

**MAURICE RIVER TOWNSHIP
CLERKS AGENDA
Thursday, September 19, 2013 – 7:30 P.M.**

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

Call to Order

Pledge of Allegiance led by Mayor Sarclette.

Roll Call

A. Approval of Minutes of prior meetings.

B. Presentations

1. N.J.S.P.

C. First Public Comment Session (Limit 30 Minutes Total)

D. Ordinances

Second Reading by title, Ordinance #626, "An Ordinance Of The Township Of Maurice River, County Of Cumberland, State Of New Jersey, Authorizing Various Capital Improvements In The Aggregate Sum Of \$130,000.00."

<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>

E. Consent Agenda Resolutions

- | | | |
|---------------------|----------|--|
| * 1. Resolution No. | 119-2013 | A Resolution Authorizing Refund Of Smoke Detector Inspection Fee For 16 Evergreen Drive. |
| * 2. Resolution No. | 120-2013 | A Resolution Appointing Additional Members To The Maurice River Township Municipal Alliance Committee For Calendar Year 2013. |
| * 3. Resolution No. | 121-2013 | A Resolution Approving Determination Of Land Use Board That Lot 25 Of Block 222 Being The Former Ackley Garage Property Specifically Described In The Report Of Findings Of The Land Use Board Is Determined To Be An Area In Need Of Redevelopment As Defined In N.J.S.A. 40A:12A-1 Et Seq. As Amended. |
| * 4. Resolution No. | 122-2013 | A Resolution Approving Determination Of Land Use Board That Lot 30 Of Block 230 Being The Former Sapello Foundry Property, Specifically Described In The Report Of Findings Of The Land Use Board, Is Determined To Be An |

Area In Need Of Redevelopment As Defined In N.J.S.A. 40A:12A-1 Et Seq. As Amended.

- * 5. Resolution No. 123-2013 A Resolution Memorializing The Rejection Of Bids For Construction Of A Public Works Storage Shed.
- * 6. Resolution No. 124-2013 A Resolution Authorizing Reimbursement To Linwood Veach For Overpayment Of 2013 Taxes Against Block 321 Lot 11.
- * 7. Resolution No. 125-2013 A Resolution Authorizing Acting Fire Official.
- * 8. Resolution No. 126-2013 A Resolution Authorizing Application For Federal Fiscal Year Emergency Management Assistance Grant Funds.
- * 9. Resolution No. 127-2013 A Resolution Authorizing The Cutting Of Grass And Property Maintenance Cleanup At 16 Evergreen Dr., Block 117 Lot 23.05 And Assessment Of A Maintenance Lien Thereon.
- *10. Resolution No. 128-2013 A Resolution Authorizing Acting Court Security Personnel.
- *11. Resolution No. 129-2013 A Resolution Authorizing The Assignment Of Tax Sale Certificate #08-051 At Private Sale To Lisa Barnes.
- *12. Resolution No. 130-2013 A Resolution Authorizing Maurice River Township To Extend The Agreement With Deer Carcass Removal Services LLC Pursuant To Its Participation As A Member Of The Cumberland County Cooperative Pricing System.
- *13. Resolution No. 131-2013 Authorizes Completion Of Memorandum Of Understanding Between The State Of New Jersey Office Of Emergency Management And The Township Of Maurice River For Available Grants Under The Federal Emergency Management Agency Public Assistance And/Or Hazard Mitigation Programs For Presidentially Declared Major Disasters.
- *14. Resolution No. 132-2013 A Resolution Authorizing Approval To Submit A Grant Application And Execute A Grant Contract With The New Jersey Department Of Transportation For The Reconstruction Of Estell Manor Road Project Phase 2.
- *15. Resolution No. 133-2013 A Resolution Authorizing Approval To Submit A Grant Application And Execute A Grant Contract With The New Jersey Department Of Transportation For The Reconstruction Of River Road Project.
- *16. Resolution No. 134-2013 A Resolution Requesting Approval Of Special Items Of Revenue And Appropriation (N.J.S.A. 40A:4-87) NJDEP Southern Pine Beetle Grant Funds Grant Identifier PF13-148.
- *17. Resolution No. 135-2013 A Resolution Affirming Authorization Of The Execution Of A Subordination Of Mortgage Lien To MERS Solely As Nominee For TD Bank NA For Mark Bolton In Association With The Bayshore Housing Program.

*18. Resolution No. 136-2013 A Resolution Authorizing The Levying Of Fees For Property Maintenance For Violations Conducted By The Township Against Abandoned Property At 65, 67 East Point Road.

Other Resolutions

F. Township Committee Reports

G. Professional Report

Engineer

Solicitor

OLD BUSINESS

H. Announcements

1. Halloween will be observed in Maurice River Township on October 31, 2013 between the hours of 4:00 PM to 7:00 PM.
2. Bayshore Sustainable Infrastructure Planning Project meeting to be held Wed., Sept. 25th, 4:00 pm – 7:00 pm at the Bayshore Center at Bivalve. Public is welcome to attend.
3. Disability Awareness Day will be held Sat., 10/26/13, 9:00 am to 12:00 noon at Cumberland County College and is sponsored by Cumberland County Disabled Advisory Council.
4. Special General Election will be held Wed., 10/16/13 from 6:00 am to 8:00 pm.

I. Correspondence

1. Copy Of Letter Of Interpretation From NJDEP Dated 08/16/13re: Development Of Block 311, Lot 101, Errickson.
2. Letter From NJDEP Dated 08/22/13, Re: Non-Award Of 2013 Municipal Public Access Plan Grant.
3. Thank You Letter From Rev. James Hargrove, Port Elizabeth Church Of The Nazarene Date 08/31/13 For Use Of Township Tent.
4. Notice Of Filing And Public Hearings And Notice Of Proposed Recovery For Basic Generation Service Charges By Atlantic City Electric, BPU Docket #ER13050378, To Be Held 09/17/13 And 09/19/13.
5. Memo To Township Committee From MRT Environmental Committee Dated 09/03/13 Re: Alternate Method Of Concrete Removal At Thompson's Beach.
6. Letters From NJDEP Green Acres Program Project #0609-13-202 Dated 09/04/13 And 09/10/13, Re: Inspection And Recommendations For Parklands Developed With Green Acres Funds.

7. Letter From Russell & Mary Corson Dated 09/09/13 Requesting A 60-Day Extension For Site Cleanup Of 63 Bay Avenue.
8. Email from Louann Karrer dated 9/16/13 re: Direct Install Program for Leechester Hall and OEM Building

Other Old Business

NEW BUSINESS

J. Correspondence

1. Application for Certificate of Registration from John L. Williams to sell pumpkins, gourds, and hay at 33 High Street, Heislerville.
2. Application for Certificate of Registration from Kristopher Butter to hold Haunted Hayrides at 7215 Millville Mays Landing Rd. through October 2013.
3. Notice Of Public Hearing to be held 09/19/13, Re: An Ordinance Of Commercial Township, Cumberland County, NJ To Release, Vacate And Extinguish Any And All Public Rights In And To Apportion Of Ferry Road.
4. Notice Of Public Hearing To Be Held 09/23/13 Re: Ordinance #011-2013 An Ordinance Amending Revised General Ordinance Chapter XVIII (Flood Damage Control) And Chapter XX (Zoning) Of The Code Of Upper Township.
5. Letter From Triad Assoc. On Behalf Of Cumberland County Announcing Availability Of Home Improvement Loans To Low And Moderate Income Homeowners through Small Cities funds.
6. Facility Use Request from MRT Municipal Alliance for use of Leechester Hall Dec. 6th & 7th for a Community Holiday Fair & Bazaar.
7. Letter from Cyndy Hetzell, Cumberland County 4-H requesting to participate in the Clean Communities Roadside Program on 11/16/13.
8. Application for Street Opening from South Jersey Gas re: Block 103, Lot 1, 1 Harriet Ave., SE c/l of MacDonald Ave.

K. Other New Business

REPORTS

Treasurers Report August 2013	\$1,153,340.05
Road Dept. Report August 2013	
Ron's Animal Control Monthly Reports August 2013	

PAYMENT OF BILLS

SECOND PUBLIC COMMENT SESSION

ADJOURNMENT

Thursday, September 19, 2013, 7:30 P.M.

PRESENT: Andrew Sarclette, Mayor
Kathy Ireland, Deputy Mayor
Patricia Gross, Committeewoman
Frank DiDomenico, Solicitor
Cormac Morrissey, Engineer
Allen Foster, Finance Officer
Linda L. Costello, Acting Municipal Clerk

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

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

ROLL CALL: Mr. Sarclette, present
Mrs. Ireland, present
Mrs. Gross, present

Approval of Minutes

Mrs. Ireland made a motion to approve the minutes of prior meetings, seconded by Mr. Sarclette

Roll Call: Ayes –Ireland, Gross, Sarclette Nays – None

Presentations

Lt. Edward Murphy of NJSP reported the Station is currently down four troopers. During the month of August there were 135 calls; 17 criminal investigations, 98 motor vehicle stops, 4 DWI and 25 motor vehicle accidents. He stated there is an ongoing problem with scrappers throughout the whole area and significant arrests have been made. He reported on a big event in Commercial Township which involved 300 participants and four shootings with response by only four troopers. Lt. Murphy asked that residents report any suspicious activity.

First Public Comments Session

Mrs. Ireland made a motion to open the first public comment session at 7:34, seconded by Mrs. Gross.

Roll Call: Ayes –Ireland, Gross, Sarclette Nays – None

Julia McDowell of Doughty Lane reported an on-going issue with nuisance neighbors. They have called the State Police and she has retained an attorney. Pit bull dogs are turned loose and they go after neighbors. They have huge bon fires. Dirt bikes and four wheeler running on the street and next to her home, throwing dirt in her yard. There is no septic, they urinate on the ground and the house is in disrepair. Noise is unbearable. She feels like a prisoner in her own home. Mr. Sarclette asked if they have been in court for violations? Mrs. Gross stated the

County Health Dept. has them in court for septic issues. Ms. McDowell said they retaliate against her and have put statements on Facebook. Ms. McDowell stated she has a video. Mrs. Gross stated she knows this has been going on for a long time. Mr. Sarcellette stated the Township can help deal with the property violations and he will talk to Lt. Murphy. Mr. DiDomenico advised she must file criminal charges, the Township can't. Mr. Sarcellette stated we'll do what we can.

Mr. Sarcellette advised Mrs. Shreve that the Township is still pursuing the tree issue and are coming up with a plan.

Mrs. Gross thanked Mary Ruth Froelich for reporting the water being turned on by kids which flooded the yard at the Municipal Hall.

Mrs. Ireland made a motion to close the public comment session at 7:50 P.M. , seconded by Mrs. Gross.

Roll Call: Ayes –Ireland, Gross, Sarcellette Nays – None

Ordinances

The Acting Clerk next gave second reading by title of Ordinance #626, "An Ordinance Of The Township Of Maurice River, County Of Cumberland, State Of New Jersey, Authorizing Various Capital Improvements In The Aggregate Sum Of \$130,000.00."

Mrs. Ireland made a motion to open the public hearing on Ordinance #626, seconded by Mrs. Gross.

Roll Call: Ayes –Ireland, Gross, Sarcellette Nays – None

There being no public comment, Mrs. Ireland made a motion to close the public hearing on Ordinance #626, seconded by Mrs. Gross.

Roll Call: Ayes –Ireland, Gross, Sarcellette Nays – None

Mrs. Ireland made a motion to adopt Ordinance #626, seconded by Mrs. Gross.

Roll Call: Ayes –Ireland, Gross, Sarcellette Nays – None

Consent Agenda Resolutions

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- *18. Resolution No. 136-2013 A Resolution Authorizing The Levying Of Fees For Property Maintenance For Violations Conducted By The Township Against Abandoned Property At 65, 67 East Point Road.

Mrs. Ireland made a motion to approve all resolutions listed in the Consent Agenda, Resolutions #119-2013 through #136-2013, seconded by Mrs. Gross.

Roll Call: Ayes –Ireland, Gross, Sarclette Nays – None

Township Committee Reports

Mrs. Ireland reported that Ben Stowman has been working very hard on the Bayshore Recovery Committees and there will be an Open House at the Bayshore Center in Bivalve September 25th on ways to make the Bayshore Communities stronger.

Mrs. Gross advised the Economic Development Committee is working on the 2014 calendar and she can be contacted to add pictures. She also advised she learned that Spring Garden Marina is a green business and one of very few that are certified in the State.

