

BOROUGH OF EATONTOWN – NOTICE OF ORDINANCE ADOPTION

NOTICE is hereby given that **Ordinance 03-2025** - Ordinance of the Borough of Eatontown Entitled **“ORDINANCE REPEALING AND REPLACING CHAPTER 258 “STREETS AND SIDEWALKS”, ARTICLE II “STREET EXCAVATIONS”, SECTION 285-10 “SURFACE RESTORATION SPECIFICATIONS” TO ENSURE THE PROPER RESTORATION OF THE BOROUGH’S STREETS AND ROADWAYS”** was passed after a public hearing at the regular meeting of **February 26, 2025** by the Governing Body of the Borough of Eatontown, at 47 Broad Street, Eatontown, NJ 07724. Borough of Eatontown - Julie Martin, RMC, Borough Clerk

ORDINANCE 03-2025

BOROUGH OF EATONTOWN

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

ORDINANCE REPEALING AND REPLACING CHAPTER 258 “STREETS AND SIDEWALKS”, ARTICLE II “STREET EXCAVATIONS”, SECTION 285-10 “SURFACE RESTORATION SPECIFICATIONS” TO ENSURE THE PROPER RESTORATION OF THE BOROUGH’S STREETS AND ROADWAYS

WHEREAS, the Borough has encountered complaints from residents about the quality of street restoration following work performed by utility companies requiring the opening of the Borough’s Street and roadways; and

WHEREAS, the Borough Engineer has recommended that the Borough Council repeal and replace the current surface restoration specifications to ensure that the Borough’s streets and roadways are restored in conformance with the magnitude of the work being done by the utility companies and others who are accessing the Borough’s streets and roadways; and

WHEREAS, the Borough Council believes it is in the best interest of the Borough to protect the public’s investment in the Borough’s streets and roadways in order to ensure they are appropriately restored to the recommended standards of the Borough Engineer.

NOW THEREFORE BE IT ORDAINED, by the BOROUGH COUNCIL OF THE BOROUGH OF EATONTOWN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY that Chapter 258 “Street and Sidewalks”, Article II, “Street Excavations”, Section 285-10 “Surface Restoration Speciations” is hereby repealed its entirety and replaced with the following:

§ 285-10 Surface Restoration Specifications

For the purposes of this section, the term “curb” shall also be construed as to mean the longitudinal edge of pavement if no curb exists on the street in question. The term “edge of pavement” shall be construed as the traverse edge crossing the street.

A. All pavement surfaces shall be replaced in accordance with the Borough’s specifications governing new construction of such pavements. Said finished pavement surface layers shall conform to the following materials and minimum thicknesses:

- (1) Major and minor collectors (through streets).
 - (a) Dense graded aggregate subbase course, six inches thick.
 - (b) Hot mix asphalt, 19M64 base course, six inches thick.
 - (c) Hot mix asphalt, 9.5M64 surface course, two inches thick.
- (2) Local roads (interior subdivision streets).
 - (a) Dense graded aggregate subbase course six inches thick.
 - (b) Hot mix asphalt, 19M64 base course, four inches thick.
 - (c) Hot mix asphalt, 9.5M64 surface course, two inches thick.

B. Whenever an opening is made in a pavement that has a concrete base, the new concrete pavement or foundation shall be made three inches thicker than the original concrete and a minimum of eight inches. New concrete shall be NJDOT Class B, 4500 psi and shall be reinforced with three-eighths-inch round reinforcing steel rods spaced six inches on center or equivalent thereof. In addition, the new concrete pavement or foundation shall be doweled into the surrounding concrete using No. 4 reinforcing steel rods drilled and set a minimum of six inches into the existing concrete on twelve-inch centers and protruding a minimum of 12 inches into the newly poured concrete base.

C. Following the completion of the work for which the permit is issued, the following standards for permanent surface restoration shall be strictly adhered to:

- (1) Prior to surface restoration, all trenches shall be backfilled by depositing therein dense graded aggregate, crushed concrete, or other suitable fill material in layers of not more than eight inches in depth; each layer thoroughly mechanically compacted to a minimum ninety- percent modified proctor density, and, if required by the Borough Engineer, flushed with water.
- (2) If the distance from the edge of the excavation work area to the existing curb is less than two feet, the permittee shall be required to excavate to the curb and evenly install six inches of dense graded aggregate followed by eight inches of bituminous stabilized base course in the entire area.

