Trout Maintenance

NT - Non-Trout

UST - Underground Storage Tank

Stream Encroachment Permit - Required for construction, installation or alteration of any structure or permanent fill along, in, or across the channel or floodplain of any stream.

Freshwater Wetland Permit - Required prior to engaging in regulated activity in and around freshwater wetlands and associated transition areas.

Sewer Extension Permit - Required approval to build, install, modify, or operate any component of a sewer system extension.

CD - Consistency Determination. No permit shall be issued for a project that is inconsistent with an approved Water Quality Management Plan.

Water Diversion - Requires any person diverting more than 100,000 gpd from surface or ground water to obtain a water supply allocation permit.

ACO - Administrative Consent Order (NJDEP compliance Action)

WMP - Wastewater Management Plan

WQMP - Water Quality Management Program

PAC - Policy Advisory Committee

N.J.A.C - New Jersey Administrative Code

- a. N.J.A.C. 7:15 - Water Quality Management rules
- b. N.J.A.C. 7:9A - Septic System Regulations

Plan Amendment Procedure - Procedure adopted by the Sussex County Board of Chosen Freeholder on July 13, 1990 for processing WMP amendments, in Sussex County.

TMDL - Total Maximum Daily Load of a particular pollutant.

DRBC - Delaware River Basin Commission

USGS - United States Geologic Survey

GIS - Geographic Information System

BMP - Best Management Practices

Non-Point Source Pollution - Contributing factors to water pollution that cannot be traced to a specific discernable confined and discrete conveyance. The most prevailing source is stormwater runoff which carries litter or road pollution (oil, salts, etc.) Into the storm drains which lead to streams, rivers or other bodies of water.

Point Source Pollution - any discernable, confined and discrete conveyance from which pollutants are or may be discharged.

APPENDIX B
PAC (APPLICATION) CHECK LIST

Complete Application

1. Applicant shall provide 30 copies of application to staff at the S.C. Planning Office
2. Applicant shall provide all pertinent documents including but not limited to:
 - a. Supporting municipal resolution
 - b. All maps, site plans or plot plans
 - c. NJDEP analysis required by Executive Order 109
3. Applicant shall provide copies of any technical data concerning site: soils analysis, hydrology reports, geology reports, modeling studies and any other engineering reports, etc.

Staff Check List

All applications shall be submitted to the Sussex County Division of Planning.

1. Review application for completeness.
2. Advise applicant in writing within five (5) working days of complete or incomplete status.
3. An application deemed complete shall be placed on the agenda in accordance with the twenty (20) day policy and to professionals for review when necessary.
4. Place complete application along with written staff and attorney comments in member packet in accordance with the ten (10) day policy.

Non-Application Items for the Agenda:

Staff shall provide copies of information concerning all other items to appear on the agenda in the meeting packet.