Professional Reports

Engineer

8. Township Open Space/Waterfront Access Plan
9. MRT Flood Control
10. Marina Signage at Route 47/Mackey's Lane
11. Matts Landing Road Paving – Successful with County shared service for repaving Matts Landing Roadway and anticipates the project being done with two to three weeks. Mr. DiDomenico will check with the County regarding removing language referencing proration of soft costs. It was also noted the road is on state land and the County needs state approval to proceed.
12. 2014 NJDOT State Aid Grants

Solicitor

Mr. DiDomenico reported on the bid opening for security cameras. Three bids were received and the apparent low bidder is ASG from Turnersville at \$17,672.16 providing seven cameras. PSx quoted \$17,887.00, also for seven cameras. Macguire Electric quoted \$74,850.00 for twenty-three cameras.

Mr. DiDomenico advised if the Township Committee elects to award it must be done within sixty-days from Monday, October 16th.

Mr. Sarclette asked if the bid states ability to view remotely and recorded?

Mr. DiDomenico advised that is how he understand the quote and that is what our bid specs ask for. Mrs. Ireland will review and compare the bids.

Mr. DiDomenico advised South Jersey Gas is proposing another project in Milmay. He spoke with Abby Greenberg noting the last project was for thirty-three road openings and the negotiated fee was \$39,000.00. He suggested since the new project would cover forty to fifty homes a fair proposal would be \$45,000.00. Ms. Greenberg will check with their engineer but he has not heard back from her.

Mr. Morrissey commented that in other towns he has seen a cumulative impact which can destroy a road due to multiple road patches and South Jersey Gas could be held responsible to repave the road. Mr. Sarclette replied it is his understanding they didn't cut the road with the last project.

OLD BUSINESS

Announcements

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5. Memo To Township Committee From MRT Environmental Committee Dated 09/03/13 Re: Alternate Method Of Concrete Removal At Thompson's Beach.
6. Letters From NJDEP Green Acres Program Project #0609-13-202 Dated 09/04/13 And 09/10/13, Re: Inspection And Recommendations For Parklands Developed With Green Acres Funds.
7. Letter From Russell & Mary Corson Dated 09/09/13 Requesting A 60-Day Extension For Site Cleanup Of 63 Bay Avenue. Mrs. Ireland made a motion to approve a sixty-day extension through November 18, 2013 for site cleanup of 63 Bay Avenue.
Roll Call: Ayes –Ireland, Gross, Sarclette Nays – None
8. Email from Louann Karrer dated 9/16/13 re: Direct Install Program for Leechester Hall and OEM Building. Mrs. Ireland stated she reviewed the material and we would recover our costs in a short period of time. Mr. Sarclette advised we would get all new lighting fixtures in two buildings at 1/3 of the cost. The reduced cost is \$3,736.00 rather than \$12,000.00.
Mrs. Ireland made a motion to approve the direct install program, seconded by Mrs. Gross.
Roll Call: Ayes –Ireland, Gross, Sarclette Nays – None

NEW BUSINESS

Correspondence

Ron's Animal Control Monthly Reports August 2013

Mrs. Ireland made a motion to accept the above reports, seconded by Mrs. Gross.
Roll Call: Ayes –Ireland, Gross, Sarclette Nays – None

PAYMENT OF BILLS

Alert-All Corporation	597.00
AGR Builders LLC	10,676.40
Asa W. Whilden	850.00
Accu-Print Corp.	108.52
Atlantic City Electric	2,633.17
Atlantic City Electric	4,258.19
B W Stetson Co.	22.00
B W Stetson Co.	22.00
B W Stetson Co.	22.00
Buonadonna & Benson, PC	231.00
Buonadonna & Benson, PC	297.00
Buonadonna & Benson, PC	1,782.00
Buonadonna & Benson, PC	99.00
Buonadonna & Benson, PC	77.00
Barbara D. Sutton	120.00
Board of fire Commissioners	32,379.00
Board of Fire Commissioners	23,675.00
Board of Fire Commissioners	15,403.00
Board of Fire Commissioners	28,784.00
Comcast Cable	238.83
Comcast Cable	123.46
Comcast Cable	469.40
CM3 Building Solutions	405.02
CM3 Building Solutions	606.00
CASA Payroll Services	112.25
CASA Payroll Services	109.25
Civil Service Commission	75.00
Clearwater Solutions of NJ LLC	785.00
Clearwater Solutions of NJ LLC	3,495.00
C.C.I.A.	650.00
County of Cumberland	500.00
Dixon Assoc Engineering LLC	105.00
Dixon Assoc. Engineering LLC	202.50
Dixon Assoc Engineering LLC	270.00
Dixon Assoc. Engineering LLC	100.00
Dixon Assoc. Engineering LLC	1,965.00
Dixon Assoc. Engineering LLC	2,220.00
Dixon Assoc. Engineering LLC	1,807.50
Dixon Assoc. Engineering LLC	1,098.75
Daley's Pit	140.00
Denise L. Peterson	15.42
Docuvault Delaware Valley, LLC	585.00
David R. Smith	41.00
Double Creek Properties	30.00
David L. Bowen	190.00
J.C. Ehrlich Co., Inc.	83.50
Edward F. Duffy, Esquire	992.22
Frank DiDomenico	991.25
Frank DiDomenico	1,433.46

Garden State Highway Products	207.00
Garden State Highway Products	973.10
Health Mats Co.	77.05
Joseph T. Kenney	3,000.00
John J. Garton	58.25
Keen Compressed Gas Co.	97.14
Laurel Lawnmower Service Inc.	407.83
Laurel Lawnmower Service Inc.	321.41
Linwood Veach, Jr.	319.03
Lisa R. Fisher	192.00
Lisa R. Fisher	35.03
Maurice River Township BOE	2,466.83
Maurice River Township BOE	161.48
Maurice River Township BOE	161.48
Maurice River Township BOE	161.48
Maurice River Township BOE	224,823.00
Michael R. Prokson	41.00
M.R.T. Payroll Account	27,375.04
M.R.T. Payroll Account	28,368.08
Megan Swain	54.33
Michelle L. Behm	960.00
Michelle L. Behm	1,000.00
Major Petroleum Industries	590.49
Major Petroleum Industries	719.90
Mary C. Hagemann	18.08
Mary C. Hagemann	84.33
New Jersey SHPB	11,641.00
New Jersey SHPB	10,139.01
NFPA	165.00
NJ State Dept of Health & SR	5.40
NAPA (Genuine Parts Company)	79.55
New Jersey State League of	21.00
One World Hosting	9.96
One World Hosting	189.78
Pogue Inc	133.00
Prior Nami Business Systems	75.00
Power of Production Studio	100.00
PennJersey Machinery LLC	120.22
Prudential	76.64
QC Laboratories	157.50
Riggins Inc.	429.48
Riggins Inc.	259.93
Riggins Inc.	501.41
Riggins Inc.	327.67
Riggins Inc.	2,219.27
Ricoh Americas Corp.	154.39
Ricoh Americas Corp.	38.43
Ricoh Americas Corp.	154.39
Rutgers, The State University	917.00
Ron's Animal Shelter	300.00
Ronald L. Sutton, Sr.	950.00
South Jersey Gas Company	29.23
South Jersey Gas Company	32.19
Steven M. Hagemann	850.00
Sir Speedy Printing #7057	202.00
Sir Speedy Printing #7057	47.00
Shirley A. Goff	464.20
Sheppard Bus Service, Inc.	550.00

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Sharon E. Lloyd	165.00
Seashore Asphalt Corp.	160.60
South Jersey Media Group	76.32
South jersey Media Group	23.04
South Jersey Media Group	64.08
South Jersey Media Group	102.96
South Jersey Media Group	27.36
South Jersey Media Group	113.76
South Jersey Media Group	252.00
South Jersey Media Group	15.84
Staples Advantage	179.67
Staples Advantage	95.41
Staples Advantage	205.64
Selective Insurance Company	3,864.00
Selective Insurance Company	3,329.00
Tractor Supply Credit Plan	77.57
Tractor Supply Credit Plan	44.35
Tiffany A. CuvIELlo, PP, AICP	2,137.50
Tiffany A. CuvIELlo, PP, AICP	2,090.00
Tiffany A. CuvIELlo, PP, AICP	570.00
Treasurer, State of New Jersey	50.00
Tri City Paper Col.	60.80
The Home Depot	4.98
The Home Depot	58.85
The Home Depot	142.52
U.S. Postal Service	1,000.00
United States Postal Service	200.00
Verizon Wireless	376.61
Verizon Wireless	335.66
Verizon	33.03
Waste Management of NJ Inc.	13,430.00
Waste Management of NJ Inc.	9,786.99
W.B. Mason Co., Inc.	461.69
Woodard & Curran, Inc.	2,771.85
Woodard & Curran, Inc.	1,792.65

Mrs. Ireland made a motion to pay all properly signed bills, seconded by Mrs. Gross.
Roll Call: Ayes –Ireland, Gross, Sarclette Nays – None

Second Public Comment Session

Mrs. Ireland made a motion to open the second public comment session at 8:42 P.M., seconded by Mrs. Gross.

Roll Call: Ayes –Ireland, Gross, Sarclette Nays – None

Roy Oliver of Dorchester asked if the security cameras are insurable under the township’s liability policies? Mr. Sarclette advised he is sure they will be once they are installed.

Mr. Oliver also asked if the cameras must be certified as images recorded to be admissible in court. Mr. DiDomenico stated there is not a standard but pictures must be clear enough to identify perpetrators.

Mr. Fred Saunders requested the solicitor make up some kind of proclamation to post on the tree. Mr. Sarclette advised it was discussed and it needs to be determined how to place something there without damaging the tree.

Ben Stowman of Delmont asked about the paving of Matts Landing Road since the county portion has been completed. Mr. Sarclette stated they will be coming back in two to three weeks and we may need to pay a restaging fee.

Mr. Stowman also advised he attended a Long Term Recovery meeting at the Cumberland County OEM which aimed at helping private citizens. He pushed a little to get information on where the hazard mitigation requests submitted currently stand but has not received a reply.

Bill Eller of Delmont, and Road Dept. employee, asked if the oil and antifreeze containers were considered to be added to the area with the new concrete pad and fencing when doing the fuel tank project. Mr. Sarclette stated it can be looked at and possibly incorporated when doing the whole project.

Mrs. Ireland made a motion to close the public comment session at 8:50 P.M., seconded by Mrs. Gross.

Roll Call: Ayes – Ireland, Gross, Sarclette Nays – None

Mrs. Ireland made a motion to adjourn, seconded by Mrs. Gross.

Linda L. Costello, Acting Municipal Clerk

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 119-2013

A RESOLUTION AUTHORIZING REFUND OF SMOKE DETECTOR INSPECTION FEE.

WHEREAS, Fire Official records reflect receipt of \$30.00 for Smoke Detector Inspection fee for property located at 16 Evergreen Dr., and

WHEREAS, Double Creek Properties has now cancelled the agreement to purchase the property and since the inspection was not done yet has requested a refund of the Smoke Detector application fee.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the refund in the amount of \$30.00 be payable to Double Creek Properties, 521 Mill Rd. Woodbine, NJ 08270.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 120-2013

A RESOLUTION APPOINTING AN ADDITIONAL MEMBERs TO THE MAURICE RIVER TOWNSHIP MUNICIPAL ALLIANCE COMMITTEE FOR CALENDAR YEAR 2013.

WHEREAS, the Governing Body of Maurice River Township wishes to appoint additional members to the Maurice River Township Municipal Alliance Committee, and

WHEREAS, the following appointments are in addition to the appointments to the respective committees as authorized by Maurice River Township Resolution #01-2013 adopted January 2, 2013, and

WHEREAS, the term for each of the following appointments shall be effective immediately with an expiration date of December 31, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the following volunteers are appointed to the Maurice River Township Committees listed for calendar year 2013.

Municipal Alliance

Lt. Edward Murphy, New Jersey State Police
Walter Kappeler, M.R.T.E.S Superintendent

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 121-2013

RESOLUTION APPROVING DETERMINATION OF LAND USE BOARD THAT LOT 25 OF BLOCK 222 BEING THE FORMER ACKLEY GARAGE PROPERTY SPECIFICALLY DESCRIBED IN THE REPORT OF FINDINGS OF THE LAND USE BOARD, IS DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT AS DEFINED IN N.J.S.A. 40A:12A-1 ET SEQ. AS AMENDED.

