

PRESENT: J. Roy Oliver, Mayor
Ken Whildin, Deputy Mayor
Bill Ashton, Committeeman
Frank DiDomenico, Solicitor
Allen Foster, CMFO
Cormac Morrissey, Engineer
Denise L. Peterson, Municipal Clerk

This meeting has been advertised in accordance with the statutes of the State of New Jersey.

Mayor Oliver called the meeting to order; the Pledge of Allegiance followed.

ROLL CALL: Mr. Oliver, present
Mr. Whildin, present
Mr. Ashton, present

Approval of Minutes

Mr. Whildin made a motion to approve the minutes of prior meetings, seconded by Mr. Ashton.

Roll Call: Ayes –Whildin, Ashton, Oliver Nays – None

Presentations

- 1. N.J.S.P

Sgt. Devlin provided the following report of service for the month of September:

Calls for Service	128
Motor Vehicle Stops	127
Criminal Investigations	19
Motor Vehicle Accidents	8
DWI	5
Burglary/Thefts	0

Sgt. Devlin explained that Lt. Horsey is being assigned to another barracks and the Port Norris Barracks will be assigned a new station commander.

Sgt. Devlin stated that a push of patrols will be made in residential areas on Halloween for the safety of the children.

Mr. Dickinson, Mackeys Lane, asked Sgt. Devlin if speeding was being patrolled and added that there is a lack of patrolling in the residential areas. Sgt. Devlin stated he would look into this. Mr. Dickinson thanked the Township Committee for having the speed limit signs changed. Mr. Oliver explained that the sheriff’s officers were patrolling for speeding in Leesburg & Dorchester just last night. Mr. Ashton offered that at last month’s meeting it was suggested to allow a month for residents to get use to the new speed limits. Mr. Whildin added that both NJSP and the Sheriff’s Department agreed to start patrols last month. Sgt. Devlin agreed NJSP will prioritize the enforcement of speeding issues.

Mr. Oliver questioned enforcement of the motorcycles traveling through the township to get to the “Roar to the Shore” event as he encountered a motorcycle stopping in the middle of the intersection of Route 47 & 55 to allow other riders access; created a traffic hazard. Sgt. Devlin stated other towns have reported similar problems and this event is being looked at because these problem reports are ongoing.

Mr. Dickinson, report kids on motorcycles without lights riding down Millville-Mays Landing Road. Sgt. Devlin said he will make his officers aware of this and to be aware.

First Public Comments Session

Mr. Whildin made a motion to open the first public comment session noting the time at 7:42 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Ben Stowman, Delmont, stated he attended the recent Delaware Bayshore Council meeting and that the letter from Congressman Van Drew to ACOE regarding dredging of the river and protection of the mouth of the river has been sent. Mr. Stowman stated the next stakeholder meeting is scheduled for October 29th (location & time – TBD). They are working to get the ALS project underway and this group is working to have the materials dredged from the mouth and river reused along the banks and locally. The council sends a report to the state annually.

Ben Stowman advised the Township Committee that Ginger Kopkash is looking to schedule a work session with Bayshore communities to address concerns of businesses being unable to build in the Bayshore area.

Ben Stowman stated that he attended a CRS essentials course which addressed flood insurance and the points to get insurance relief.

Ms. Munyon, Bricksboro, stated that it was approximately 3 ½ years ago she addressed the Township Committee about the flooding issue in Bricksboro. Ms. Munyon thanked the Township Committee for following through with this project and reported that the new bulkhead is preventing flood issues. Ms. Munyon also that the two private owners who also paid to have their sections of the bulkhead repaired. Mr. Oliver stated that pictures of the old and new bulkhead can be viewed on the township website. Mr. Morgan reported that there was a small amount of overflow through the Lawrence property but it is a huge improvement. Mr. Oliver offered that this project was completed and came in under budget.

Ms. Penny Wells, Dorchester, asked measures about measures being taken to address the road flooding on Main Street just before you enter Dorchester. Mr. Whildin stated the county is aware of this problem and has plans to overlay the road with 1 ½ to 2 inches of asphalt which is the amount that is permitted. Mr. Stowman added that Glade Road does the same type of flooding and that widening the road would require permitting and presents environmental issues.

Linda Reeves, Port Elizabeth, reported that a couple weeks ago there were people on Fox Street and around the foundry collecting soil samples and she was told it was for the Sapello project. Mr. Oliver explained that the Environmental Consultant with township approval has submitted a grant application to characterize and to demolish most of the buildings. Testing is being done to protect the property and the residents. Mr. Oliver reported that the contaminated soil is gone from the site and the sand castings have been covered. The findings will dictate where the materials can be reused. Ms. Reeves stated that the site should be thoroughly checked because there are sand castings all over the property. The rain disintegrated the molds but the remnants

were distributed into the sand. Mr. Oliver stated that not all areas of the site were contaminated. Ms. Reeves asked how did the township know that all areas were checked.

Mr. Whildin made a motion to close the first public comment session noting the time at 8:01 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Ordinances

Ordinance No. 689

The clerk gave the first reading by title of Ordinance No. 689: An Ordinance Of Maurice River Township, Cumberland County, New Jersey Amending Ordinance 2-67 Policy For Use, Occupancy And Management Of Leechester Hall

Mr. DiDomenico explained that this amendment provides for use of the hall by residents for the purpose of after funeral receptions at a cost of \$200 plus \$50 additional if the kitchen is needed. Mr. DiDomenico further explained that request and approval will be on short notice through the clerk and the Chair for the Leechester Hall.

Mr. Whildin made a motion to approve Ordinance 689 on first reading by title and to set the date and time for the public hearing for Thursday, November 21, 2019 at 7:30 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

Ordinance No. 690

The clerk gave the first reading by title of Ordinance No. 690: An Ordinance Of The Township Of Maurice River, Cumberland County, Amending Chapter VII, Traffic, Of The Revised General Ordinances Of The Township Of Maurice River, To Add Section 7-36, The Siting Of Poles, Cabinets, And Antennae

Mr. Whildin made a motion to approve Ordinance 690 on first reading by title and to set the date and time for the public hearing for Thursday, November 21, 2019 at 7:30 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

Consent Agenda

<p>CONSENT AGENDA: All matters listed with an asterisk (*) are considered to be routine and non-controversial by the Township Committee and will be approved by one motion. There will be no separate discussion of these items unless a committee member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda.</p>

Resolutions

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|-------------------|----------|--|
| 1. Resolution No. | 111-2019 | A Resolution Authorizing The Levying Of Fees For Property Maintenance Conducted By The Township For Violations Against Property At 187 High Street (Block 280 Lot 2), Leesburg, NJ. |
| 2. Resolution No. | 112-2019 | A Resolution Authorizing The Levying Of Fees For Property Maintenance Conducted By The Township For Violations Against Property At 172 Glade Road (Block 319 Lot 23), Heislerville, NJ |

- | | | | |
|-----|----------------|----------|--|
| 3. | Resolution No. | 113-2019 | A Resolution Authorizing The Levying Of Fees For Property Maintenance Conducted By The Township For Violations Against Property At 7 Quail Street (Block 306 Lot 1), Leesburg, NJ. |
| 4. | Resolution No. | 114-2019 | A Resolution Authorizing The Levying Of Fees For Property Maintenance Conducted By The Township For Violations Against Property At 4464 Route 47 (Block 320 Lot 132), Delmont, NJ. |
| 5. | Resolution No. | 115-2019 | A Resolution Authorizing Maurice River Township To Enter Into An Agreement With Cumberland Tire Center, Inc. For Roadside Tire Services Pursuant To Its Participation As A Member Of The Cumberland County Cooperative Pricing System |
| 6. | Resolution No. | 116-2019 | A Resolution Authorizing Maurice River Township To Enter Into An Agreement With Maser Consulting, Pa. For Testing Services (Superpave Hot Mix Asphalt, Concrete, Soil Testing, Etc.) Pursuant To Its Participation As A Member Of The Cumberland County Cooperative Pricing System |
| 7. | Resolution No. | 117-2019 | Governing Body Certification Of Compliance With The United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964” |
| 8. | Resolution No. | 118-2019 | A Resolution To Urge Voters To Support The Referendum On The Election Ballot In November, So That Veterans Or Widowed Spouses Of Veterans Who Reside In Continuing Care Retirement Communities (CCRC) Will Be Eligible For Property Tax Deduction |
| 9. | Resolution No. | 119-2019 | A Resolution Adopting A Policy On Management And Usage Of The Maurice River Township Facebook Page |
| 10. | Resolution No. | 120-2019 | A Resolution Adopting A Policy On Management And Usage Of The Maurice River Township Bulletin Boards |

Routine Matters

1. Approval is needed for an application for license for septic tank cleaner submitted by Caproni Family Septic. The annual fee was attached to the application.
2. Approval is needed for participation by the Maurice River Heritage Society in the Clean Communities Road Clean up. Louann has verified funds are available.
3. Approval is needed for an Application For License To Operate A Mobile Home Park submitted by Steven McPherson for Cumberland Trailer Park. The taxes and monthly fees are paid current.

Mr. Whildin motioned to adopt the resolutions and approve the routine matters listed in the Consent Agenda; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

Municipal Finance Officer Report

Allen Foster, CMFO

Mr. Foster reported the budget, expenses and revenue, is consistent with the past two years and that he does not foresee any problems upcoming for the year.

1. Best Practices

Mr. Foster explained that Best Practices is a series of questions regarding 'good practices' and the township scored 44 which is above the minimum requirement of 30. A minimum score is required to maintain getting state aid. Mr. Oliver thanked Mr. Foster for all his work on this.

a.) Review the feasibility of consolidating the township fire districts into a single district
Mr. Foster stated the goal regarding this discussion is to ensure that the districts are required without causing financial harm. Mr. Oliver suggested that should this question become an issue than it should be a referendum question on the ballot. Mr. Whildin agreed with Mr. Oliver and added that baseline the districts do not have paid employees and consideration that the township is 94.7 square miles must be included. Mr. Ashton agreed that this should be a ballot question.

b.) Re-Adoption of the Employee Manual
Consensus was the current manual is acceptable.