- (3) Temporary pavement surface restoration: Following proper backfill and compaction, the permittee shall install no less than six inches of dense graded aggregate subbase course followed by:
 - (a) Major and minor collectors (through streets): eight inches of bituminous stabilized base course to a height even with the surface of the existing pavement.
 - (b) Local roads (interior subdivision streets): six inches of bituminous stabilized base course to a height even with the surface of the existing pavement.
- (4) The temporarily restored pavement shall be allowed to settle for no less than 90 days and no more than 180 days. It shall be the responsibility of the permittee to monitor and maintain the trench to ensure that a depression does not develop. If at any time during the settlement period the trench becomes unacceptable in the view of the Borough Director of Public Works or Borough Engineer, the permittee shall be notified of the condition requiring repair, and such repair shall be performed by the permittee within 24 hours of such notification. In the absence of such repair, the Borough reserves the right to use bond fees to repair said trench.
- (5) Following the period of settlement, the permittee shall be required to mill the excavation work area surface as specified in Subsection D below and install no less than two inches of hot mix asphalt 19M64 surface course. The permittee shall also be required to provide a tack coat on all existing bituminous concrete surfaces and hot-poured rubber asphalt joint sealer per Section 401 of the NJDOT 2017 Standard Specifications for Road and Bridge Construction.

D. Pavement Restoration Limits

- (1) All excavations shall require milling and restoration of the excavation work area extending a minimum of two feet beyond the outer edges of the excavation.
- (2) Edges of milling will generally be perpendicular and parallel to the curb and the center line of the roadway.
- (3) For excavations along the street's curbline which disturb at least 30% of the width of the street (i.e., A 30-foot-wide street with \geq 10-foot-wide excavation), milling shall extend from the curb to the center line of the street.
- (4) For excavations along the street's curbline which cross the centerline of the street by more than one foot, milling shall extend from the curb to curb of the street.
- (5) In the case of utility work undertaken by a public utility, private utility, or contractor, which involves placing of new or replacing or repairing of existing utility infrastructure, including but not limited to gas lines, water lines, sewer lines, electrical lines, and telecommunication lines, or any disturbance of the roadway surface, where the area to be trenched is greater than 50 linear feet, or where multiple small openings in the pavement are made within a 50 linear foot or greater length of a roadway; Upon completion and within timelines specified in §285-10.C.(4) (or as determined by the Borough Engineer), the permittee shall mill and repave the entire pavement surface from curb to curb for the full length of the excavation, in accordance with the Borough's specifications governing construction of such pavements. Further, should any proposed construction result in an undisturbed section of roadway between two disturbed segments, or between one disturbed segment and an intersecting roadway, and such undisturbed section is 500 linear feet or less in length, said undisturbed section will still require full restoration, curb to curb, in accordance with Borough specifications. This section shall not apply to consecutive construction conducted by separate entities for separate work which results in trenches or multiple small openings greater than 50 linear feet.
- (6) For cement concrete streets with asphalt overlay, milling will be required to the full depth of the overlay to the limits determined by the Borough Engineer. In the case where the full length of pavement repairs is greater than 50 linear feet, the Borough Engineer has the discretion to require saw-cuts in the new surface course over the existing cement concrete base course's longitudinal and transverse joints and sealed.
- (7) For excavations in streets which, within the past five years, have been constructed, reconstructed, or resurfaced, the permittee will be required to mill all excavation work from curb to curb, to the limits determined by the Borough Engineer. The Borough Engineer may waive this requirement for a minor individual opening.
- (8) The Borough Engineer has the discretion to extend, modify or revise milling limits to accommodate existing pavement and drainage conditions.

- E. All excavations of less than 100 square feet shall be repaired using infrared thermal bond seamless bituminous pavement patching. If, in the opinion of the Borough Engineer, the condition of the existing road surface does not warrant infrared repair, this requirement may be waived.
- F. The permittee shall be required to replace any facilities including, but not limited to, curb, pavement, sidewalk, line striping, signs, etc., that are affected by the excavation and restoration work.
- G. The permittee shall be required to replace any existing speed humps, striping, associated advanced placement signs, etc., that are affected by the excavation and restoration work. The existing speed hump shall be removed entirely, and the surrounding roadway shall be milled at one foot beyond the limits of the existing speed hump. The dimensions, markings, and construction of the replacement speed hump shall be in accordance with guidance from New Jersey Department of Transportation and MUTCD.
- H. All materials and workmanship are to be in accordance with the New Jersey Department of Transportation Standard Specifications.

BE IT FURTHER ORDAINED, that:

- A. All other Ordinances or provisions of the Code of the Borough of Eatontown or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.