WHEREAS, the Township Committee of the Township of Maurice River, by Resolution No. 78 of 2013, authorized the Land Use Board of the Township of Maurice River pursuant to N.J.S.A. 40A:12A-6 to undertake a preliminary investigation to determine whether an area under investigation within the Township is in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-1 et. seq.; and

WHEREAS, the Land Use Board, Township of Maurice River, New Jersey has given notice that it has adopted a Resolution on September 4, 2013, a copy of which is hereto annexed and made apart hereof, determining that the area under investigation, is in need of redevelopment as defined in N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the above determination was pursuant to the following Findings of Fact:

BACKGROUND TO THE AREA

The Determination of Need Report dated September 4, 2013, is hereby included by reference. In its present state, these areas and sites are suited for redevelopment under N.J.S.A. 40A:12A-1 et.seq.

More specifically, these properties are determined to be in need of redevelopment and are recommended for redevelopment to the Township Committee under the following specific criteria:

1. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions. (40A:12A-1.5(a))

2. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable. (40A:12A-1.5(b))
3. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital. (40A:12A-1.5(c))
4. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community. (40A:12A-1.5(d))

It is only through the exercise of the authority granted to the Municipality under the Redevelopment Agencies Law that these conditions can be eliminated and redevelopment encouraged.

STATEMENT OF PURPOSE

A Determination of Need through the exercise of power granted to municipalities under the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), as amended, is a necessary step toward the redevelopment of an area as outlined above.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee for the Township of Maurice River, County of Cumberland and State of New Jersey, that: the determination of the Land Use Board designating referenced properties described in the Report of Findings of the Land Use Board, attached hereto, as an area in need of redevelopment defined in N.J.S.A. 40A:12A-1 et seq. as amended, be the same is hereby approved.

NOW THEREFORE BE IT FURTHER RESOLVED, upon adoption of this Resolution, the Clerk of the Township shall transmit a copy of this Resolution to the Commissioner of Community Affairs for review pursuant to N.J.S.A. 40A:12-6 (b) (5).

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 122-2013

RESOLUTION APPROVING DETERMINATION OF LAND USE BOARD THAT LOT 30 OF BLOCK 230 BEING THE FORMER SAPELLO FOUNDRY PROPERTY, SPECIFICALLY DESCRIBED IN THE REPORT OF FINDINGS OF THE LAND USE BOARD, IS DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT AS DEFINED IN N.J.S.A. 40A:12A-1 ET SEQ. AS AMENDED.

WHEREAS, the Township Committee of the Township of Maurice River, by Resolution No. 79 of 2013, authorized the Land Use Board of the Township of Maurice River pursuant to N.J.S.A. 40A:12A-6 to undertake a preliminary investigation to determine whether an area under investigation within the Township is in need of redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-1 et. seq.; and

WHEREAS, the Land Use Board, Township of Maurice River, New Jersey has given notice that it has adopted a Resolution on September 4, 2013, a copy of which is hereto annexed and made apart hereof, determining that the area under investigation, is in need of redevelopment as defined in N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the above determination was pursuant to the following Findings of Fact:

BACKGROUND TO THE AREA

The Determination of Need Report dated September 4, 2013, is hereby included by reference. In its present state, these areas and sites are suited for redevelopment under N.J.S.A. 40A:12A-1 et.seq.

More specifically, these properties are determined to be in need of redevelopment and are recommended for redevelopment to the Township Committee under the following specific criteria:

1. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions. (40A:12A-1.5(a))
2. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable. (40A:12A-1.5(b))
3. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by

reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital. (40A:12A-1.5(c))

4. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals or welfare of the community. (40A:12A-1.5(d))

It is only through the exercise of the authority granted to the Municipality under the Redevelopment Agencies Law that these conditions can be eliminated and redevelopment encouraged.

STATEMENT OF PURPOSE

A Determination of Need through the exercise of power granted to municipalities under the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), as amended, is a necessary step toward the redevelopment of an area as outlined above.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee for the Township of Maurice River, County of Cumberland and State of New Jersey, that: the determination of the Land Use Board designating referenced properties described in the Report of Findings of the Land Use Board, attached hereto, as an area in need of redevelopment defined in N.J.S.A. 40A:12A-1 et seq. as amended, be the same is hereby approved.

NOW THEREFORE BE IT FURTHER RESOLVED, upon adoption of this Resolution, the clerk of the Township shall transmit a copy of this Resolution to the Commissioner of Community Affairs for review pursuant to N.J.S.A. 40A:12-6 (b) (5).

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 123-2013

**A RESOLUTION MEMORIALIZING THE REJECTION OF BIDS FOR
CONSTRUCTION OF A PUBLIC WORKS STORAGE SHED**

WHEREAS, the Maurice River Township Committee authorized receipt of bids pursuant to a "fair and open process" for the

construction of a public works storage shed pursuant to bid specifications prepared by the Township Engineer; and

WHEREAS, three (3) bids were received on the bid opening date of July 25, 2013; and

WHEREAS, all three (3) bids exceeded the amount of the project estimate and funds available, the lowest responsible bid being SEVENTY-FOUR THOUSAND FOUR HUNDRED EIGHTY DOLLARS (\$74,480.00); and

WHEREAS, the bid invitation and specifications set forth that the Township reserves the right to reject any and all bids as received; and

WHEREAS, pursuant to NJSA 40A:11-1 et seq, the Township Committee determined that it is in the best interest of the Township to reject all bids received on said project and did so at the Township Committee meeting of August 15, 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Maurice River Township that the Township Committee hereby memorializes action taken at the meeting of August 15, 2013 and rejects all bids received for the construction of a public works storage shed due to the fact that all bids received exceeded the project estimate and funds available.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 124-2013

A RESOLUTION AUTHORIZING REIMBURSEMENT TO LINWOOD VEACH FOR OVERPAYMENT OF 2013 TAXES AGAINST BLOCK 321 LOT 11.

WHEREAS, the Tax Collector's records show the following overpayment for 2013 third quarter tax as paid by Linwood Veach against the specific account listed below due to QFarm qualification on Block 321, Lot 11, and

WHEREAS, Mr. Veach has requested refund of overpaid taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that Linwood Veach, 21 Christianfield Road, Delmont, NJ 08314 be reimbursed the amounts shown below due to applied overpayment of taxes for 2013 third quarter tax.

Block	Lot	Owner of Record	Amount of 2013 Overpaid Tax to be Refunded
321	11	Linwood Veach	\$319.03

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 125-2013

RESOLUTION AUTHORIZING ACTING FIRE OFFICIAL

WHEREAS, the Township of Maurice River presently employs David Smith as its local Fire Official, and

WHEREAS, there are times that Mr. Smith is unavailable due to vacation, sick time or other valid reasons, and

WHEREAS, Chief Kurt Hess of Millville Fire Department is available to fill in for Mr. Smith, on an as-needed basis as the Fire Official for the Township of Maurice River, and

WHEREAS, Chief Kurt Hess is willing to perform the service as a mutual aid agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that in the event the Township of Maurice River's Fire Official is unavailable to perform his duties and responsibilities due to any of the above listed reasons, Chief Kurt Hess shall be authorized to perform such duties in the absence of the aforementioned official. This authorization shall be valid as long as Chief Hess holds all the appropriate licenses required to perform the duties of Fire Official, or until such time as this authorization is withdrawn by appropriate resolution.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 126-2013

**A RESOLUTION AUTHORIZING APPLICATION FOR FEDERAL FISCAL YEAR
EMERGENCY MANAGEMENT ASSISTANCE GRANT FUNDS**

WHEREAS, the Township of Maurice River, by and through its Office of Emergency management, desires to apply for and obtain an Emergency Management Agency Assistance Grant from the New Jersey Department of Law and Public Safety, Division of State Police; and

WHEREAS, in order to obtain such a grant, it is necessary that the Township submit an application to and enter into an agreement with the New Jersey Department of Law and Public Safety for the grant period of July 1, 2013 through June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP as follows:

1. That the Township hereby authorizes submission of an application to the New Jersey Department of Law and Public Safety for the grant referred to in the preamble hereto.
2. That the Mayor and Clerk of the Township are hereby authorized to sign said application and they or their successors and/or designees are authorized to execute said grant agreement and any other documents necessary in connection therewith.
3. That a certified copy of this resolution shall be forwarded to the New Jersey Department of Law and Public Safety.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 127-2013

A RESOLUTION AUTHORIZING THE CUTTING OF GRASS AND PROPERTY MAINTENANCE CLEANUP AT 16 EVERGREEN DR., BLOCK 117 LOT 23.05 AND ASSESSMENT OF A MAINTENANCE LIEN THEREON.

WHEREAS, the Housing Officer has advised the Township Clerk that property maintenance issues exist at Block 117, Lot 23.05, 16 Evergreen Drive in Cumberland, and

WHEREAS, the owners of record, Russell and Anna Hogan, (deceased) have been issued a violation letters for remains of a burned out house, debris and brush creating a property maintenance issue and health issue, and

WHEREAS, all notices sent by the Housing Officer on August 27, 2013 by regular and

certified mail, were returned as undeliverable, and

WHEREAS, the property is currently deemed a health and safety concern due to the property being vacated, and

WHEREAS, Municipal Tax Lien #99-007 exists and is held by Maurice River Township for non-payment of taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the Maurice River Township Road Department be authorized to correct the above referenced property maintenance violations and that a maintenance lien shall be placed against this property to cover the Township's expenses at a rate of \$75.00 per man/equipment hour expended to satisfy the existing violations including any incidental charges associated with removal and disposal of debris.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 128-2013

RESOLUTION AUTHORIZING ACTING COURT SECURITY PERSONNEL

WHEREAS, the Township of Maurice River presently employs Ronald Sutton Jr. as its local Municipal Court Attendant, and

WHEREAS, there are times that Ronald Sutton Jr. is unavailable due to vacation, sick time or other valid reasons, and

WHEREAS, William Sutton is available to fill in for Ronald Sutton Jr., on an as-needed basis as the Court Security Personnel for the Municipal Court of Maurice River, and

WHEREAS, William Sutton hold this position in the Township of Commercial and is willing to perform the service on an as-needed basis.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that in the event the Maurice River Township Municipal Court Attendant is unavailable to perform his duties and responsibilities due to any of the above listed reasons, William Sutton shall be authorized to perform such duties in the absence of the aforementioned official. This authorization shall be valid as long as William

Sutton holds all the appropriate credentials required to perform the duties of court security, or until such time as this authorization is withdrawn by appropriate resolution.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 129-2013

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF TAX SALE CERTIFICATE #08-051 AT PRIVATE SALE TO LISA BARNES

WHEREAS, Lisa Barnes of 13 Cain Avenue has requested the Township Committee assign her the following tax sale certificate at private sale, and

WHEREAS, NJSA 54:5-112 and 5-113 allow the assignment of tax sale certificates currently held by the Township to third party investors at private sale which include the full amount of the certificate plus subsequent liens and interest.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the following tax sale certificate be assigned to Lisa Barnes, 13 Cain Avenue, Leesburg, NJ 08327 at private sale for the amounts indicated at a regular meeting of the Township Committee of Maurice River Township to be held on October 17, 2013 at 7:30 PM.

Owner	Block/Lot	Tax Lien #		
Bertha Branin	296, 47.06	08-051	Amount of Certificate	279.58
			Interest	149.09
			2013 1 st Half Tax	7.64
			Interest	.27
			Amount of Assignment	436.58

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 130-2013

A RESOLUTION AUTHORIZING MAURICE RIVER TOWNSHIP TO EXTEND THE AGREEMENT WITH DEER CARCASS REMOVAL SERVICES, LLC PURSUANT TO ITS PARTICIPATION AS A MEMBER OF THE CUMBERLAND COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, the Cumberland County Board of Chosen Freeholders has extended a Cooperative Pricing System Contract to Deer Carcass Removal Services, LLC located at P.O. Box 328, Cream Ridge, NJ 08514 for the removal of deer carcasses from roadways to Cumberland County Public Works 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 extend the Agreement with Deer Carcass Removal Services, LLC for the removal of deer carcasses from roadways in Maurice River Township for the contract period of November 1, 2013 to October 31, 2014 at the rate of \$60.00 per carcass pursuant to the Bid Tabulation Sheet for Participating Members Of The Cooperative Pricing System Identifier #181-CCCCPS, Bid #11-117.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the Township shall extend the Agreement with Deer Carcass Removal Services, LLC, P.O. Box 328, Cream Ridge, NJ 08514 for an additional one-year term to provide deer carcass removal from roadways in 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 November 1, 2013 thru October 31, 2014 pursuant to the Bid Tabulation Sheet for Participating Members Of The Cooperative Pricing System Identifier #181-CCCCPS, Bid #11-117 and Cumberland County Board of Chosen Freeholders Resolution #2013-447 adopted August 27, 2013; 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 project.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 131-2013

A RESOLUTION AUTHORIZING COMPLETION OF A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT AND THE TOWNSHIP OF MAURICE RIVER FOR AVAILABLE GRANTS UNDER THE FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLIC ASSISTANCE AND/OR HAZARD MITIGATION PROGRAMS FOR PRESIDENTIALLY DECLARED MAJOR DISASTERS.