Mr. Foster stated that there is now a Local Assistance Program offered through the state. The program is for the evaluation of processes and procedures and then consult for ways to improve. There are services offered for Economic, PILOT, procurement practices, temporary CFO, tax collector and other staff training.

Township Committee Reports

William Ashton, Committeeman

Mr. Ashton reported the following:

1. The offer of purchase presented recently; he reviewed the current USPS lease agreement and they are responsible for fuel bill if there are two tanks; this maybe something to look at. Mr. Whildin offered that he believes this is a heat pump.
2. The Matts Landing negotiations is now held up due to the federal government looking to verify if this property was purchased with federal funds. Mr. Ashton suggested that the Township Committee move this up the channel to expedite.
3. He reviewed the ratables abstract and found that MRT pays 3% of the county tax contribution. Mr. Ashton questioned if the township can take on more responsibilities to cut the payment of county taxes. The county is always having ribbon cutting ceremonies on MRT tax dollars. Mr. Ashton questioned if there was a way for the township to keep more of the money here is Maurice River Township.

Ken Whildin, Deputy Mayor

Mr. Whildin reported the following:

1. DAG office will be sending out a letter regarding a contract between the state and the township regarding the Matts Landing negotiations. The state has concerns due to change in the Township Committee; expenses being paid and a lot of work is being done and if a new Township Committee does not want to complete there will be waste both in time and money. Mr. Ashton expressed that marina owners are booking boat slips now for next year and there is fear that their future is uncertain. Mr. Whildin stated that they are closer now then in the past 10 years.
2. Pinelands is looking to grandfather some clustering housing.

3. Congressman Van Drew did send out a letter to gather support for the dredging of the mouth of the river and protecting the southwest each.
4. He attended a webinar sponsored by NJDEP on public access to waterways. When presented with questions about the discrepancies between the Atlantic coastline and the Bayshore coastline they did not have answers but a meeting will be set up to address those questions.
5. The geotube project is scheduled to start on November 4th and it has a 62 day construction timeline. Mr. Whildin provided a synopsis of the work being done to protect the East Point Lighthouse shoreline. Mr. Whildin added that he has contacted the county regarding the installation of a steel plate on the wooden bridge due to estimated 200 truckloads of sand being transported to the site.

Designation of Human Resource Officer to implement and enforce the Statewide Domestic Violence Policy for Public Employees.

Mr. Whildin stated that he believes the current Personnel is capable of handling this added responsibility with the clerk serving as secondary.

Mr. Whildin made a motion for the current Personnel to serve as the Human Resource Officer and the clerk serve as secondary HRO; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

J. Roy Oliver, Mayor

Mr. Oliver reported the following:

1. A letter dated October 10, 2019 was received from Donna Rendeiro, Executive Director of the New Jersey Office of Planning Advocacy regarding re-designation of the village centers.

Mr. Oliver stated a reply was received from the Planning Advocacy regarding the re-designation of the village centers. A checklist was also supplied. Mr. Oliver suggested that all Township Committee members attend the December Land Use Board meeting to hear input from the Township Planner on what needs to be done. Mr. Stowman was in agreement for this review to take place at the December Land Use Board meeting. Mr. Oliver will send a letter to Tiffany CuvIELLO-Morrissey, Township Planner to review and prepare to address the subject of re-designation of the village centers.

2. Mr. Oliver offered that previous attempts to negotiate for the Matts Landing Marina acquisition were not working and this is why the Township Committee adopted a capital ordinance to purchase the property with the previously appraised two offered properties. Mr. Dave Golden has given a verbal okay to the offer but the township is at the state and federal government mercy at this point. Mr. Oliver suggested that in the contract between the township and the state that the state pay for all surveys required.
3. Carol from Carol's Kats and the Animal Control Officer met with the manager a Wawa to discuss the feral cats on the property. It was discovered that there were only 5-6 cats not the 30 that was reported. Wawa has hired an exterminator to address the cat issue. Mr. Oliver is meeting with Wawa to address alleviating future 'drop off' issues.

Professional Reports

Engineer

Mr. Morrissey reported the following:

Newell Road Paving – has been completed. He coordinated with the school regarding the paving schedule. The balance of the funds available will be used to pave some of the side streets off of Newell Road. The stone wick on the inside ‘S’ bend also needs to be completed.

2018 Road Program – Railroad & Hall Road intersection has been completed and the section of East Point Road where a drainage pipe was replaced is complete. Carlisle Place Road will require a deep cut of 9” and he is hopeful the work will start sooner than later. He will obtain a schedule from the contractor. The other remaining pavement under this program are ‘sections’ of Harriett and Taylor (the budget will need to be reviewed).

Deerwood Repaving – The scope work is still being done.

Municipal Aid – grants are still under review by NJDOT.

Solicitor

Mr. DiDomenico advised that a letter was sent to the Council 18 solicitor to set a date for negotiations shortly after the election.

Announcements

1. A Community Clean-Up Day is scheduled for Saturday, October 19, 2019 from 9 am to 3 pm at the Compost Facility, 3790 Route 47.
2. The General Election is Tuesday, November 5th, 2019. Polling locations are open from 6:00 am to 8:00 pm.
3. The Municipal Offices are closed on Monday, November 11, 2019 in observance of Veteran’s Day.
4. In observance of the Thanksgiving Holiday, Municipal Offices will be closed on Thursday, November 28th and Friday, November 29th.

Reports

Treasurers Report	\$488,063.71
Road Dept. Report – September 2019	
Ron’s Animal Control Monthly Report September 2019	

Mr. Whildin made a motion to approve the above stated reports; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

PAYMENT OF BILLS

Alert-All Corporation	585.00
Amtrust North America	2,126.00
Amtrust North America	1,799.00
Accses New Jersey, Inc.	744.40
AFA Protective Systems, Inc.	94.95
AFA Protective Systems, Inc.	145.00
AFA Protective Systems, Inc.	260.40
Atlantic City Electric	5,414.44

Atlantic City Electric	1,813.00
AFLAC	158.76
B.W. Stetson	59.00
Bottino Holdings, Inc	26.08
Bottino Holdings, Inc.	24.87
Board of Fire Commissioners	44,455.00
Board of Fire Commissioners	33,560.00
Board of Fire Commissioners	26,282.00
Board of Fire Commissioners	39,588.00
Belleplain Emergency Corps	6,250.00
Barber Consulting Services	125.00
Barber Consulting Services	162.49
Comcast Cable	246.01
Comcast Cable	534.28
Comcast Cable	163.81
Comcast Cable	246.01
CM3 Building Solutions	466.00
CM3 Building Solution	708.00
CM3 Building Solutions	217.17
CM3 Building Solutions	945.00
Corelogic	65.77
Corelogic	3,170.22
Cumberland County Treasurer's	859,030.72
Cumberland County SPCA	988.33
Cody's Power Equipment	415.81
City of Bridgeton	1,333.33
Cumberland Development Corp.	1,750.00
Dixon Assoc. Engineering, LLC	405.00
Dixon Assoc. Engineering, LLC	540.00
Dixon Assoc. Engineering, LLC	870.00
Dixon Assoc. Engineering, LLC	505.00
Dixon Assoc. Engineering, LLC	6,498.75
Dixon Assoc. Engineering, LLC	742.50
Denise L. Peterson	20.84
Denise L. Peterson	500.00
Denise L. Peterson	49.38
Docuvault Delaware Valley, LLC	750.00
J.C. Ehrlich Co., Inc.	86.83
Frank DiDomenico	158.15
Frank DiDomenico	991.25
Frank DiDomenico	2,000.05
Farm-Rite, Incorporated	36.82
George's Pizzeria	15.98
G&M Printwear	1,165.00
Gold Medal Environmental of NJ	19,323.33
Gold Medal Environmental of NJ	7,289.26
Garden State Highway Products	679.00
H.A. Dehart & Son	692.95
Heritage Business Systems, Inc.	41.00
Heritage Business Systems, Inc.	54.91
ICC	282.00
Jack's Auto Service, LLC	267.44
Keen Compressed Gas Co.	212.00
KG Marine Contracting, Inc.	10,012.50
Leslie G. Fogg, Inc.	611.75
Linda Dedrick	150.00
Lisa R. Fisher	29.00
Lisa R. Fisher	103.82
Liam & Crystal Devlin	48.74
Maurice River Township BOE	251,021.00
Maurice River Township BOE	188.38
MGL Printing Solutions	168.00
Major Petroleum Industries	1,537.12
Major Petroleum Industries	758.36
Major Petroleum Industries	1,644.88

New Jersey SHBP	14,683.04
New Jersey SHBP	5,470.81
New Jersey Shade Tree Federation	125.00
New York Life Insurance Co.	90.24
Nj Advance Media	101.50
New Jersey Registrars' Assoc.	80.00
National Safety Compliance	182.50
New Jersey State League of	385.00
NJ Civil Service Association	320.00
Prudential	67.07
Robert Heulings	100.00
Ronald L. Sutton, Sr.	950.00
South Jersey Gas Company	140.47
Sheppard Bus Service, Inc.	650.00
Seashore Asphalt Corp.	128.75
South Jersey Media Group	338.00
Staples Business Advantage	51.60
Staples Business Advantage	128.20
Staples Business Advantage	99.99
Stepping Into Faith	500.00
Treasurer, State of NJ	200.00
Treasurer, State of New Jersey	1,107.00
The Illusion Maker	1,200.00
T.M. Fitzgerald & Assoc., Inc.	1,326.30
Travelers CL Remittance Center	6,927.90
Tri City Paper Co.	54.70
The Home Depot	233.69
Verizon Wireless	365.66
Verizon	36.72
W.B. Mason Co., Inc.	202.47
W.B. Mason Co., Inc.	64.31
Woodard & Curran, Inc.	3,870.23
Woodard & Curran, Inc.	6,054.34
Woodard & Curran, Inc.	1,355.50
Woodard & Curran, Inc.	4,533.65

Mr. Whildin made a motion to pay all properly signed bills, seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays - None

Second Public Comment Session

Mr. Whildin made a motion to open the second public comment session noting the time at 8:36 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Mr. Ray Morgan, Bricksboro, asked for verification of the start date for the geotube installation project. Mr. Whildin verified the start date as November 4th with a 62 day construction timeline. Mr. Whildin explained the geotube is a temporary measure but many of them last 10-15 years. Mr. Whildin explained that people must stay off the geotube to ensure longevity of it.