WHEREAS, the New Jersey Office of Emergency Management ("NJOEM") has issued a Memorandum of Understanding (MOU) with Township of Maurice River (the "Municipality"), relating to applications for grants under the Federal Emergency Management Agency (FEMA)_ Public Assistance and/or Hazard Mitigation programs for presidentially declared major disasters, and

WHEREAS, the agreement is part of the procedural application process for Disaster Assistance and will become effective and binding upon approval of a Project Worksheet or Hazard Mitigation Grant, and

WHEREAS, a Memorandum of Understanding by and between the NJOEM and the Municipality sets forth the minimum conditions, requirements, orders, and oversight in consideration for disaster assistance, public assistance, and/or hazard mitigation grant programs, and

WHEREAS, the Agreement requires designation of primary and alternate agents on authorized to act on behalf of Maurice River Township and shall be submitted on Exhibit A, Designation of Applicant's Agent, along with submittal of endorsed MOU, and

WHEREAS, the Township of Maurice River wishes to designate the following individuals;

Primary Agent: Gordon L. Gross, OEM Coordinator

Alternate Agent: Lillian Johnson, Clerk to Construction & Zoning

Alternate Agent: Allen Foster, Certified Municipal Finance Officer

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that Maurice River Township shall, in addition to complying with all applicable laws and regulations, observe and comply with the requirements set forth in the Memorandum of Understanding by and between the New Jersey Office of Emergency Management and the Municipality, and

BE IT FURTHER RESOLVED that the Township of Maurice River shall designate Gordon L. Gross as primary agent, Lillian Johnson and Allen Foster as alternate agents, who are authorized to represent and act on behalf of the Municipality in all dealings with the State of New Jersey on all matters pertaining to the management of grants and disaster assistance received from FEMA as required by the MOU, and

BE IT FURTHER RESOLVED that Linda L. Costello, Acting Municipal Clerk, as Chief Appointed Official, is authorized to sign the Memorandum of Understanding between the State of New Jersey Office of Emergency Management and the Township of Maurice River which shall remain in force and effect as long as the Municipality has outstanding FEMA grants that have not been closed out and/or receives future FEMA funding, including the record retention period, and

BE IT FURTHER RESOLVED any changes in regulations, policies or procedures applicable to disaster funding shall constitute an amendment to the Agreement.

Maurice River Township

Resolution No. 132-2013

A RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF ESTELL MANOR ROAD PROJECT- PHASE II.

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Maurice River formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014 Maurice River Township-00636 to the New Jersey Department of Transportation on behalf of the Township of Maurice River.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Maurice River and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Maurice River Township

Resolution No. 133-2012

A RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF RIVER ROAD PROJECT.

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Maurice River formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Maurice River Township -00635 to the New Jersey Department of Transportation on behalf of the Township of Maurice River.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Maurice River and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

RESOLUTION NO. 134-2013

**A RESOLUTION REQUESTING APPROVAL OF SPECIAL ITEMS
OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)**

**NJDEP SOUTHERN PINE BEETLE GRANT FUNDS
Grant Identifier PF13-148**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MAURICE RIVER IN THE COUNTY OF CUMBERLAND, NEW JERSEY hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$10,000.00, which item is now available as a revenue from the New Jersey Department of Environmental Protection, State of New Jersey, as Southern Pine Beetle Grant Agreement PF13-148 in the amount of \$10,000.00.

BE IT FURTHER RESOLVED that the like sum of \$10,000.00 is hereby appropriated under the caption of "Southern Pine Beetle Grant"; and

BE IT FURTHER RESOLVED that the above is the result of a state grant of \$10,000.00 from the New Jersey Department of Environmental Protection.

**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 3 5 - 2 0 1 3**

**A RESOLUTION AFFIRMING AUTHORIZATION OF THE EXECUTION
OF A SUBORDINATION OF MORTGAGE LIEN TO
MERS SOLELY AS NOMINEE FOR TD BANK, NA
FOR MARK BOLTON IN ASSOCIATION WITH THE
BAYSHORE HOUSING PROGRAM**

WHEREAS, Mark Bolton of 158 High Street, Leesburg, New Jersey 08327 qualified for participation in the Small Cities Grant known as the Bayshore Housing Program for the rehabilitation of housing units and received the sum of \$10,475.00 on September 24, 2001; and

WHEREAS, a mortgage lien evidencing such indebtedness was recorded with the Clerk of Cumberland County on February 13, 2002 in Book 2744 of Mortgages, Page 313; subordination agreement to Hudson United Bank dated October 29, 2002 and recorded in the office of the Cumberland County Clerk on November 13, 2002 in Book 2913, page 182; and

WHEREAS, Mark Bolton has applied for and received a mortgage commitment from MERS (Mortgage Electronic Registration Systems, Inc.) solely as nominee for TD Bank, N.A., 32 Chestnut Street, Lewiston, ME 04240, (hereafter "the Mortgage Company"), for premises known as Block 296, Lot 5 at 158 High Street, Leesburg, NJ 08327; and

WHEREAS, pursuant to the Commitment between Mark Bolton and the Mortgage Company requires the Township to subordinate to the Mortgage of the Mortgage Company and the Township agrees to do same since no Triggering Event as described in the Mortgage has occurred to date and due to the expiration of five years, the amount of the Township Lien is \$5,247.50.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the Township of Maurice River hereby agrees to subordinate to the Mortgage of the Mortgage Company and agrees that the Mortgage Lien between Maurice River Township and Mark Bolton dated September 24, 2001 and recorded with the Clerk of Cumberland County on February 13, 2002 in Book 2744 of Mortgages, Page 313 shall be subordinate to the mortgage of MERS solely as nominee for TD Bank, N.A.; and

BE IT FURTHER RESOLVED that the Township hereby confirms the execution of a Subordination of Mortgage Lien between the Township and MERS solely as nominee for TD Bank, N.A. to effectuate such agreement with Mark Bolton.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 136-2013

A RESOLUTION AUTHORIZING THE LEVYING OF FEES FOR PROPERTY MAINTENANCE FOR VIOLATIONS CONDUCTED BY THE TOWNSHIP AGAINST ABANDONED PROPERTY AT 65, 67 EAST POINT ROAD.

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 #91-2013 authorized cutting of grass and property maintenance cleanup of said property which has been abandoned and unattended, and

WHEREAS, the Township Road Department has mowed, trimmed, and weed whacked, hauled debris and boarded and secured the structure on said property in order to circumvent potential health problems and curtail vandalism, 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 cutting, mowing, and trimming, debris removal and boarding and securing of said property at a rate of \$75.00 per man/equipment hour, 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 of 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 316, Lot 41	65, 67 East Point Rd.	William Henderson	73.5 man/equipment hours	\$5,512.50 <u>1,590.93</u>
			Materials and Disposal Costs	
Total				\$7,103.43



313 E. JIM LEEDS ROAD
SUITE 200
GALLOWAY, NJ 08205

(609) 652-7131
FAX (609) 652-9813
WWW.DIXONASSOCIATES.COM

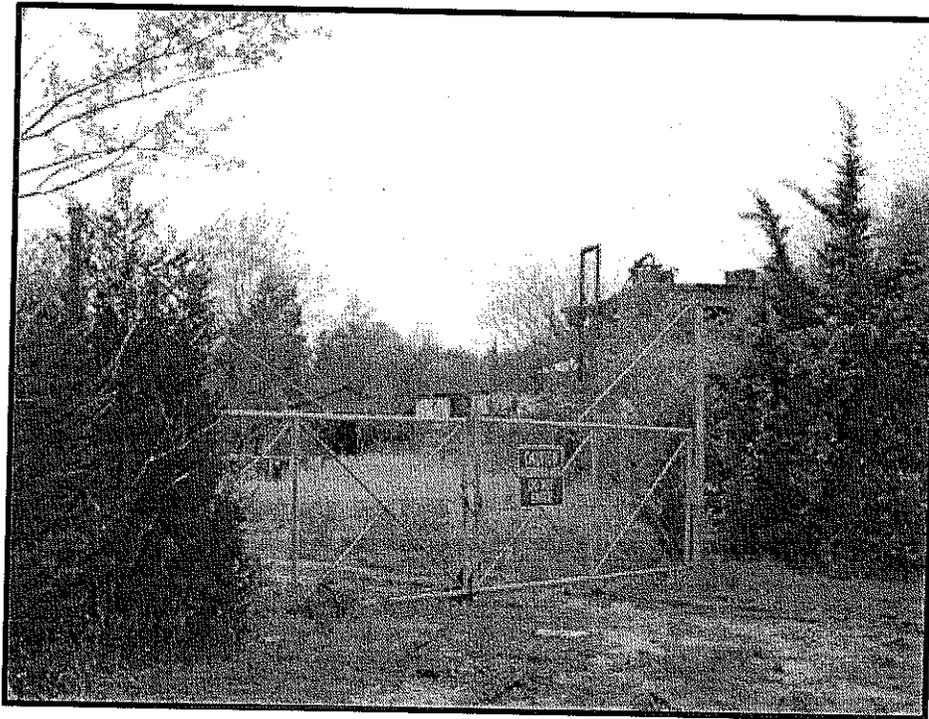
**Township of Maurice River
Engineer's Report
September 19, 2013**

Item	Project Name	Project Number	Status	Budget
1	Thompson Beach Restoration	MR11008	Project modification.	
2	Carlisle Place Road – Phase 4	MR11009	DA awaiting NJDOT final inspection for project closeout.	\$170,000 Grant
3	Public Works Storage Shed	MR11133	Township to consider options for bidding of smaller structure.	
4	Estell Manor Road -NJDOT Grant	MR12001	Project survey complete. Design plans are currently being prepared for fall bidding.	
5	Fuel Tanks	MR11010	State contract quote of \$58,115 from Slack Environmental for 3,000 split tank installation. Price includes all work excluding fencing.	
6	MRT Roadway Inventory	MR12055	Draft roadway inventory under review by Township. County has expressed interest at the possibility of working out a shared services arrangement for including paving of Township streets into County's annual road program.	
7	Schooner Landing Road Dead End	MR12001	DA seeking field meeting with NJDOT officials for signage location.	
8	Township Open Space/Waterfront Access Plan	MR12001	DA has completed draft Open Space Plan which also identifies Public Access Points to water based on MRT recommendations. DA coordinating with Township Planner for final plan and report.	
9	MRT Flood Control	MR12150	Project pending Army Corps review of dredge spoil utilization study.	
10	Marina Signage at Route 47/Mackey's Lane	MR13001	DOT contacted for authorization to provide signage for marina's at Mackey's Lane on Route 47.	
11	Matts Landing Road Paving	MR13001	DEP has authorized paving work. Work pending acceptable price from County contractor, Statewide Paving.	
12	2014 NJDOT State Aid Grants	MR13001	2014 NJDOT Municipal Aid grant applications for Estell Manor Road to be submitted on 9/20/13.	

**DETERMINATION OF NEED REPORT
SAPELLO FOUNDRY
BLOCK 230. LOT 30
BROADWAY STREET – PORT ELIZABETH
MAURICE RIVER TOWNSHIP, CUMBERLAND COUNTY**



September 4, 2013



Tiffany A. CuvIELLO, PP, LLC
Community Development and Planning

359 Superior Road • Egg Harbor Township, NJ 08234
Phone (609) 926-0505 or (856) 912-4415 • Fax (609) 926-3082
tcuvIELLO@verizon.net

**DETERMINATION OF NEED REPORT
SAPELLO FOUNDRY
BLOCK 230. LOT 30
BROADWAY STREET – PORT ELIZABETH
MAURICE RIVER TOWNSHIP, CUMBERLAND COUNTY**



As recommended by the Planning Board on September 4, 2013;
Adopted by the Governing Body on _____, 2013.