Mr. Bud Hughes, LVFC Chief, explained that the fire companies have smoke detectors available free to the residents and asked the Township Committee to have this posted on the website. The Township Committee was agreeable.

Mr. Hughes stated that during the recent flooding problem on Route 47 in Bricksboro the OEM and Public Works were a great help to the fire companies but no help was received from the county or the state. Also, Wawa supplied anything they needed.

Mr. Oliver explained that the Heritage Society held a History Walk on October 5th which was a great success and is hopeful this will become an annual event. Mr. Oliver suggested that the school entertain making this a ‘trip’ for the students. Ms. Wells stated she already addressed the Board of Education about this.

Ashley Hughes, Dorchester, stated that the Township Committee has done a fantastic job this year and that the proof is in the pudding not on Facebook

Mr. Whildin made a motion to close the second public comment session noting the time at 8:43 pm; seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Mr. Whildin made a motion to adjourn, seconded by Mr. Ashton

Denise L. Peterson, Municipal Clerk

TOWNSHIP OF MAURICE RIVER

ORDINANCE NO. 689

**AN ORDINANCE OF MAURICE RIVER TOWNSHIP, CUMBERLAND COUNTY, NEW JERSEY
AMENDING ORDINANCE 2-67 POLICY FOR USE, OCCUPANCY AND MANAGEMENT OF
LEECHESTER HALL**

WHEREAS, the Township Committee has determined that Ordinance 2-67, Policy for Use, Occupancy and Management of Leechester Hall, should be amended so as to afford the residents of Maurice River Township greater accessibility to Leechester Hall; and

WHEREAS, the Township Committee has determined that the current fee schedule for the use of Leechester Hall should be updated so as to lessen the burden on the taxpayers of Maurice River Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Township Committee of the Township of Maurice River, County of Cumberland, State of New Jersey (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

1. SECTION 2-67.3 DEPOSITS, CHARGES AND FEES. Is amended as follows:

The following deposits, charges and fees shall apply to any rental of the facility:

- a) Deposit. A refundable ONE HUNDRED DOLLAR (\$100.00) deposit shall be due upon submission of the request for use of facility. Said deposit shall be required of any non-profit organization or individual resident of Maurice River Township.

A refundable FIVE HUNDRED DOLLAR (\$500.00) deposit shall be due upon submission of the request for use of the facility form by any business with its principal location within Maurice River Township.

The deposit shall be returned after the use of the facility has been completed and a satisfactory inspection has occurred by Township Personnel. Forfeiture of all or a portion of said deposit shall occur if the facility suffers any damage or the facility is not left in a "broom clean" condition.

- b) There shall be a one (1) time, non-refundable charge of THIRTY-FIVE DOLLARS (\$35.00) as and for inspection of the facility by Township Personnel after use.
- c) Fees. The following fees shall be assessed for use of the facility:
1. Non-Profit Organizations. All non-profit organizations including religious organizations shall be required to pay a fee of TWO HUNDRED DOLLARS (\$200.00).
 2. Township Residents. A fee of SIX HUNDRED DOLLARS (\$600.00) payable at least seven (7) business days in advance of the event.
 3. Maurice River Township Public Schools. No fees shall be required.
 4. Township Residents, Limited Activities. Township residents utilizing the facility for an activity of one hundred (100) or fewer people shall pay a fee of THREE HUNDRED DOLLARS (\$300.00) at least seven (7) business days in advance of the event. Use of the facility shall be limited to a maximum of four (4) hours and shall end no later than 9:00PM.
 5. Township Business. A fee of SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00) payable at least seven (7) business days in advance of the event.
 6. Partial Use. Township residents, non-profit organizations, including religious organizations and businesses with their principal location within Maurice River Township shall pay a fee of ONE HUNDRED TWENTY-FIVE DOLLARS (\$125.00) at least seven (7) business days in advance of the scheduled date of use. Partial use shall be limited to use of the kitchen only for non-cooking purposes without use of the kitchen ranges and shall not be permitted access to the remaining portion of the facility.
 7. After Funeral Events. (New) Township residents shall pay a fee of \$200.00 for after funeral events such as luncheons, dinners, or testimonials. Payment shall be made prior to use of the facility.
 8. Use of Kitchen. (New) Township residents using the kitchen after funeral events as noted in paragraph 7 above, shall pay a fee of \$50.00. Said fee shall be paid prior to use of the kitchen facility.

2. All other sections of Ordinance 2-67 shall remain in full force and effect except as modified by this amendment.

BE IT FURTHER ORDAINED AND ENACTED by the Township Committee of the Township of Maurice River, County of Cumberland and State of New Jersey, that this Ordinance shall take effect immediately upon adoption as prescribed by law.

TOWNSHIP OF MAURICE RIVER

ORDINANCE NO. 690

**AN ORDINANCE OF THE TOWNSHIP OF MAURICE RIVER,
CUMBERLAND COUNTY, AMENDING CHAPTER VII, TRAFFIC, OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF MAURICE RIVER, TO ADD SECTION 7-36, THE SITING OF
POLES, CABINETS, AND ANTENNAE**

WHEREAS, the Township of Maurice River (“Township”) is aware that certain technological developments have made access to its Municipal Rights-of-Way desirable by certain telecommunications companies for the placement of small cell wireless facilities (“Small Cells”); and

WHEREAS, Maurice River Township is required to exercise ordinary care to maintain its streets and sidewalks and must not surrender or impair its control over the Township streets; and

WHEREAS, the Township acknowledges that its streets are used for the ordinary purposes of travel and such other uses as customarily pertain there-to which, in recent years, are numerous and various. It thus follows that these public ways must be kept free from obstruction, nuisances, or unreasonable encroachments which destroy, in whole or in part, or materially impair, their use as public thoroughfares; and

WHEREAS, the Township has determined that its Municipal Rights-of-Way, such as they are or may be, themselves constitute a valuable resource, finite in nature, and which exists as a common right of the public to pass and repass freely over and across said lands without unreasonable obstruction or interference, and which therefore must be managed carefully ; and

WHEREAS, the Federal Telecommunications Act preserves local government’s ability to “manage the public Rights-of-Way... on a competitively neutral and non-discriminatory basis” 47 U.S.C. 253 (C); and

WHEREAS, the Federal Telecommunications Act preserves local government’s authority over the, “placement, construction and modification of personal wireless service facilities” 47 U.S.C. 332(c)(7)(A); and

WHEREAS, the Federal Telecommunications Act makes it unlawful for local government to prohibit or have the effect of prohibiting the provision of personal wireless services 47 U.S.C. 332(c)(7)(B)(i)(II); and

WHEREAS, the Federal Telecommunications Act provides that municipalities “shall not unreasonably discriminate among providers of functionally equivalent services”; 47 U.S.C. 332(c)(7)(B)(i)(I); and

WHEREAS, recent developments in wireless technology, specifically the development of 5G, involve the placement of Small Cells and Cabinets in the Municipal Rights-of-Way; and

WHEREAS, New Jersey municipalities must give consent before a Small Cell, i.e. a small antenna, can be placed on existing poles pursuant to N.J.S.A. 48:3-19 and for the erection of New Poles within the municipal Rights-of-Way pursuant to N.J.S.A. 48:17-10; and

WHEREAS, the Federal Highway Administration has acknowledged the problem of overburdening the Municipal Right-of-way by stating, “[as] demand for the finite space in existing ROW increases, the difficulty and cost of adding new utility facilities and relocating existing utility facilities also increases. Just as significant is how utility service interruptions may add to public discontent with overall highway construction. It is therefore essential for planners, designers, and builders of street and highway projects to avoid unnecessary utility relocations...” Federal Highway Administration, Avoiding Utility Relocations, <https://fhwa.dot.gov/utilites/utilityrelo/2.cfm> (accessed March 7, 2018); and

WHEREAS, the Federal Communications Commission (FCC) has recently adopted an order entitled “Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment” WT Docket No. 17-79; WC Docket 17-84, which places a shot clock on municipal review and approval for the placement of Small Cells on Existing Poles and the placement of New Poles and Cabinets in the Municipal Right-of-Way; and

WHEREAS, the erection of New Poles and Ground Level Cabinets in the Municipal Right-of-Way raises significant aesthetic and safety concerns; and

WHEREAS, Ground Level Cabinets attached to small cells trigger certain collocation requirements pursuant to Section 6409(a) of the middle Class Tax Relief and Jobs Creation Act of 2012 which raises serious concerns as to

the ability of local government to protect the public's interest in the Municipal Right-of-Way when it comes to aesthetics and the ability of the public to pass and repass over same; and

WHEREAS, New Poles and Ground Level Cabinets also raise concerns related to sight triangle encroachments and other safety related issues related to the use of roadways by the public; and

WHEREAS, the FCC in its recent order provides that municipalities can impose aesthetic and location requirements on Small cells where said requirements are: 1) reasonable; 2) no more burdensome than those applied to other types of infrastructure deployments; and 3) published in advance; and

WHEREAS, the FCC in its recent order further clarified what it considers "reasonable" aesthetic requirements by stating that "in assessing that this standard has been met, aesthetic requirements that are more burdensome than those the state or locality applies to similar infrastructure deployments are not permissible, because such discriminatory application evidences that the requirements are not, in fact, reasonable and directed at remedying the impact of the wireless infrastructure deployment;" and

WHEREAS, the FCC's requirement that, in order to protect the aesthetics of the Township's Municipal Right-of-Way, it must treat like infrastructure in a like manner, necessitates the introduction of broader aesthetic requirements that apply to all Poles and Antennas and Cabinets in the Municipal Right-of-Way and not just Small Cells; and

WHEREAS, the Township has determined that the most efficient way to handle this process is to create a Right-of-Way Permit system for all New Poles, Cabinets and Antennae in the Municipal Right-of-Way; and

WHEREAS, the Township has determined that it is necessary to set forth clear standards in relation to the siting of Poles, Cabinets and Antennae for the benefit of its citizens and any utility which use or will seek to make use of said Municipal Right-of-way.

FOR THE FOREGOING REASONS, it is hereby ordained by the Township Committee of the Township of Maurice River in the County of Cumberland and State of New Jersey the following:

Traffic of the Revised General Ordinances of the Township of Maurice River is hereby amended through the addition of new Section 7-36 "Siting of Poles, Cabinets and Antennae" as follows:

Notwithstanding the foregoing, the siting of poles, cabinets and antennae within the Municipal Right-of-Way of the Township of Maurice River is subject to the issuance of a "Right-of-Way Permit" pursuant to Chapter VII, Section 7-36 of the Revised general Ordinances of the township of Maurice River.

Traffic of the Revised General Ordinances of the Township of Maurice River is hereby amended through the addition of new Section 7-36 "Siting of Poles, Cabinets, and Antennae in the Municipal Right-of-Way" as follows:

A. DEFINITIONS.

- a) "Anticipated Municipal Expenses" means the cost of processing an application for a Right-of-Way Permit including, but not limited to, all professional fees such as engineering and attorney costs incurred by the Township.
- b) "Cabinet" shall mean a small box-like or rectangular structure used to facilitate utility or wireless service from within the Municipal Right-of-way.
- c) "Electric Distribution System" shall mean the part of the electric system, after the transmission system, that is dedicated to delivering electric energy to an end user.
- d) "Existing Pole" shall mean a Pole that is in lawful existence within the Municipal Right-of-Way.
- e) "Ground Level Cabinets" shall mean a Cabinet that is not attached to an existing pole and is touching or directly supported by the ground.
- f) "Municipal Right-of-Way" shall mean the surface of, and the space above or below, any public street, road, place, public way or place, sidewalk, alley, boulevard, parkway, drive, and the like, held by the Township as an easement or in fee simple ownership. This term also includes Rights-of-Way held by the County of Cumberland where the township's approval is required for the use of same pursuant to N.J.S.A 27:16-6. This Term shall not include private roadways.
- g) "Pole" shall mean a long, slender, rounded piece of wood, concrete or metal.
- h) "Pole Mounted Antenna" shall mean a device that is attached to a Pole and used to transmit radio or microwave signals and shall include, but not be limited to, small cell equipment and transmission media such as femtocells, picocells, microcells, and outside distributed antenna systems.
- i) "Pole Mounted Cabinet" shall mean a Cabinet that is proposed to be placed on an Existing or Proposed Pole.
- j) "Proposed Pole" shall mean a Pole that is proposed to be placed in the Municipal Right-of-Way.
- k) "Right-of-Way Agreement" shall mean an agreement that sets forth the terms and conditions for use of the Municipal Right-of-Way and includes, but is not limited to, municipal franchise agreements.
- l) "Right-of-Way Permit" shall mean an approval from the Township setting forth applicant's compliance with the requirements of this Article.
- m) "Surrounding Streetscape" shall mean Existing Poles, Signs, Curbing, Sidewalks, Mailboxes, and any other structure typically found in rights-of-way within the same Right-of-Way which are located within five hundred linear (500) feet of the Proposed Pole. Poles carrying electric transmission lines shall not be considered part of the "Surrounding Streetscape."
- n) "Township Committee" shall mean the Township Committee of the Township of Maurice River.
- o) "Utilities Regulated by the Board of Public Utilities" shall mean companies subject to regulation by the New Jersey Board of Public Utilities under Chapter 48 of the Revised Statutes.

- p) "Utility Service" shall mean electric, telephone, or cable service.
- q) "Zone, Non-Residential" shall mean the PPHB, PSI, and VLI zones as designated in Chapter XXXV of the Revised General Ordinances of the Township of Maurice River.
- r) "Zone Residential" shall mean any zones permitting single family, two family, or multifamily residences, assisted-living residences, nursing homes, and/or residential health care facilities.

B. ACCESS TO RIGHT-OF-WAY, RIGHT-OF-WAY PERMITS:

- 1. No person shall operate or place any type of Pole Mounted Antenna, Cabinet or pole within the Municipal Right-of-Way except pursuant to a Right-of Way permit per the provisions of this section.

C. APPLICATION TO UTILITIES REGULATED BY THE BOARD OF PUBLIC UTILITIES:

- 1. Notwithstanding any franchise or Right-of-Way Agreement to the contrary, all Antennae, Poles, and Cabinets proposed to be placed within the Municipal Right-of-Way by a Utility Regulated by the Board of Public Utilities, or any other entity with legal access to the Municipal Right-of-Way, shall be subject to the standards and procedures set forth in this Article and shall require Right-of-Way Permits for the siting of Poles, Antennae and Cabinets in the Municipal Right-of-Way.

D. RIGHT-of-WAY PERMITS, SITING STANDARDS FOR POLES, ANTENNAE AND CABINETS IN THE RIGHT-of-WAY:

- 1. No Pole, Antenna or Cabinet shall be installed within the Municipal Right-of-Way without the issuance of a Right-of-Way Permit.
- 2. Pole Siting Standards
 - i. Height: No Pole shall be taller than thirty-five (35) feet or 10% of the average height of Poles in the Surrounding Streetscape, whichever is higher.
 - ii. Location, Safety and Aesthetics. No Pole shall be erected in the Right-of-Way unless it:
 - 1. Is used to bring Utility Service across the Right-of-Way to an existing or proposed development from an Existing Pole; or
 - 2. Is replacing an Existing Pole; or
 - 3. Approved pursuant to a land development application by the Township's Land Use Board pursuant to a land use application; or
 - 4. Located on the opposite side of the street from the Electric Distribution System; and
 - 5. For sites in Residential Zones, it is two hundred linear feet from any other Existing Pole or Proposed pole along the same side of the street, or for sites in Non-Residential Zones is one hundred linear feet from any other Existing Pole or Proposed Pole along the same side of the street; and
 - 6. Is not located in an area with underground utilities; and
 - 7. Does not inhibit any existing sight triangles or sight distance; and
 - 8. Allows adequate room for the public to pass and re-pass across the Municipal Right-of-Way; and
 - 9. Is finished and/or painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties.
 - iii. Application of Pinelands Regulations to proposed Poles. Notwithstanding the standards set forth in subsection (ii) of Section 7-36D(z)(ii), no Pole shall be sited in a manner inconsistent with Subchapter 5 and 6 of the Pinelands Comprehensive Manage Plan (N.J.A.C. 7:50-5 and 6 et seq.)
- 3. Ground Level Cabinet Site Standards
 - i. Ground Level Cabinets are prohibited in Residential Zones.
 - ii. Ground Level Cabinets are permitted in Non-Residential Zones provided that each Ground Level Cabinet:
 - 1. Is less than twenty-eight cubic feet in volume; and
 - 2. Is finished and/or painted so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties; and
 - 3. Does not inhibit an existing sight triangles or sight distance; and
 - 4. Allows adequate room for the public to pass and repass across the Municipal Right-of-Way.
 - 5. Ground level cabinets shall be marked at the four corners of each side of the ground level cabinet with reflective tape or reflective markers in order to alert motorists of the existing ground level cabinet.
- 4. Pole Mounted Antenna and Pole Mounted Cabinet Siting Standards
 - i. Pole Mounted Antennae are permitted on Existing Poles in all zones, provided that each Pole Mounted Antenna:
 - 1. Does not exceed three (3) cubic feet in volume: and
 - 2. Is finished and/or painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties; and

3. Does not inhibit sight triangles or sight distance; and
 4. Allows adequate room for the public to pass and repass across the Municipal Right-of-Way.
- ii. Pole Mounted Cabinets are permitted on Existing Poles in all zones, provided that each Pole Mounted Cabinet:
 1. Does not exceed sixteen (16) cubic feet; and
 2. Is finished and/or painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as to minimize its visual impact on surrounding properties; and
 3. Does not inhibit sight triangles or sight distance; and
 4. Allows adequate room for the public to pass and repass across the Municipal Right-of-Way.
 - iii. The Township may also require that a Permittee provide a certification from a licensed engineer attesting to the structural integrity of any Pole Mounted Antenna or Pole Mounted Cabinet and the structure on which it is proposed to be mounted.
 - iv. The above Certification by a Licensed Engineer shall be subject to review and approval by the Township Engineer who shall prepare a report reflecting the Township Engineer's findings and any recommendations. A copy of such report shall be provided to the applicant and to the Township Committee.