MAYOR AND COMMITTEE

Andrew Sarclette, Mayor
Kathy Ireland, Deputy Mayor
Patti Gross, Committeewoman

LAND USE BOARD

Ben Stowman, Chairman
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PREPARED BY:

Tiffany A. CuvIELLO, AICP, PP#5533

The original of this document was signed and
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INTRODUCTION

The Township Committee adopted Resolution 79-2013 on May 16, 2013 authorizing the Planning Board to undertake an investigation of Block 230, Lot 30 to determine if the property meets the criteria under the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et.seq.) as an area in need of redevelopment.

As provided for in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq.) the Planning Board must gather and evaluate existing conditions of the study area in order to conclude if they warrant a finding that the area is in need of redevelopment. Such a designation permits the agency to undertake a number of activities to help revitalize and redevelop the Study Area, activities that would not be possible otherwise. These include the preparation of a Redevelopment Plan which enables the issuance of bonds for redevelopment projects, acquisition of buildings and land through condemnation, leasing or selling property without public bidding, contracts with private entities, the use of various tax abatement programs and other actions in conjunction with the adopted redevelopment plan.

STUDY AREA

The study area includes the former Sapello Foundry, built in the 1930's as an iron pump manufacturing facility. The site was operated as the Sapello Foundry until 1993 when the property was abandoned. The property is located along Broadway Street in the Port Elizabeth section of Maurice River. Just east of the property Broadway Street turns into Weatherby Road. The eastern boundary of the property is bordered by the Winchester and Western Railroad, which is included as part of a future Rails-to-Trails corridor in the Township. The Maurice River Township Elementary School forms the southern boundary of the study area. Immediately adjacent to the property to the west are single-family residential uses. The surrounding residential development is predominately located on lots with an area of $\frac{1}{2}$ an acre or less. (Exhibit I – Sapello Foundry 200' Boundary Map prepared by Woodard and Curran and dated July 24, 2012)

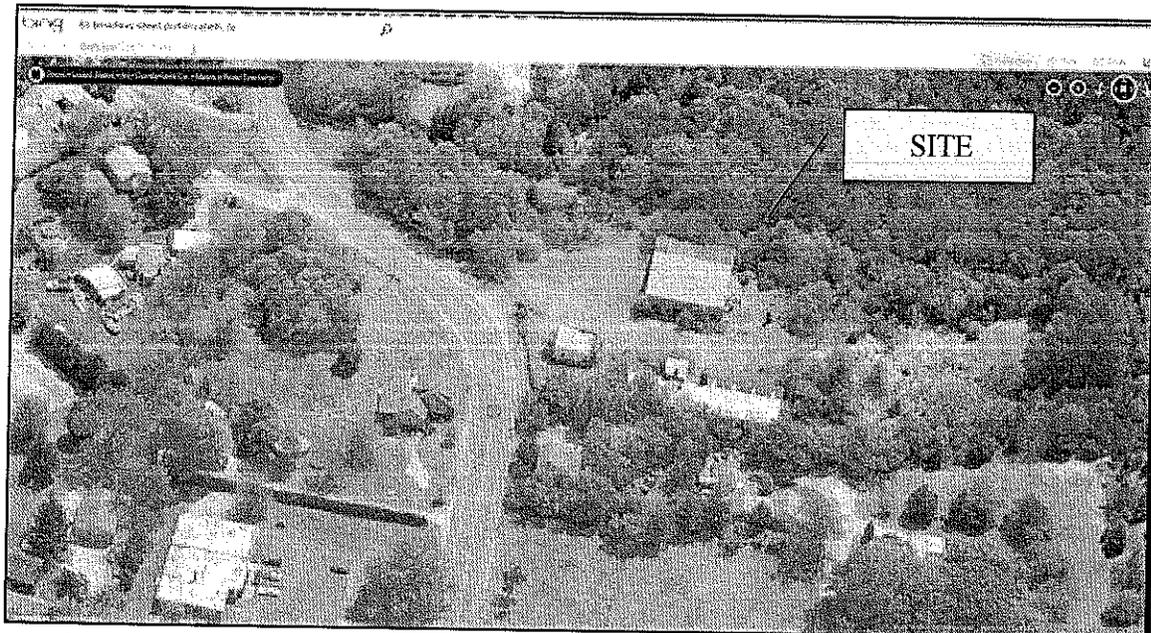


Figure 1 – Bing Map Aerial View of Property and Surrounding Area

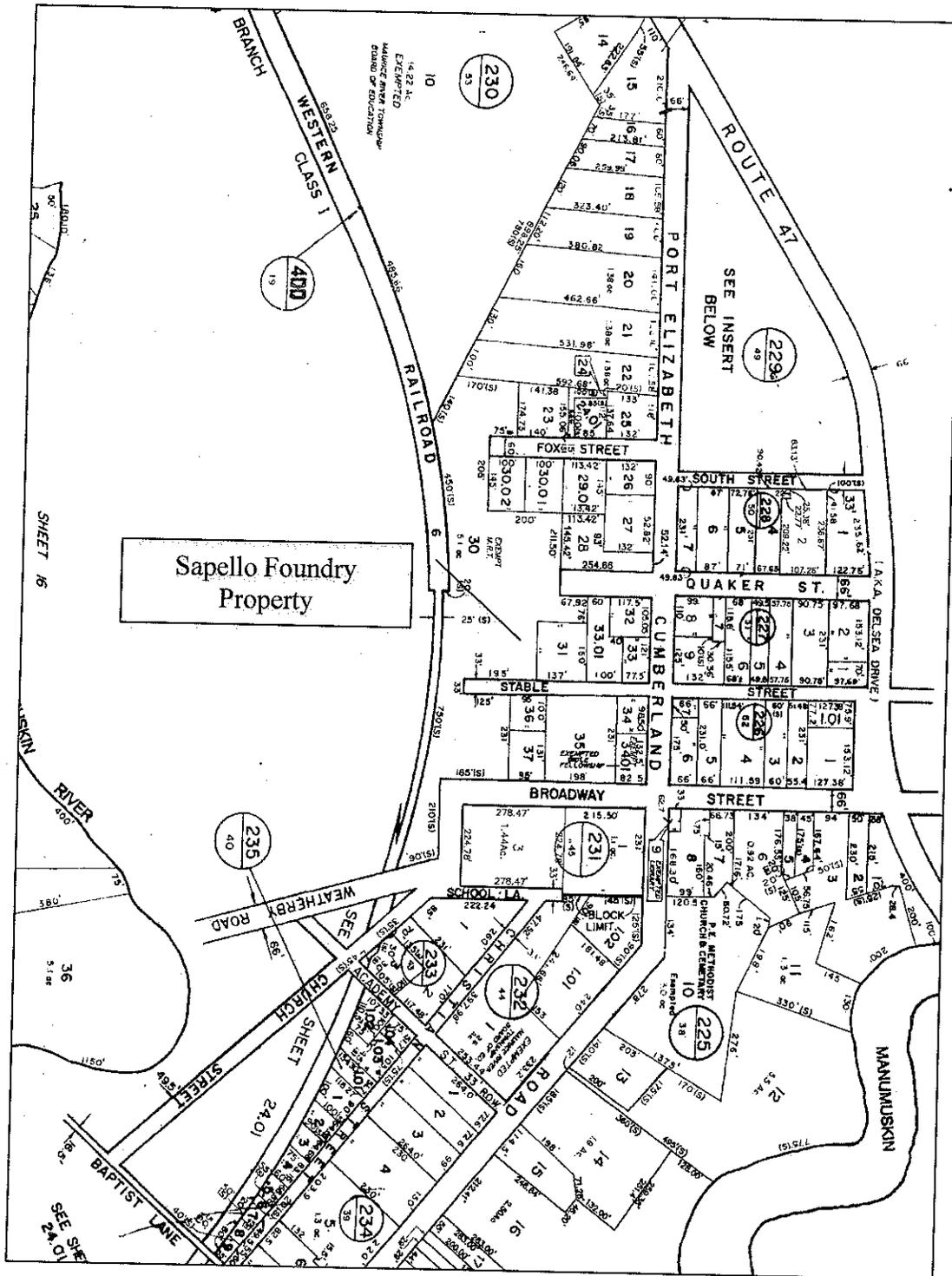


Figure 2-Tax Map Block 230, Lot 30

STATUTORY REQUIREMENTS

The first part of this document consists of the "Determination of Need" report, a gathering and evaluation of existing conditions in the study area in order to conclude if they warrant a finding by the Planning Board that the area is in need of redevelopment under the statutory requirements (N.J.S.A. 40A:12A-5.a-h). In order to meet the criteria for an area in need of redevelopment, one or more of the following conditions listed in the Statute must be found to exist:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property, therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to Sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the

purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the above criteria, Section 3 of the Local Redevelopment and Housing Law (LRHL) allows the inclusion of parcels necessary for the effective redevelopment of the area, by stating “a redevelopment area may include land, buildings, or improvements, which of themselves are not detrimental to the health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part.

The process used to arrive at the necessary conclusion begins with as complete an inventory as feasible of conditions relevant to the stated criteria. This document then details information regarding the overall conditions of the sites relevant to the statutory criteria noted. This data was gathered from field investigation of land use and condition of existing structures, as well as Township, County and State sources.

FINDINGS

Where there exist conditions of deterioration of land uses and services and an improper, or lack of proper development, the legislature has adopted the LRHL to aid local governments to help reverse these conditions. This statute was adopted by the legislature to aide local governments in “promoting the physical development that will be most conducive to the social and economic improvement of the State and its several municipalities.” (N.J.S.A. 40A:12A-2a,c)

An investigation of the property was completed which included a review of the existing land use, the physical condition of the property, the relationships among uses, the relationship to the community and region and other similar items. As part of a study to determine if an area is in need of redevelopment, the conditions of the property should be looked at both alone and in relation to the rest of the community. The investigation concluded that the Study Area meets the following criteria of an area in need of redevelopment as defined by the LRHL.

Zoning

The property is located in the Pinelands National Reserve. The Pinelands Comprehensive Management Plan (CMP) governs the intensity of land development in the Pinelands National Reserve. The CMP identifies this area as the Village of Port Elizabeth-Bricksboro. Villages in the CMP are existing settlements, pre-dating the adoption of the CMP. They are identified as appropriate for infill development that is compatible with the existing character of the Village.

The property is identified as a Pinelands Village Commercial (PVC-3) district on the local zoning map. The permitted uses in this district include single-family residential, village oriented commercial/retail, Pinelands related educational or cultural facilities, religious and public uses. Conditional uses include neighborhood commercial centers, animal care, nursing home, cellular tower, and other limited uses.

The ordinance permits single-family residential on 3.2 acres lot. This may be reduced to 1 acre if an alternative on-site waste disposal system is utilized. The site would accommodate up to 5 residential lots under this scenario. Village oriented commercial uses require a minimum lot size of 3.2 acres with a maximum lot coverage of 40%. On a 5.1-acre parcel this would permit coverage of just over 2 acres for building, parking and drive aisles. It is estimated that the site could accommodate a maximum building size of 29,000 square feet

Site Conditions

The Township acquired the property in October of 2001 through foreclosure. The northern portion of the site contains a 5,200 square foot (65 feet by 80 feet) building (Warehouse #1), a building (Warehouse #2) of approximately 6,250 square feet (125 feet by 50 feet), a smaller 600 square foot storage building, and an approximately 980 square foot office building. There exists an open area that was used for sand casting disposal in the center of the site. The balance of the site is heavily wooded. The majority of the site is fenced however there are areas where the fence has been breached and evidence the site has been accessed by recreation vehicles and pedestrians.

The conditions of the buildings are poor. The office building and Warehouse #1 require demolition. As shown in the photo below the larger Warehouse #2 is missing portions of the siding and walls. Warehouse #2 appears to be salvageable but would require substantial improvements. The property is overgrown with heavy vegetation.

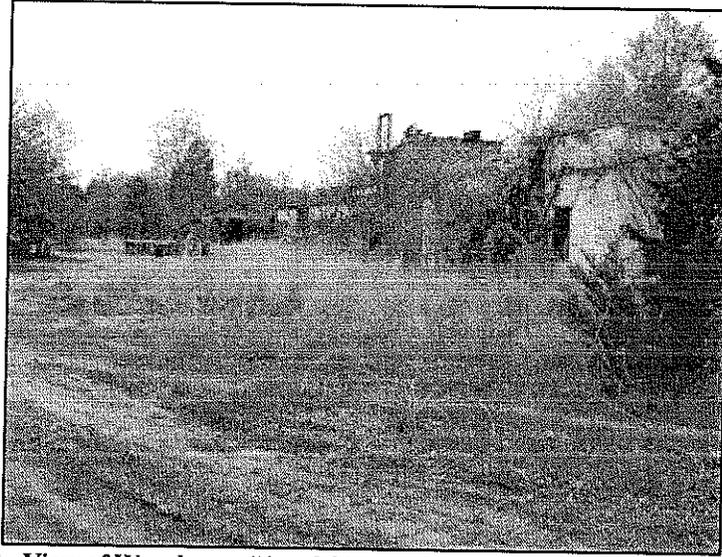


Figure 3 - View of Warehouse #1 and Storage Structures on Northern End of Site

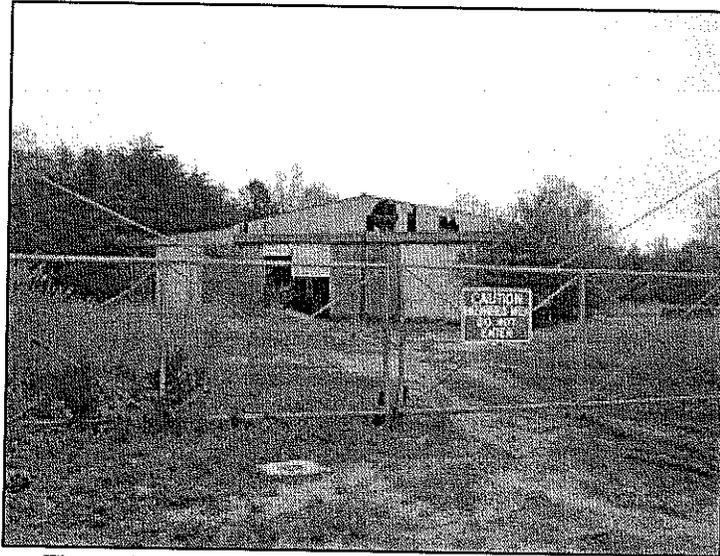


Figure 4 – Warehouse #2 from Gate on Broadway Street

Environmental Conditions

The following includes contributions from Mark Pietrucha, PE, LSRP of Woodard and Curran, Inc.

The information that follows was taken from a "Site Investigation Report and Supplemental Site Investigation/Remedial Investigation Work Plan for the Sapello Foundry" as prepared by CMX and dated February 2009 (on file in the Maurice River Township Clerk's Office). Additional information was taken from an "Analysis of Brownfield Cleanup Alternatives for Sapello Foundry" prepared by Woodard and Curran. This reports is attached as Exhibit II and provides additional detailed information on the testing and contamination detected on the property.

In 2002 the Township received a grant via the New Jersey Economic Development Authority (NJEDA) and New Jersey Department of Environmental Protection (NJDEP) administered Hazardous Discharge Site Remediation Fund (HDSRF) to conduct a Preliminary Assessment (PA) and Site Investigation (SI) at the site. The Township was awarded a 2011 United States Environmental Protection Agency (USEPA) Brownfield Community Wide Assessment Grant, which has been utilized to continue investigations on the property. In addition, the Township was recently awarded a 2013 USEPA Brownfield Cleanup Grant which will be utilized to remediate portions of the site.

Based on the findings of the preliminary assessment 26 "Areas of Concern" were identified on the property of which 14 required additional investigations. These are listed in the table below.

Areas of Concern (AOC)			
AOC	Description	Location	Additional Investigation Recommended
AOC-1A	Above Ground Storage Tank (550-gallon)	Center of Site	No
AOC-1B	Above Ground Storage Tank (275-gallon)	Office Building Exterior	No
AOC-1C	Above Ground Storage Tanks (275-gallon)	Warehouse #1 Exterior	No
AOC-1D	Above Ground Storage Tanks (290-gallon)	Storage Building Exterior	No
AOC-2	Underground Storage Tanks	Unknown	No
AOC-3A	Pits and Hydraulics	Warehouse #1	No
AOC-3B	Pits and Hydraulics	Warehouse #2	No
AOC-3C	Pits and Hydraulics	Warehouse #2	No
AOC-4A	Drum Staging Area	Warehouse #1	Yes
AOC-4B	Drum Staging Areas	Warehouse #2 Exterior	Yes
AOC-4C	Drum Staging Areas	Storage Building	Yes
AOC-4D	Drum Staging Areas	Storage Building Exterior	Yes
AOC-5A	Septic System	Office Building Exterior	Yes
AOC-5B	Septic System	Warehouse #2 Exterior	No
AOC-6	Waste Pile	Central Portion of Site	Yes
AOC-7	Suspected Buried Drums	Central Portion of Site	Yes
AOC-8A	Discolored Areas	Warehouse #1	Yes
AOC-8B	Discolored Areas	Storage Building	Yes
AOC-8C	Discolored Areas	Central Portion of Site	Yes
AOC-9A	Disturbed Areas	Central Portion of Site	Yes
AOC-9B	Disturbed Areas	Central Portion of Site	Yes
AOC-9C	Disturbed Areas	Central Portion of Site	Yes

AOC-10	Potable Well	Warehouse #2 Exterior	No
AOC-11	Abandoned Vehicles	Northern Portion of Site	No
AOC-12	Storage Silo	Warehouse #1 Exterior	No
AOC-13	Slag	North of Warehouse #2	Yes

Based on the findings of assessments and investigations conducted to date there are several key environmental concerns that warrant further investigation and/or remediation. The following paragraphs provide a brief summary of these areas. A detailed description of the Areas of Concern and investigations conducted concerning same is provided in Exhibit II.

Drum Staging Areas/Discolored Areas (AOC-4A/AOC-8A)

Ten (10) drums are staged at various locations within Warehouse #1, which measures approximately 50 feet by 75 feet. The floor within Warehouse #1 was coated with a fine, black, sand-like material. In addition, a coagulated tar-like substance was observed at the base of several of the drums. Contaminants were identified at concentrations exceeding NJDEP Soil Remediation Standards or Criteria for soil samples collected to investigate these areas.

Drum Staging Areas (AOC-4B)

During their September 24, 2008, site reconnaissance, CMX located approximately one-hundred thirty (130) 55-gallon drums staged south of Warehouse #2. Some of the drums were filled with rainwater while other drums contained miscellaneous metallic debris, slag and household rubbish. At least one (1) of the drums contained a coagulated tar-like substance which was observed leaking onto the ground surface. CMX was unable to determine the contents of many of the drums due to the presence of thick vegetation which inhibited accessibility, lid enclosures and the lack of proper drum labeling. Contaminants were identified at concentrations exceeding NJDEP Soil Remediation Standards or Criteria for soil samples collected to investigate this area.

Drum Staging Areas/Discolored Areas (AOC-4C/AOC-8B)

CMX identified a drum staging area within the storage building. Staining was observed adjacent to a liquid/sludge filled drum that was partially submerged below the ground surface. Contaminants were identified at concentrations exceeding NJDEP Soil Remediation Standards or Criteria for soil samples collected to investigate this area.

Drum Staging Areas (AOC-4D)

CMX identified a liquid filled drum at the west exterior of the storage building. The drum was staged in a densely wooded portion of the site. Contaminants were identified at concentrations exceeding NJDEP Soil Remediation Standards or Criteria for a soil sample collected to investigate this area.

Septic Systems (AOC-5A)

Information obtained from the Maurice River Township tax assessor indicated that a septic system was present on the site. During a September 2008 geophysical survey, a subsurface structure (Anomaly-14) consistent with a septic system was identified at the south exterior of the office building. During the September 2008 test pit investigation, a subsurface seepage pit measuring five (5) feet in diameter and extending to a depth of 5.5 feet below grade was identified at this location. Contaminants were identified at concentrations exceeding NJDEP Soil Remediation Standards or Criteria for a soil sample collected from the interior base of the seepage pit.

Waste Pile/Discolored Areas/Disturbed Areas (AOC-6/AOC-8B/AOC-9A/AOC-9B/AOC-9C)

During the September 24, 2008 site reconnaissance, CMX identified a sand casting waste pile that encompassed an approximate 54,375 square foot area within the central portion of the site (AOC-6). Based on a review of historic aerial photographs, CMX attributes the disturbed areas (AOC-9A/AOC-9B/AOC-9C) identified during the PA to waste disposal activities associated with the sand casting waste pile. During the reconnaissance, black residue (AOC-8B) was observed on a majority of the sand castings and on the surface soil in the immediate vicinity of these materials.

During a geophysical survey conducted in September 2008, seven (7) anomalies were identified within the sand castings waste pile. The anomalies were variable in size ranging from approximately five (5) square feet to twenty-five (25) square feet. To determine the origin of the anomalies, CMX excavated a test pit at each of the anomalies identified. In addition, CMX advanced two (2) test trenches through the waste pile to characterize the waste pile contents. Non-native material was encountered within the upper fifty-four (54) inches of soil or less at each of the anomalies and within both of the test trenches. Material encountered included metal screens, miscellaneous metallic debris, sand castings, chemically-altered black sandy material, a large piece of concrete, sheet metal, a round metal object, powdery white material, rubber and a metal cable.

Contaminants were identified at concentrations exceeding NJDEP Soil Remediation Standards or Criteria for soil samples collected to investigate this area.

Suspected Buried Drums (AOC-7)

According to a Maurice River Township Council member, drums were reportedly buried in the central portion of the site. During the geophysical survey, two (2) large anomalies (Anomaly-9 and Anomaly-12) were identified. Anomaly-9 was located directly north of the sand castings waste pile (AOC-6). Anomaly-12 was located at the east exterior of Warehouse #1. Due to the large size and location of the

anomalies, CMX concluded that the anomalies were potentially the suspected buried drums (AOC-7) reportedly located in the central portion of the site.

CMX excavated a test pit (Test Pit-9) to investigate the potential for buried drums to be present at Anomaly-9. Material encountered within the upper twenty-four inches (24") of soil included a powdery blue material, miscellaneous metallic debris, black hardened material, slag and clam shells. In addition, a perforated drain pipe was observed in the central portion of the test pit. Native soil was encountered beneath the debris and extended to the base of the test pit. Contaminants were identified at concentrations exceeding NJDEP Soil Remediation Standards or Criteria for soil samples collected to investigate this area.

Slag (AOC-13)

A small anomaly (Anomaly-11) was identified directly north of Warehouse #2 during the geophysical survey. To investigate Anomaly-11, CMX excavated a test pit (Test Pit-11). Material encountered within the upper eighteen (18) inches of soil included a large amount of slag and minor amounts of chemically-altered black sandy material. Native soil was encountered beneath the debris and extended to the base of the test pit. CMX collected a subsurface soil sample to characterize the slag and chemically-altered black sandy material. One (1) soil sample was collected for PP+40 and TPH-QAM analyses. Benzo(a)anthracene, benzo(b)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, and dibenz(a,h)anthracene were reported at a concentrations exceeding their respective most stringent RDCSRS and/or NRDCSRS. In addition, total chromium was reported at a concentration exceeding the hexavalent chromium Non-Residential SCC.

Ground Water

CMX performed a temporary well point ground water investigation at the site on December 16 and December 30, 2008. Five (5) temporary well points were installed, and grab ground water samples were collected and submitted for PP+40 analysis. Several metals were reported at concentrations exceeding their respective New Jersey Ground Water Quality Standards (NJGWQS).

As a result of the initial temporary well point investigation, in August 2009 CMX installed eight (8) shallow monitoring wells to depths of approximately twenty (20) feet below ground surface (bgs) in locations throughout the Site. Analysis of ground water samples collected from the wells identified concentrations of metals at levels exceeding the NJGWQS.

Based on a review of NJDEP i-MapNJ electronic mapping software, the site is located within the New Jersey Pinelands Protection Area Boundary. According to Section 1.7 of the Ground Water Quality Standards (N.J.A.C. 7:9C) ground water quality criteria for Class I-A areas are the natural quality for each constituent. Therefore, the NJDEP will not permit any activity which would result in the degradation of background water quality within the Protection Area. Since ground

water impact has been identified at the site, any concentration above the background concentrations would be considered an exceedance of the NJGWQS.