E. APPLICATION PROCESS:

1. Pre-Application Meeting-Prior to making a formal application with the Township for use of the Municipal Right-of-Way, all applicants shall meet with the Township Engineer to review the scope of applicant's proposal.
2. The Township Committee shall, by resolution, approve or disapprove every Right-of-Way Permit application based on the recommendations provided to it by the Township Engineer.
3. All applications made under this section which trigger Federal Communications Commission shot clock rules pursuant to the Federal Communications commission Order Titled "Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by the Removal of Barriers to Infrastructure Investment." WT Docket NO. 17-79; WC Docket No. 17-84 shall be processed on an expedited basis.
4. Every application for a Proposed Pole shall be deemed incomplete upon filing unless same includes:
 - a) A stamped survey prepared by a New Jersey licensed surveyor demonstrating that any such Proposed Pole is located within the Municipal Right-of-Way.
 - b) For sites within the Pinelands Area, a certificate of filing from the New Jersey Pinelands Commission.
5. The Township Engineer shall review applications made pursuant to this article and advise the Township Council of his or her recommendation to approve or disapprove same. If he or she recommends that an application be disapproved, the factual basis for that recommendation must be transmitted to the Township Committee in writing.
6. If the Township Committee denies any application made under this Section, it shall do so in writing and set forth the factual basis therefor.
7. Upon the completion of construction of improvements identified in the approved permit, the applicant shall notify the Township Clerk in writing that all construction is complete.
8. Upon notification noted above, the Township Engineer shall conduct a post-construction inspection to confirm that all improvements have been installed in accordance with the approved plans. This inspection will verify the location of the construction components only and will not include any structural, electrical or mechanical inspection that may be required by the Township Construction Code Official.
9. Upon completion of the inspection noted above, the Township Engineer shall provide a written report to the Township Committee as to whether or not the work has been installed in accordance with the approved plans and approved permit.
10. The applicant's escrow shall not be returned until the Township Engineer has determined that all work has been performed as per the approved permit and has been performed in a satisfactory manner. Release of the applicant's escrow shall be approved by the Township Committee upon recommendation of the Township Engineer.

F. WAIVER

1. Except for standard set forth in Subchapter 5 and 6 of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-5 and 6 et seq.), the Township Committee may waive any siting standard set forth in Section 372-38 where the applicant demonstrates that strict enforcement of said standard:

- i. Will prohibit or have the effect of prohibiting any interstate telecommunications service pursuant to 47 U.S.C 253(a); or
- ii. Will prohibit or have the effect of prohibiting personal wireless service pursuant to 47 U.S.C. 332(c)(7)(B)(i)(II); or
- iii. Will violate any requirement set forth by the Federal Communications Commission Order Entitled “Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment; Accelerating Wireline Broadband Deployment by the Removal of Barriers to Infrastructure Investment.” WT Docket NO. 17-79; WC Docket No. 17-84.

G. RIGHT-OF-WAY PERMIT FEES AND DEPOSIT TOWARDS ANTICIPATED MUNICIPAL EXPENSES:

- 1. Every Right-of-Way Permit application must include a Right-of-Way Permit Fee in the following amounts:
 - i. One (1) collocation site on Existing Pole- \$500.00.
 - ii. Each additional collocation site on an Existing Pole- \$200.00
 - iii. The application fee for a telecommunication facility to be newly installed shall be \$500.00.
- 2. Deposit Towards Anticipated Municipal Expenses:
 - i. In addition to the Right-of-Way Permit Fee, the Township shall, require the posting of a two thousand-dollar (\$2,000.00) Deposit Towards Anticipated Municipal Expenses related to an application made pursuant to this Chapter.
 - ii. Applicant’s Deposit Towards Anticipated Municipal Expenses shall be placed in an escrow account. If said deposit contains insufficient funds to enable the Township to perform its review, the Chief Financial Officer of the Township shall provide applicant a notice of insufficient balance. In order for review to continue, the applicant shall, within ten (10) days post an additional two thousand-dollar (\$2,000.00) deposit.
 - iii. The Chief Financial Officer shall, upon request by the applicant, and after a final decision has been made by the Township Committee regarding his or her pending Right-of-Way Permit application, and subject to review by the Township Engineer and Township Solicitor, refund any unused balance from applicant’s Deposit Towards Anticipated Municipal Expenses.
- 3. Annual Fee Expenses:
 - i. An Annual Right-of-Way fee payable to the Township by the applicant for the non-exclusive occupancy of the Township Right-of-Way by the applicant shall be in the amount of \$500.00.
 - ii. The applicant shall be required to notify the Township Clerk in writing on a Township approved form advising as to but not limited to the following information:
 - a) Whether or not the communication facility is actively used.
 - b) The name, address, telephone number and point of contact of the owner or lessee of the communication facility.

H. PERMITTED COMMUNICATIONS FACILITY USES/ ADMINISTRATIVE REVIEW; APPLICATION:

- 1. Permitted Use: the following uses within the Public Right-of- Way shall be a permitted use, subject to Administrative Review only and issuance of a Permit as set forth in this Section. All such uses shall be in accordance with all other applicable provisions of this Chapter:
 - i. Collocation of a Small wireless Facility or a Collocation that qualifies as an Eligible Facilities Request;
 - ii. Modification of a Pole, Tower or Support Structure or Replacement of a Pole, for Collocation of a Communications Facility that qualifies as an Eligible Facilities Request or involves a Small Wireless Facility that does not exceed the maximum limitations set forth herein.
 - iii. Construction of a new Pole or a monopole Tower (but no other type of tower) to be used for Collocation of a Small Wireless Facility that does not exceed the maximum height set forth herein; and
 - iv. Construction of a Communications Facility, other than those set forth in subparagraphs (i), (ii), or (iii) in this Subsection involving the installation of coaxial, fiber optic or other cabling, that is installed underground (direct buried or in conduit), or aboveground between two or more Poles or a Pole and a Tower and/or Support Structure, and related equipment and appurtenances.

2. Permit Required: No person shall place any facility described above in the Public Right-of-Way without first filing an Application for same and obtaining a Permit therefor, except as otherwise expressly provide in this chapter.
3. Proprietary or Confidential Information in Application: The Township shall make accepted Applications publicly available. Notwithstanding the foregoing, Applicant may designate portions of its Application materials that it reasonably believes contain proprietary or confidential information as “proprietary” or “confidential” by clearly making each portion of such materials accordingly, and the Township shall treat the information as proprietary and confidential, subject to New Jersey Open Public Records Act and the Township’s determination that the Applicant’s request for confidential or proprietary treatment of an Application material is reasonable.
4. Administrative Review Application Requirements: The Application shall be made by the applicable Provider or its duly authorized representative and shall contain the following:
 - i. The Applicant’s name, address, telephone numbers, and e-mail addresses, including emergency contact information for the applicant.
 - ii. The names, addresses, telephone numbers, and email addresses of all consultants, if any, acting on behalf of the Applicant with respect to the filing of the Application.
 - iii. A general description of the proposed work and the purposes and intent of the proposed facility. The scope and detail of such description shall be appropriate to the nature and character of the physical work to be performed, with special emphasis on those matters likely to be affected or impacted by the physical work proposed.
 - iv. Detailed construction drawings regarding the proposed facility.
 - v. To the extent the proposed facility involves Collocation on a Pole, Tower or Support Structure, a structural report performed by a duly licensed engineer evidencing that the Pole, Tower or Support Structure will structurally support the Collocation in accordance with Applicable Codes.
 - vi. For any new aboveground facilities, visual depictions or representations if not include in the construction drawings.
5. Ordinary Maintenance, Repair, and Replacement: An Application shall not be required for Ordinary Maintenance, Repair, and Replacement, other than to the extent required for Permits described herein.
6. Information Updates: Any material change to information contained in an Application shall be submitted in writing to the Township within thirty (30) days after the change necessitating the change.
7. Application Fees: Unless otherwise provide by applicable Laws, all Applications pursuant to this Chapter shall be accompanied by the Fees required under Subsection G2 above.

I. ACTION OF ADMINISTRATIVE REVIEW APPLICATIONS

1. Review of Applications for Administrative Review
 - i. The Township shall review the Application in light of its conformity with applicable provisions of this Chapter, and shall issue a Permit on nondiscrimination terms and conditions, subject to the following requirements:
 - a) Within twenty (20) days of receiving an Application, the Township shall determine and notify the Applicant whether the Application is complete; of if an application is incomplete, the Township shall specifically identify the missing information and may toll the approval interval in Subsection I1b below. The Applicant may resubmit the completed Application within twenty (20) days without additional charge, and the subsequent review will be limited to the specially identified missing information subsequently completed, except to the extent material changes to the proposed facility have been made by the Applicant (other than those requested or required by the Township) in which case a new Application and Application Fee for same must be submitted; and
 - b) The Township shall make its final decision to approve or deny the Application within sixty (60) days for a Collocation, and ninety (90) days for any new structure, after the Application is deemed complete;
 - c) The Township shall advise the Applicant in writing of its final decision, and in the final decision document the basis for a denial, including specific code provisions and/or regulations on which the denial was based. A decision to deny an application shall be in writing and supported by substantial evidence contained in a written record, publicly released, and sent to the applicant. The written decision, supported by such substantial evidence, shall constitute final action by

the Township. The review period or “shot clock” shall run until the written decision, supported by substantial evidence, is related and sent to the Applicant contemporaneously. The Applicant may cure the deficiencies identified by the Township and resubmit the Application within 30 days of the denial without paying an additional Application Fee unless denial was issued due to non-compliance with Design Guidelines or other requirements under this Article.(in which case a new Application Fee must be paid). The Township shall approve or deny the revised Application within thirty (30) days of receipt of the revised Application. The subsequent review by the Township shall be limited to the deficiencies cited in the original denial and any material changes to the Application made to cure any identified deficiencies.