As a result of these exceedances, emergency HDSRF funding was authorized by the NJDEP to sample twenty (20) potable wells in close proximity to the Site. Wells were sampled between July and August of 2009. Lead was reported at concentrations as high as 6.5 ug/l at one off-site potable well. Ongoing investigations are being conducted to evaluate the lead plumbing as a potential source of the lead identified in the potable water sample.

Remediation of the Areas of Concern described above will require significant effort and costs. A detailed description of potential interim remedial measures for priority Areas of Concern and cost estimates for same are provided in Exhibit II.

REDEVELOPMENT FINDINGS

Based upon the above findings, the study area meets the criteria of the Local Redevelopment and Housing Law as an area in need of redevelopment. The generality of the buildings on the property are unsafe and dilapidated. The abandonment and discontinuance of the buildings have allowed them to fall into a state of disrepair such that they are no longer tenable. (N.J.S.A. 40A:12A-5.a & b)

The Township acquired the property through foreclosure in 2001. The conditions of the property relating to the contaminants in the soils have created a significant burden such that it is not likely to be improved or developed without the instrumentality of private capital. (N.J.S.A. 40A:12A-5.c.)

There also exists on the property buildings and improvements that have become dilapidated with a deleterious land use. The prior use of the property as an iron foundry, the storage of drums, and the dumping of material in the center of the site all contribute to a condition which is detrimental to the safety, health, morals, and welfare of the community. (N.J.S.A. 40A:12A-5.d.)

It is further submitted that a program of rehabilitation and a subsequent adoption of a redevelopment plan will prevent further deterioration of the property and promote the overall development of the community.

CONCLUSION

The study area satisfies the following criteria under the Local Redevelopment Housing Law as an area in need of redevelopment:

- *N.J.S.A. 40A:12-5.a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.*
- *N.J.S.A. 40A:12-5.b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.*
- *N.J.S.A. 40A:12-5.c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.*
- *N.J.S.A. 40A:12-5.d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.*

The historical use of the property, condition of the property and environmental contamination and other factors as described herein, all lead to the conclusion that the Study Area is in Need of Redevelopment under the criteria noted, 40A:12A-5 (a) through (d).

It is submitted, therefore, that the Sapello Foundry Study Area, meets the statutory definition for an "area in need of development," and that the Township Committee and Planning Board, take the action necessary, after public notice and hearing as required, to make that determination according to law.

Exhibit I – Sapello Foundry 200' Boundary Map

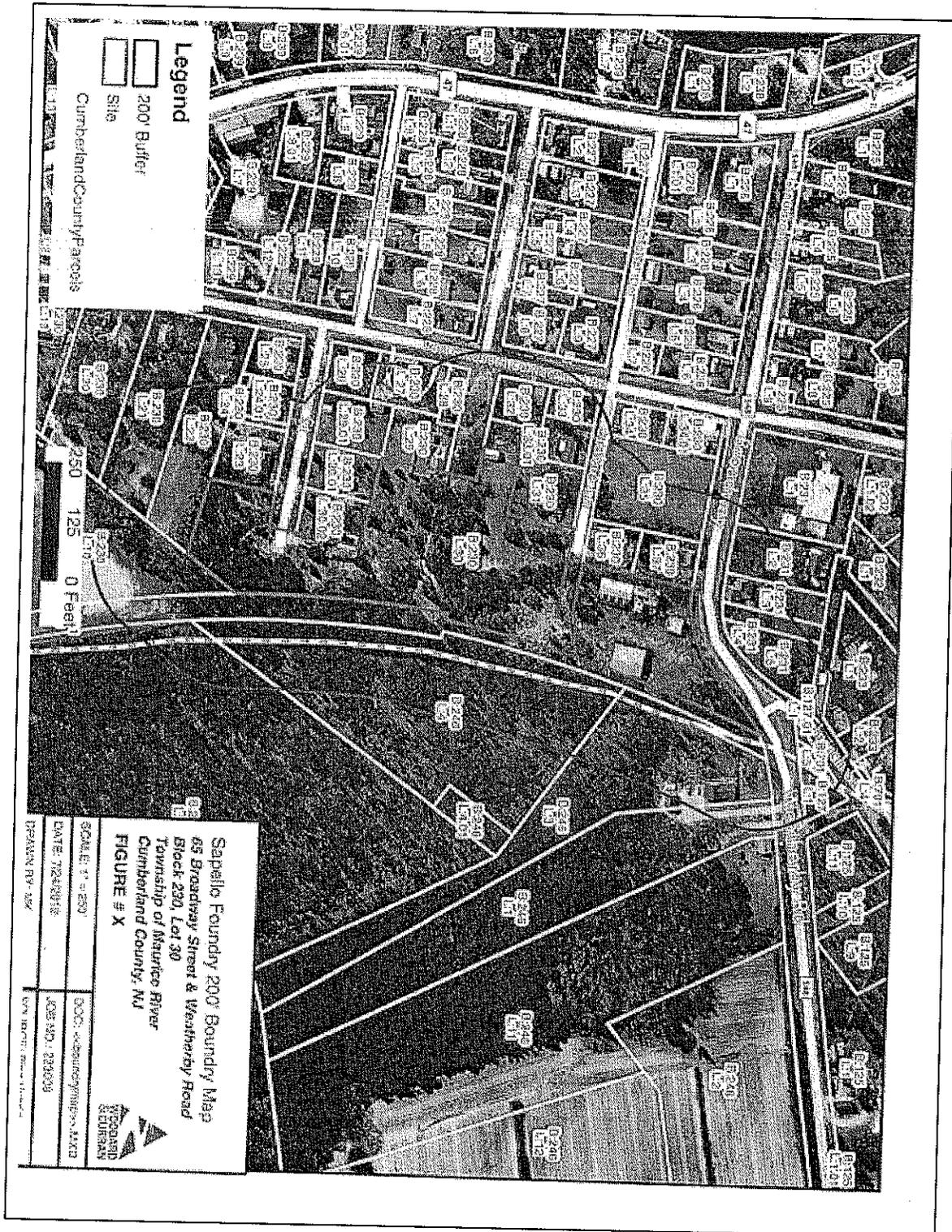


Exhibit II -

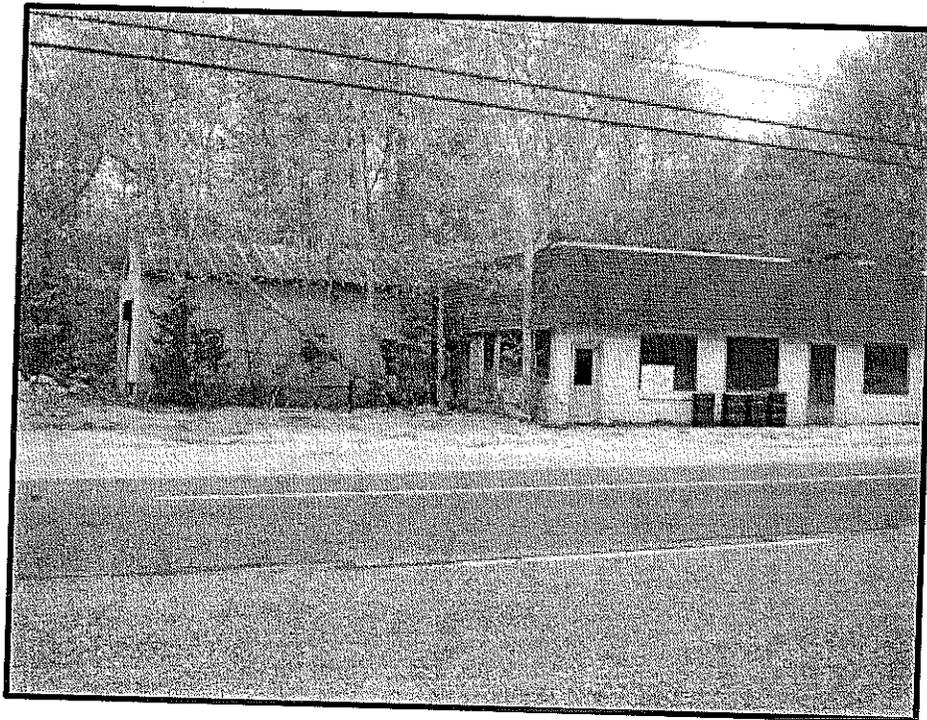
“Analysis of Brownfield Cleanup Alternatives for Sapello Foundry”

NOTE: This is a Draft Report prepared for the purposes of submission with the Brownfield Cleanup Grant Application. The Report will be finalized during the cleanup phase after USEPA authorizes use of the cleanup funds.

**DETERMINATION OF NEED REPORT
ACKLEY GARAGE
BLOCK 222 LOT 25
ROUTE 47 AND YAWP SHORE DRIVE
MAURICE RIVER TOWNSHIP, CUMBERLAND COUNTY**



September 4, 2013



Tiffany A. CuvIELLO, PP, LLC
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tcuvIELLO@verizon.net

**DETERMINATION OF NEED REPORT
ACKLEY GARAGE
BLOCK 222 LOT 25
ROUTE 47 AND YAWP SHORE DRIVE
MAURICE RIVER TOWNSHIP, CUMBERLAND COUNTY**



As recommended by the Planning Board on September 4, 2013;
Adopted by the Governing Body on _____, 2013.

MAYOR AND COMMITTEE

Andrew Sarclette, Mayor
Kathy Ireland, Deputy Mayor
Patti Gross, Committeewoman

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INTRODUCTION

The Township Committee adopted Resolution 78-2013 on May 16, 2013 authorizing the Planning Board to undertake an investigation of Block 222, Lot 25 to determine if the property meets the criteria under the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et.seq.) as an area in need of redevelopment.

As provided for in the Local Redevelopment and Housing Law (LRHL) the Planning Board must gather and evaluate existing conditions of the study area in order to conclude if they warrant a finding that the area is in need of redevelopment. Such a designation permits the agency to undertake a number of activities to help revitalize and redevelop the Study Area, activities that would not be possible otherwise. These include the preparation of a Redevelopment Plan which enables the issuance of bonds for redevelopment projects, acquisition of buildings and land through condemnation, leasing or selling property without public bidding, contracts with private entities, the use of various tax abatement programs and other actions in conjunction with the adopted redevelopment plan.

STUDY AREA

The study area includes the former Ackley Garage and consists of 3.14 acres. The property is known as Block 222, Lot 25 and is located at the intersection of State Highway Route 47 and Yawpshore Drive. The land uses surrounding the property are predominately residential. Yawpshore Drive extends to the Maurice River approximately 1,000 feet past the property boundary. (Exhibit I – Ackley Garage 200' Boundary Map prepared by Woodard and Curran)



STATUTORY REQUIREMENTS

The first part of this document consists of the "Determination of Need" report, a gathering and evaluation of existing conditions in the study area in order to conclude if they warrant a finding by the Planning Board that the area is in need of redevelopment under the statutory requirements (N.J.S.A. 40A:12A-5.a-h). In order to meet the criteria for an area in need of redevelopment, one or more of the following conditions listed in the Statute must be found to exist:

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- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property, therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant

to Sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

In addition to the above criteria, Section 3 of the Local Redevelopment and Housing Law (LRHL) allows the inclusion of parcels necessary for the effective redevelopment of the area, by stating “a redevelopment area may include land, buildings, or improvements, which of themselves are not detrimental to the health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area in which they are a part.

The process used to arrive at the necessary conclusion begins with as complete an inventory as feasible of conditions relevant to the stated criteria. This document then details information regarding the overall conditions of the sites relevant to the statutory criteria noted. This data was gathered from field investigation of land use and condition of existing structures, as well as Township, County and State sources.

FINDINGS

Where there exist conditions of deterioration of land uses and services and an improper, or lack of proper development, the legislature has adopted the LRHL to aid local governments to help reverse these conditions. This statute was adopted by the legislature to aide local governments in “promoting the physical development that will be most conducive to the social and economic improvement of the State and its several municipalities.” (N.J.S.A. 40A:12A-2a,c)

An investigation of the property was completed which included a review of the existing land use, the physical condition of the property, the relationships among uses, the relationship to the community and region and other similar items. As part of a study to determine if an area is in need of redevelopment, the conditions of the property should be looked at both alone and in relation to the rest of the community. The investigation concluded that the Study Area meets the following criteria of an area in need of redevelopment as defined by the LRHL.