- ii. If the Township fails to act on an application within the review period referenced in Subsection I1b, the Applicant may provide the Township written notice that the time period for acting has lapsed, and the Township then has twenty (20) days after receipt of such notice within which to render its written decision, failing which the Application is then deemed approved by passage of time and operation of law and a Permit shall be deemed issued for such Application. Applicant shall provide notice to the Township at least seven (7) days prior to beginning construction or Collocation pursuant to the de facto Permit issued under this Subsection, and such notice shall not be construed as an additional opportunity for objection by the Township or other entity to the deployment.
 - iii. An Applicant seeking to construct, modify or replace a network of Communications Facilities may, at the Applicant’s discretion and subject to the Township’s Application requirements and process, file a consolidated Application and receive a Single Permit for multiple Communications Facilities, or multiple Permit(s) for any and all sites in a consolidated Application that it does not otherwise deny, subject to the requirements of this Section.
2. Review of Eligible Facilities Requests: Notwithstanding any other provision of this Chapter, the Township shall approve within sixty (60) days and may not deny Applications for Eligible Facilities Requests according to the procedures established under 47 C.F.R. 1.40001(c).
 3. Small Wireless Facilities; Maximum Height; Other Requirements:
 - i. Maximum Size of Permitted Use: Small Wireless Facilities, and new modified or Replacement Poles, Towers and Support Structures to be used for Collocation of Small Wireless facilities may be placed in the Public Right of Way as a permitted use in accordance with this Subsection, subject to the following requirements:
 - a) Each new, modified or Replacement Pole, Tower, or Support Structure installed in the Public Right-of-Way shall not exceed the greater of
 1. Five (5) feet above the tallest existing Pole Tower, or Support Structure not exceeding 50 feet in the Public Right-of-Way, in place as of the effective date of this Chapter, and located within 500 feet of the new proposed Pole, Tower or Support Structure; or ten (10) feet on utility distribution poles where required by the electrical utility separation requirements; or
 2. Fifty (50) feet above ground level.
 - b) Each modified or Replacement Pole, Tower or Support Structure installed in the Public Right-of-Way shall not exceed the greater of:
 1. Five (5) feet above the height of the Pole, Tower or Support Structure being modified or replaced in place as of the effective date of this chapter; or ten (10) feet on utility distribution poles where required by the electrical utility separation requirements; or
 2. The height limit under Subsection D2.
 4. Discretionary Review Requirements: Unless an Applicant seeks to install a Communications Facility that conforms to the specific uses and size and height limitations set forth in above or involves Ordinary Maintenance, Repair and replacement, the Application shall be subject to the Discretionary Review- e.g., zoning/land use- requirements set forth in the Township Land Use Ordinance applicable to construction and placement of such facilities.
 5. Undergrounding Provisions: The Township shall administer undergrounding provisions in a non-discriminatory manner. It shall be the objective of the Township and all Public Right-of-Way occupants to minimize disruption or discontinuance of service of all kinds to consumers, through mutual obligation to coordinate and timely complete such projects.

An occupant shall comply with nondiscriminatory Township underground requirements that are 1) are in place and published prior to the date of initial filing of the application, and 2) prohibit electric,

telecommunications and cable providers from installing above-ground horizontal cables, Poles, or equivalent vertical structures in the Public ROW; and the Township may require the removal of overhead cable and subsequently unused Poles. In areas where existing aerial utilities are being moved underground, Wireless Providers shall retain the right to remain in place, under their existing authorization, by buying out the ownership of the Pole(s), subject to the concurrence of the Pole owner and consent of the Township (which consent may not be unreasonably withheld, conditioned or delayed) or, alternatively, the wireless provided may reasonably replace the existing Pole(s) or vertical structure locations for Antennae and accessory equipment, as a permitted use within 50 feet of the prior location, unless a minimally greater distance is necessary for compelling public welfare.

In neighborhoods or areas with existing underground utilities that do not have Small Wireless Facilities deployed as permitted use, a new entrant Wireless Provider applying after utilities have been placed underground shall first seek existing vertical structure locations, if technically feasible for the wireless service to be deployed. To the degree such vertical structures are not available, and upon receiving an approved Permit, the Applicant shall be entitled to place Poles or vertical structures as necessary to provide the wireless service using vertical structures commensurate with other vertical structures in the neighboring underground utility area.

In neighborhoods or areas with existing underground utilities that do have Small Wireless Facilities deployed as a permitted use, a new entrant Wireless Provider applying after utilities have been placed underground shall first seek existing vertical structure locations, if technically feasible for the wireless service to be deployed. To the degree such vertical structures are not available, and upon receiving an approved Permit, the Applicant shall be entitled to place Poles or vertical structures as necessary to provide the Wireless service using vertical structures commensurate with other vertical structures of Wireless Providers in the neighboring underground utility area.

In the neighborhoods with underground utilities, whether being converted from overhead utilities or initially underground, micro-wireless devices, typically strand-mounted, shall be treated like other Small Wireless Facilities in the Public ROW, requiring permitted use status, and subject to non-recurring and recurring Fees and Rates.

6. Effect of Permit:
 - i. Authority Granted; No Property Right or Other Interest Created: A Permit from the Township authorizes an Applicant to undertake only certain activities in accordance with this Chapter, and does not create a property right or grant authority to the Applicant to impinge upon the rights of others who may already have an interest in the Public ROW.
 - ii. Duration: Any Permit for construction issued under this Article shall be valid for a period of six (6) months after issuance, provided that the six month period shall be extended for up to an additional 6 months upon written request of the Applicant made prior to the end of the initial 6 month period if the failure to complete construction is delayed as a result of circumstances beyond the reasonable control of the Applicant.
7. Removal, Relocation or Modification of a communications Facility in the Right-of-Way:
 - i. Notice: Within ninety (90) days following written notice from the Township, a Provider shall, at its own expense, protect, support, temporarily or permanently disconnect, remove, relocate, change or alter the position of any communications Facility within the Public Right-of-Way whenever the Township has determined that such removal, relocation, change or alteration is reasonably necessary for the construction, repair, maintenance or installation or any Township improvement in or upon, or the operations of the Township in or upon, the Public Right-of-Way. The Township shall apply the same standards to all utilities in the Public Right-of-Way.
 - ii. Emergency Removal or Relocation of Facilities: The Township retains the right and privilege to cut power to or move any Communications Facility located within the Public Right-of-Way of the Township, as the Township may determine to be necessary, appropriate or useful in response to any public welfare emergency, or safety emergency. If circumstances permit, the Township shall notify the Provider and provide the Provider an opportunity to move its own facilities prior to cutting power to or removing the Communications Facility and in all cases shall notify the Provider after cutting power to or removing the Communications Facility as promptly as reasonably possible.
 - iii. Abandonment of Facilities: A Provider is required to notify the Township of abandonment of any Communications Facility at the time the decision to abandon is made, however, in no case shall such notification be made later than 30 days prior to abandonment. Following receipt of such notice, the Township shall direct the Provider to remove all or any portion of the Communications Facility if the Township determines that such removal will be in the best interest of the public safety and public welfare. If the Provider fails to remove the abandoned facility within sixty (60) days after such notice, the Township may undertake to do so and recover the actual and reasonable expenses of doing so from the Provider, its successors and/or assigns.
 - iv. Structural reconditioning, Repair, and Replacement: From time to time, the pole owners may paint, recondition, or otherwise improve or repair the owner's Poles in a substantial way ("Reconditioning Work"). The Provider shall reasonably cooperate with the owner to

carry out Reconditioning Work activities in a manner that minimizes interference with the Provider's approved use of the facility.

J. MISCELLANEOUS PROVISIONS:

1. Any approval received pursuant to this Chapter does not relieve the applicant from receiving consent from the owner of the land above which an applicant's facility may be located as may be required under New Jersey Law, or the owner of any existing pole on which the facility may be mounted.
2. Applicant must, in addition to receiving a Right-of-Way Permit, also receive all necessary road opening permits, construction permits, and any other requirement set forth in the Revised Ordinances of the Township of Maurice River or state statutes.
3. The Township's consent for use of County Roads, as required pursuant to N.J.S.A. 27:16-6, shall take the form of a Right-of-Way Permit subject to the standards and application process set forth in this Chapter. No such applicant shall be required to enter into a Right-of-Way Agreement with the Township.
4. Applicant must comply with all applicable state, local and federal regulations including, but not limited to, the New Jersey Pinelands Preservation Act (N.J.S.A. 13:18A-1).

K. PROPOSED POLES-PINELANDS COMMISSION PROCESS:

1. Application submission and modification. Where a Proposed Pole is located within a Pineland Area, written notification shall be given by the Township, by email or regular mail, to the Pinelands Commission within seven days after a determination is made by the Township that an application for a Right-of-Way Permit for the siting of a Proposed Pole is complete or if a determination is made by the Township Engineer that the application has been modified. Said notice shall contain:
 - i. The name and address of the applicant;
 - ii. The legal description and street address, if any, of the parcel that the applicant proposes to develop;
 - iii. A brief description of the proposed development, including uses and intensity of uses proposed;
 - iv. The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued;
 - v. The date on which the application, or any change thereto, was filed, and any application number or other identifying number assigned to the application by the approval agency;
 - vi. The approval agency with which the application or change thereto was filed;
 - vii. The content of any change made to the application since it was filed with the Commission, including a copy of a revised plan or reports; and
 - viii. The nature of the municipal approvals being sought.
2. Meetings and hearings. Where a meeting, hearing or other formal proceeding on an application for a Right-of-Way Permit in the Pinelands Area is required, the applicant shall provide notice to the Pinelands Commission by email, regular mail or delivery of the same to the principal office of the Commission at least five days prior to such meeting, hearing or other formal proceeding. Such notice shall contain at least the following information:
 - i. The name and address of the applicant;
 - ii. The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued;
 - iii. The date, time and location of the meeting, hearing or other formal proceeding;
 - iv. The name of the approval agency, or representative thereof, that will be conducting the meeting, hearing or other formal proceeding;
 - v. Any written reports or comments received by the approval agency on the application for development that have not been previously submitted to the Commission; and
 - vi. The purpose for which the meeting, hearing, or other formal proceeding is to be held.
3. Notice of approvals and denials. The Pinelands Commission shall be notified of all approvals and denials of the Township Committee's determination related to an application for a Right-of-Way Permit in the Pinelands Area. The applicant shall, within five (5) days of the approval or denial, give notice by email or regular mail to the Pinelands Commission. Such notice shall contain the following information:
 - i. The name and address of the applicant;
 - ii. The legal description and street address, if any, of the parcel that the applicant proposes to develop;
 - iii. The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued;
 - iv. The date on which the Township Council's approval or denial was issued;
 - v. Any written reports or comments received by the approval agency on the application for development that have not been previously submitted to the Commission; and
 - vi. Any revisions to the application not previously submitted to the Commission; and
 - vii. A copy of the resolution, Right-of-Way Permit, or other documentation of the approval or denial. If the application was approved, a copy of any preliminary or final plan, plot or similar document that was approved shall also be submitted.

4. Review by the Pinelands Commission:
 - i. Upon receipt by the Pinelands Commission of the notice of approval, the Applicant's application for a Right-of-Way Permit shall be reviewed in accordance with the provisions of N.J.A.C. 7:50-4:36 through 7:50-4.42. The appeal or denial of the Township shall not be effective, and no development shall be carried out prior to a determination of whether the development approval will be reviewed by the Commission. If the applicant is notified that the Commission will review the application, no development shall be performed until such review has been completed.
 - ii. Pursuant to N.J.A.C. 7:50-4.1(b) and until January 4, 1991, approvals issued by the Pinelands Development Review Board or the Pinelands Commission under the Interim Rules and Regulations shall serve as the basis for Pinelands Commission review of local approvals under this section.
 - iii. Although the Pinelands Commission shall be notified of all denials, no such denial actions are subject to further review and action by the Pinelands Commission.
 - iv. Effect of Pinelands Commission's decision on Township's approval of Right-of-Way Permit. If the Pinelands Commission disapproves an application for development which was previously approved by the Township by way of Right-of-Way Permit, such approval shall be automatically revoked. If the Pinelands Commission approves the decision of the Township Committee related to an application for a Right-of-Way Permit, subject to conditions, the Township Committee, shall, within thirty (30) days modify its approval to include all conditions imposed by the Pinelands Commission; and if final approval of the application is required, shall grant final approval only if the application for approval demonstrates that the conditions specified by the Pinelands Commission have been met by the applicant.
5. Participation of Pinelands Commission in Township Committee meetings. The Pinelands Commission may participate in a hearing held in Maurice River Township involving the issuance of a Right-of-Way Permit Pursuant to N.J.A.C. 7:50-4.26.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 5. This Ordinance shall take effect upon final adoption and publication in accordance with law.

BE IT FURTHER ORDAINED AND ENACTED by the Township Committee of the Township of Maurice River, County of Cumberland and State of New Jersey, this Ordinance shall take effect immediately upon the adoption and publication of notice of adoption as prescribed by law.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 111-2019

**A RESOLUTION AUTHORIZING THE LEVYING OF FEES FOR PROPERTY MAINTENANCE
CONDUCTED BY THE TOWNSHIP FOR VIOLATIONS AGAINST
PROPERTY AT 187 HIGH STREET (BLOCK 280 LOT 2), LEESBURG, NJ.**

WHEREAS, the following property had been cited by the Township Housing Officer, Gordon Gross for violations of the Property Maintenance Code, and

WHEREAS, Maurice River Township Resolution #71-2019 authorized the cutting of grass and property maintenance cleanup at 187 High Street (Block 280 Lot 2) Leesburg, and

WHEREAS, the Township Road Department has cut the grass and performed property maintenance cleanup in order to circumvent potential health and safety problems, expending man/equipment hours in the process to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that a maintenance lien in the amounts listed below be placed against the respective block/lot for the cleanup of said property at a rate of \$150.00 per man/equipment hour, and

BE IT FURTHER RESOLVED that the Township reserves the right to assess additional costs and charges associated with disposal of debris and additional property maintenance, and

BE IT FURTHER RESOLVED that all vested and interested parties shall be notified of the assessment of

a maintenance lien due to the authorized property maintenance of said properties and if said maintenance lien is not paid within thirty (30) days the amount(s) reflected below will become a lien on the property which will be enforced through inclusion in a future tax sale for unpaid taxes and levies by the Township.

<u>Block/Lot</u>	<u>Property Address</u>	<u>Owner of Record</u>	<u>Time Expended</u>	<u>Total Cost</u>
Block 280 Lot 2	187 High Street	Victoria Stiles	12 man/equipment hours	\$ 1,800.00
TOTAL				\$ 1,800.00

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 112-2019

A RESOLUTION AUTHORIZING THE LEVYING OF FEES FOR PROPERTY MAINTENANCE CONDUCTED BY THE TOWNSHIP FOR VIOLATIONS AGAINST PROPERTY AT 172 GLADE ROAD (BLOCK 319 LOT 23), HEISLERVILLE, NJ.

WHEREAS, the following property had been cited by the Township Housing Officer, Gordon Gross for violations of the Property Maintenance Code, and

WHEREAS, Maurice River Township Resolution #72-2019 authorized the cutting of grass and property maintenance cleanup at 172 Glade Road (Block 319 Lot 23) Heislerville, and

WHEREAS, the Township Road Department has cut the grass and performed property maintenance cleanup in order to circumvent potential health and safety problems, expending man/equipment hours in the process to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that a maintenance lien in the amounts listed below be placed against the respective block/lot for the cleanup of said property at a rate of \$150.00 per man/equipment hour, and

BE IT FURTHER RESOLVED that the Township reserves the right to assess additional costs and charges associated with disposal of debris and additional property maintenance, and

BE IT FURTHER RESOLVED that all vested and interested parties shall be notified of the assessment of a maintenance lien due to the authorized property maintenance of said properties and if said maintenance lien is not paid within thirty (30) days the amount(s) reflected below will become a lien on the property which will be enforced through inclusion in a future tax sale for unpaid taxes and levies by the Township.

<u>Block/Lot</u>	<u>Property Address</u>	<u>Owner of Record</u>	<u>Time Expended</u>	<u>Total Cost</u>
Block 319 Lot 23	172 Glade Road	Ali Poyraz	12 man/equipment hours	\$ 1,800.00
TOTAL				\$1,800.00

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 113-2019

A RESOLUTION AUTHORIZING THE LEVYING OF FEES FOR PROPERTY MAINTENANCE CONDUCTED BY THE TOWNSHIP FOR VIOLATIONS AGAINST PROPERTY AT 7 QUAIL STREET (BLOCK 306 LOT 1), LEESBURG, NJ.

WHEREAS, the following property had been cited by the Township Housing Officer, Gordon Gross for violations of the Property Maintenance Code, and

WHEREAS, Maurice River Township Resolution #78-2019 authorized the cutting of grass and property maintenance cleanup at 7 Quail Street (Block 306 Lot 1) Leesburg, and

WHEREAS, the Township Road Department has cut the grass and performed property maintenance cleanup in order to circumvent potential health and safety problems, expending man/equipment hours in the process to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that a maintenance lien in the amounts listed below be placed against the respective block/lot for the cleanup of said property at a rate of \$150.00 per man/equipment hour, and

BE IT FURTHER RESOLVED that the Township reserves the right to assess additional costs and charges associated with disposal of debris and additional property maintenance, and

BE IT FURTHER RESOLVED that all vested and interested parties shall be notified of the assessment of a maintenance lien due to the authorized property maintenance of said properties and if said maintenance lien is not paid within thirty (30) days the amount(s) reflected below will become a lien on the property which will be enforced through inclusion in a future tax sale for unpaid taxes and levies by the Township.

<u>Block/Lot</u>	<u>Property Address</u>	<u>Owner of Record</u>	<u>Time Expended</u>	<u>Total Cost</u>
Block 306 Lot 1	7 Quail	Deborah Buck	12 man/equipment hours	\$ 1,800.00
TOTAL				\$ 1,800.00

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 114-2019

A RESOLUTION AUTHORIZING THE LEVYING OF FEES FOR PROPERTY MAINTENANCE CONDUCTED BY THE TOWNSHIP FOR VIOLATIONS AGAINST PROPERTY AT 4464 ROUTE 47 (BLOCK 320 LOT 132), DELMONT, NJ.

WHEREAS, the following property had been cited by the Township Housing Officer, Gordon Gross for violations of the Property Maintenance Code, and

WHEREAS, Maurice River Township Resolution #83-2019 authorized the cutting of grass and property maintenance cleanup at 4464 Route 47 (Block 320 Lot 132) Delmont, and

WHEREAS, the Township Road Department has cut the grass and performed property maintenance cleanup in order to circumvent potential health and safety problems, expending man/equipment hours in the process to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that a maintenance lien in the amounts listed below be placed against the respective block/lot for the cleanup of said property at a rate of \$150.00 per man/equipment hour, and

BE IT FURTHER RESOLVED that the Township reserves the right to assess additional costs and charges associated with disposal of debris and additional property maintenance, and

BE IT FURTHER RESOLVED that all vested and interested parties shall be notified of the assessment of a maintenance lien due to the authorized property maintenance of said properties and if said maintenance lien is not paid within thirty (30) days the amount(s) reflected below will become a lien on the property which will be enforced through inclusion in a future tax sale for unpaid taxes and levies by the Township.

<u>Block/Lot</u>	<u>Property Address</u>	<u>Owner of Record</u>	<u>Time Expended</u>	<u>Total Cost</u>
Block 320 Lot 132	4464 Route 47	Thomas Waters	4 man/equipment hours	\$ 600.00
TOTAL				\$ 600.00

M A U R I C E R I V E R T O W N S H I P

R E S O L U T I O N N O . 115 - 2019

A RESOLUTION AUTHORIZING MAURICE RIVER TOWNSHIP TO ENTER INTO AN AGREEMENT WITH CUMBERLAND TIRE CENTER, INC. FOR ROADSIDE TIRE SERVICES PURSUANT TO ITS PARTICIPATION AS A MEMBER OF THE CUMBERLAND COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, the Cumberland County Board of Chosen Freeholders has awarded a Cooperative Pricing System Contracts to the following company for roadside tire services and its participating members of the Cumberland County Cooperative Pricing System; and

WHEREAS, Maurice River Township is a participating member of the Cumberland County Cooperative Pricing System; and

WHEREAS, Maurice River Township entered into an Agreement with the approved vendor for providing roadside tire services for Maurice River Township for the contract period of September 1, 2015 to August 31, 2016 with the option to renew the contract for one (1) additional two (2) year term by adoption of Resolution #111-2015; and

WHEREAS, it is the desire of Maurice River Township to extend the agreement with the following company for roadside tire services with Maurice River Township for the contract period of October 1, 2019 to September 30, 2021 at the awarded rates pursuant as provided with the bid package of the Cooperative Pricing System Identifier #181-CCCPS, Bid #19-33,

Whereas, Cumberland Tire Service has agreed to provide a service vehicle at the location within one (1)

Cumberland Tire Center, Inc. 9 Washington Street Bridgeton, NJ 08302	Roadside Tire Service	Year One: 10/1/2019 to 9/30/2020 \$85.00/hr. Year Two: 10/1/2020 to 9/30/2021 \$95.00/hr
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hour after the receipt of the service call and will provide services December 1 to March 31, on a twenty-four (24) hours per day seven (7) days per week basis and from April 1 to November 30, from 7:00 AM to 5:00 PM Monday through Friday.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the Township shall enter into an Agreement with Cumberland Tire Center, Inc., 9 Washington Street, Bridgeton, NJ 08302 for the roadside tire services to Maurice River Township through the Cooperative Purchasing Award of the Cumberland County Board of Chosen Freeholders; and

BE IT FURTHER RESOLVED that the contract period shall be October 1, 2019 to September 30, 2021 at the rates indicated above per commodity pursuant to the Bid Tabulation Sheet for participating members Of The Cooperative Pricing System Identifier #181-CCCPS, Bid #19-33; and

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Township of Maurice River are hereby directed to execute and sign the Agreement and all related documentation to effectuate this contract.

**M A U R I C E R I V E R T O W N S H I P
R E S O L U T I O N N O . 1 1 6 - 2 0 1 9**

A RESOLUTION AUTHORIZING MAURICE RIVER TOWNSHIP TO ENTER INTO AN AGREEMENT WITH MASER CONSULTING, PA. FOR TESTING SERVICES (SUPERPAVE HOT MIX ASPHALT, CONCRETE, SOIL TESTING, ETC.) PURSUANT TO ITS PARTICIPATION AS A MEMBER OF THE CUMBERLAND COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, the Cumberland County Board of Chosen Freeholders has awarded a Cooperative Pricing System Contracts to the following company for testing services (superpave hot mix asphalt, concrete, soil testing, etc.) and its participating members of the Cumberland County Cooperative Pricing System; and

WHEREAS, Maurice River Township is a participating member of the Cumberland County Cooperative Pricing System; and

WHEREAS, it is the desire of Maurice River Township to renew then agreement with the following company for testing services (superpave hot mix asphalt, concrete, soil testing, etc.) with Maurice River Township for the contract period of October 1, 2019 to September 30, 2020 with the option to renew the contract for one (1) additional two (2) years term. Rates payable will be pursuant as provided with the bid package of the Cooperative Pricing System Identifier #181-CCCPS, Bid #17-29,

Maser Consulting, PA 5439 Harding Highway Mays Landing, NJ 08330	Testing Services (Superpave Hot Mix Asphalt, Concrete, Soil Testing, Etc.)
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NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the Township shall enter into an Agreement with Maser Consulting, PA, 5439 Harding Highway, Mays Landing, NJ 08339 to provide testing services (superpave hot mix asphalt, concrete, soil testing, etc.) to Maurice River Township through the Cooperative Purchasing Award of the Cumberland County Board of Chosen Freeholders; and

BE IT FURTHER RESOLVED that the contract period shall be October 1, 2019 to September 30, 2020 at the rates indicated above per commodity pursuant to the Bid Tabulation Sheet for participating members Of The Cooperative Pricing System Identifier #181-CCCPS, Bid #17-29 (Attachment A); and

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Township of Maurice River are hereby directed to execute and sign the Agreement and all related documentation to effectuate this contract.

Attachment A

<u>ITEM</u>	<u>APPROXIMATE QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
Hot Mix Asphalt (HMA) Cores	0 – 300 each	\$125.00 each	\$37,500.00 (A)
Soil Testing (Gradation)	0 – 10 each	\$ 75.00 each	\$ 750.00 (B)
Soil Testing (Density)	0 – 10 each	\$110.00 each	\$ 1,100.00 (B)
Concrete Test Cylinders	0 – 50 each	\$ 14.50 each	\$ 725.00 (C)
HMA Plant Technician	0 – 50 days	\$385.00 day	\$19,250.00 (D)

Concrete Field Technician	0 – 20 days	\$290.00 day	\$ 5,800.00 (E)
Soil Field Technician	0 – 10 days	\$300.00 day	\$ 3,000.00 (F)
Topsoil Testing	0 – 5 each	\$125.00 day	\$ 625.00 (G)

Total Lump Sum Bid Amount (A+B+C+D+E+F+G): **\$68,750.00**

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title
VII of the Civil Rights Act of 1964"**

1.
**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF *Cumberland*

We, members of the governing body of the *Township of Maurice River* being duly sworn according to law, upon our oath depose and say:

2. We are duly elected (or appointed) members of the *Committee* of the *Township of Maurice River* in the county of *Cumberland*;
3. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
4. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
5. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)

Sworn to and subscribed before me this _____ day of _____
Notary Public of New Jersey

Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

**MAURICE RIVER TOWNSHIP
CUMBERLAND COUNTY, NEW JERSEY**

RESOLUTION NO. 117-2019

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions
Under Title VII of the Civil Rights Act of 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Committee* of the *Township of Maurice River*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

**MAURICE RIVER TOWNSHIP
RESOLUTION NO. 118-2019**

**A RESOLUTION TO URGE VOTERS TO SUPPORT THE REFERENDUM ON THE ELECTION
BALLOT IN NOVEMBER, SO THAT VETERANS OR WIDOWED SPOUSES OF VETERANS WHO
RESIDE IN CONTINUING CARE RETIREMENT COMMUNITIES (CCRC) WILL BE ELIGIBLE FOR
PROPERTY TAX DEDUCTION**

WHEREAS, the State constitution for New Jersey authorizes veterans and widowed spouses of veterans who served in active duty during war and other times of emergency to receive a property tax deduction, in th amount of \$250 per year, in well-deserved recognition of their service to our country; and

WHEREAS, veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities (CCRC) have been unfairly denied eligibility for the \$250 property tax deduction because they do not won their units, even though they instead contribute to property taxes through a monthly payment, and even though they have made the same sacrifices as all veterans in our great country; and

WHEREAS, there are twenty five CCRCs in the State which collectively house approximately 2,500 veterans or widowed spouses who are being denied the property tax deduction; and

WHEREAS, Senator Vin Gopal has sponsored legislation (S1331), that has been approved by the Senate and General Assembly, to extend the deduction to veterans and their widowed spouses in CCRCs; and

WHEREAS, the extension of the deduction, because it requires an amendment to the State Constitution, must be approved by the voters at the ballot in November before it will become valid and effective; and

WHEREAS, the Township Committee now desire to memorialize their support of the referendum on the ballot in November, and to urge the voters of this State to vote in favor of the property tax deduction for veterans and widowed spouses of veterans who reside in CCRCs;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the Township Committee of Maurice River Township urge voters to support the referendum on the ballot in November 2019, so that veterans and widowed spouses of veterans who reside in Continuing Care Retirement Communities ("CCRC") will be eligible for the \$250 property tax deduction.

BE IT FURTHER RESOLVED that the Township Committee of Maurice River Township believes that this small benefit to our veterans and widowed spouses of veterans who reside in CCRCs is a proper and warranted acknowledgement of the tremendous sacrifices that veterans have given to protect and serve our great nation.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. #119-2019

A RESOLUTION ADOPTING A POLICY ON MANAGEMENT AND USAGE OF THE MAURICE RIVER TOWNSHIP FACEBOOK PAGE

WHEREAS, Best Practices recommends that a policy is implemented regarding management and usage of the Maurice River Township Facebook page; and

WHEREAS, policies on usage and management have been established and approved by the Township Committee of Maurice River Township; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the policies established will be followed in regards to requesting, content and posting of notices and advisements on the Maurice River Township Facebook page

MAURICE RIVER TOWNSHIP

RESOLUTION NO. #120-2019

A RESOLUTION ADOPTING A POLICY ON MANAGEMENT AND USAGE OF THE MAURICE RIVER TOWNSHIP BULLETIN BOARDS

WHEREAS, the Township Committee of Maurice River Township has determined it is in the Township's best interest to establish a policy on the management and usage of the bulletin boards; and

WHEREAS, policies on usage and management have been established and approved by the Township Committee of Maurice River Township; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the policies established will be followed in regards to requesting, content and posting of notices and advisements on the Maurice River Township Bulletin Boards.



Township of Maurice River
Engineer's Report
October 17 2019

Item	Project Name	Project Number	Status
1.	2018 Road Program	MR17-111	Construction of Hall Road and Railroad Avenue intersection complete. Carlisle Place Road and Harriet/Taylor Road paving pending.
2.	Newell Road Resurfacing Grants	MR17-001	Paving of Newell Road complete. Stone wick at curve to be installed. Additional paving limits to e determined based on available contract funds.
3.	Cumberland Fire Hall Septic	MR11044	Fire company has requested that DA submit appeal to septic flow determination.
4.	NJDOT Municipal Aid Grant Funding	MR18-001	Grant application for Estell Manor Road and Fox Street access pending DOT review.
5.	NJDOT Bike Path Grant Applications	MR19-001	Bikeway grant application pending DOT review.
6.	Deerwood Avenue	MR19-001	Application for Local Aid Infrastructure Fund (Discretionary Funding) to be submitted to DOT on SAGE pending DA scoping.