Zoning

The property is identified as a Conservation (C-15) district on the local zoning map. The permitted uses in this district include single-family residential on a 15 acre lot minimum, conservation area and uses, agricultural uses, forestry, parks and recreation. Conditional uses include educational, cultural or historic facilities on 25 acres, seasonal recreational facilities or marina, boatyard and similar water-related recreational uses on two-acre lots.

Site Conditions

The last known use of the property was a Gulf Service Station owned and operated by the Ackley's beginning in 1983 through its closure. The site included a general store and service station. The site contains four structures all of which are abandoned. There exists a 700 square foot building (35 feet by 20 feet) along the Route 47 frontage in the southeast corner of the site. The building was used for the office and store associated with the gasoline business. There is a 360 square foot (24 feet by 15 feet) service garage which abuts the “store” building. This building fronts on Yawpshore Road. The service garage is a one-bay building with remnants of a hydraulic lift. On the northeast corner of the site exists a residential dwelling and detached garage. The majority of the site is heavily wooded and it is believed there are wetlands located on the western portion of the site impacting areas that require environmental cleanup.

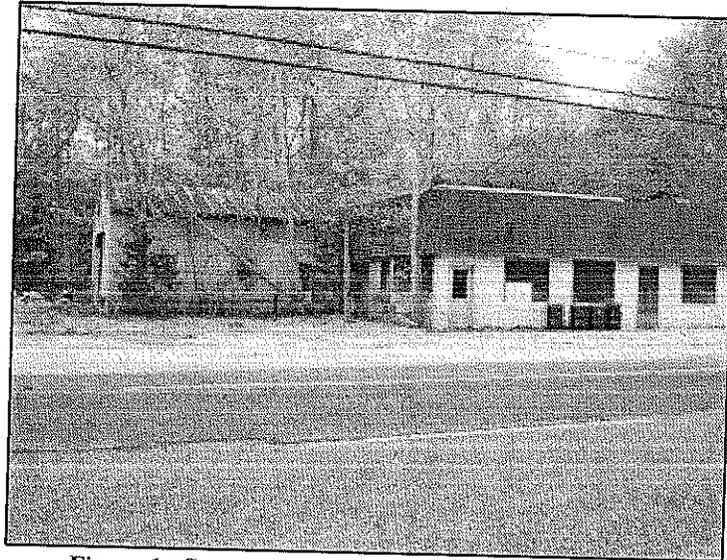


Figure 1 - Store Building and Garage – Delsea Drive

The Township acquired the property through foreclosure in 2004 and has been working to improve the conditions of the property. The Township has received funding through a combination of the New Jersey Economic Development Authority (NJEDA) Hazardous Discharge Site Remediation Fund (HDSRF) Preliminary Assessment/Site Investigation Grant and a United States Environmental Protection Agency (USEPA) 2011 Community Wide Brownfield Petroleum Assessment Grant. Through these programs the Township has been able to identify and in part remedy the conditions on the property. However, these programs have also revealed the need for additional capital to complete the appropriate and necessary environmental cleanup of the property.

In 2010 representatives of CMX inspected the property. It was found that the roof of the Store Building had collapsed, and the cinderblock foundation of the Service Garage was bulging. The following photographs are of the store and garage associated with the business operations. The property has been abandoned since at least 2004 when the Township took ownership. The lack of use of the buildings and the property conditions has resulted in the structures falling into a state of disrepair that would be considered untenable. It was further determined by CMX that the buildings were unsafe for entrance to inspect and test for environmental contaminants where the floors were rotting and the roof had collapsed. (“Initial Receptor Evaluation – Ackley Garage – NJDEP Program Interest No. 133385” as prepared by Woodard and Curran and dated November 6, 2012. This report is attached as Exhibit II)

The following pictures show the current condition of the buildings. The store building has been boarded up and the one-bay garage has no barrier with a missing overhead door. The siding on the garage is lifting in areas.

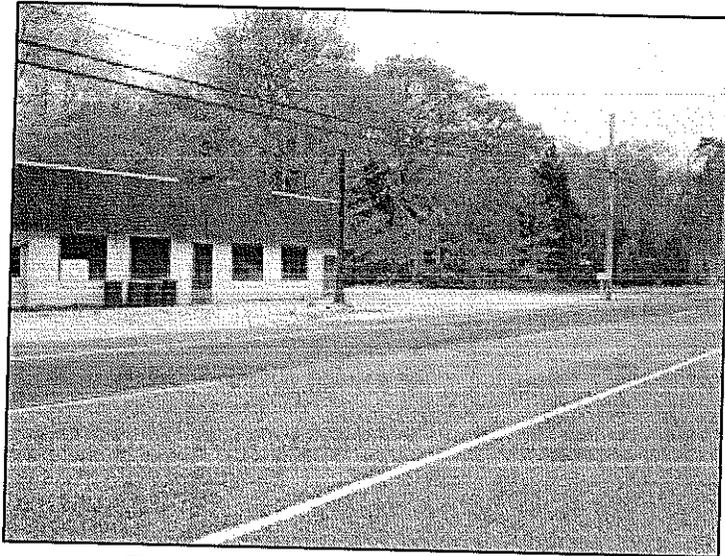


Figure 2 - Route 47 View of Store Building

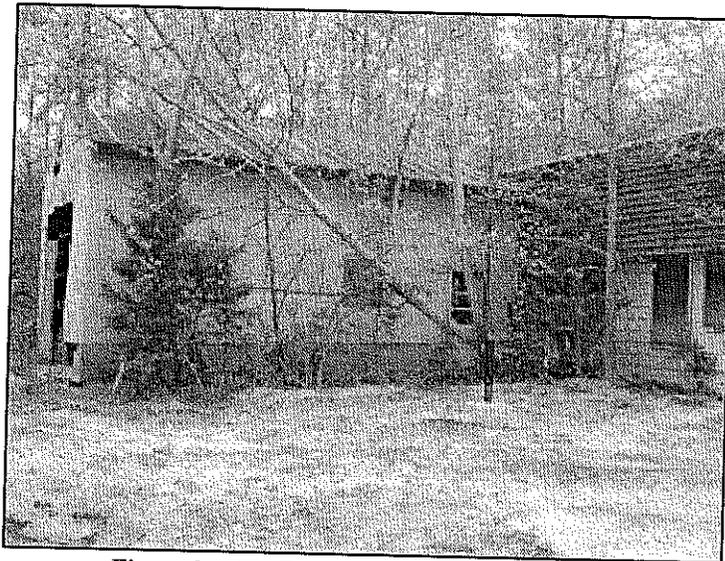


Figure 3 - One-Bay Garage Yawpshore Drive

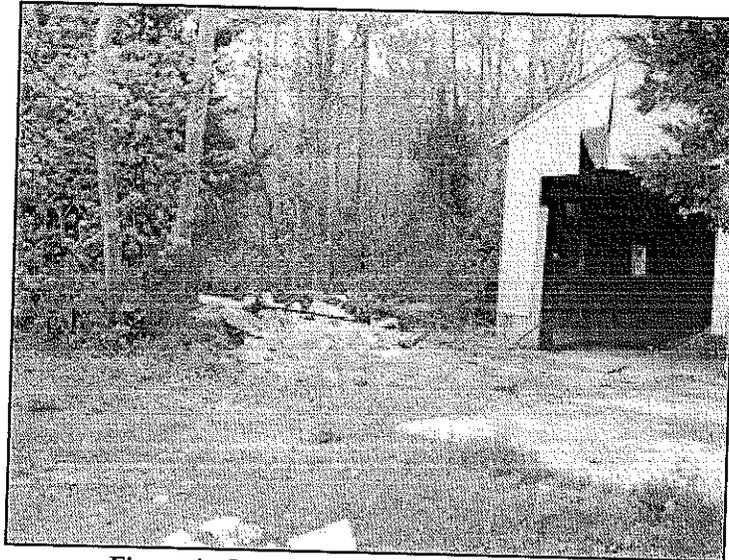


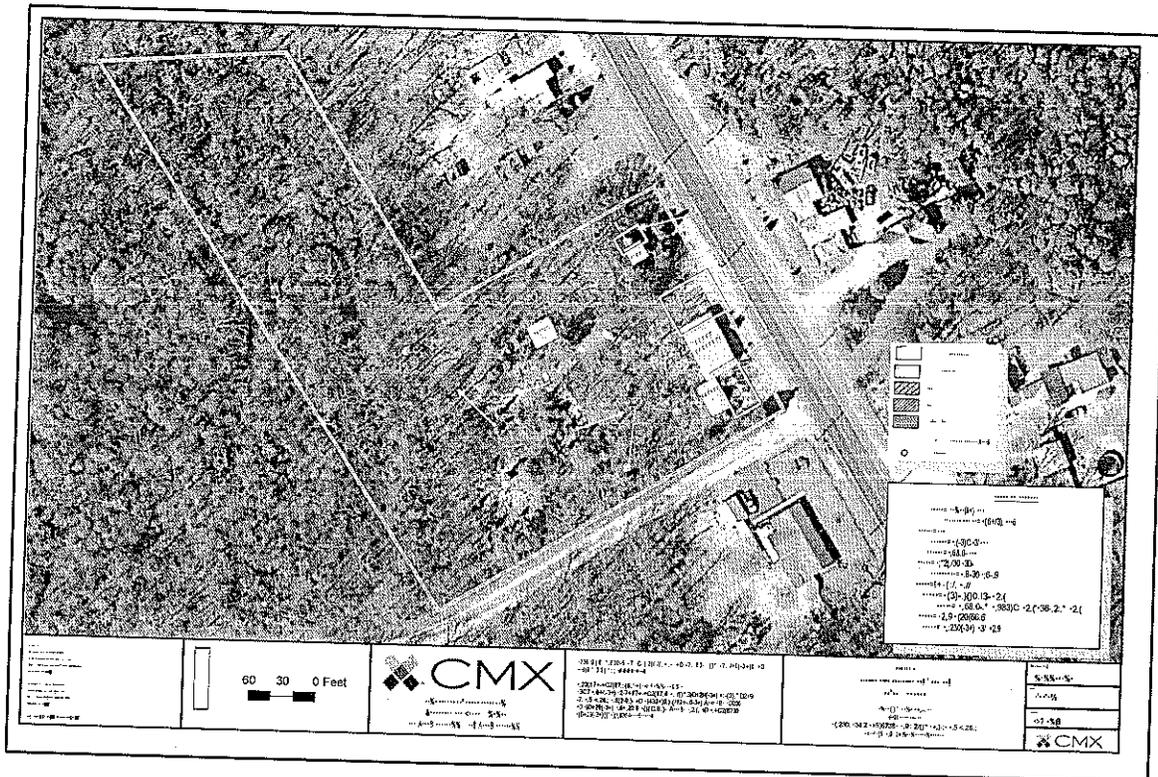
Figure 4 - One-Bay Garage Yawpshore Drive

Environmental Conditions

The information that follows was taken from an "Initial Receptor Evaluation – Ackley Garage – NJDEP Program Interest No. 133385" as prepared by Woodard and Curran and dated November 6, 2012. This report is attached as Exhibit II and provides additional detailed information on the testing and contamination detected on the property.

There are fifteen areas of concern on the property as listed in the following table and shown on a map prepared by CMX.

AREAS OF CONCERN (AOC)	
AOC-1	550 Gallon AST
AOC-2A, 2B, 2C	Gasoline Underground Storage Tanks
AOC 2D	Underground Storage Tank
AOC-2E	Heating Oil Underground Storage Tank
AOC-2F	Suspected Underground Storage Tank
AOC-3	Hydraulic Lift
AOC-4A, 4B	Septic System
AOC-5	Potable Well
AOC-6	Maintenance Pit Area
AOC-7	Suspected Dumping Area/Disturbed Area
AOC-8	Drum Carcasses
AOC-9	Lubrication Oil Drum



Soil testing was completed in each Area of Concern (AOC). In AOC's 1, 2A, 2B, 2C, 2D, 6, 7, and 8 there were contaminants present that exceeded NJDEP Soil Remediation Standards. An analysis of the remnant in the septic systems identified in AOC 4A and 4B revealed that the remnants contained contaminants that exceeded NJDEP Groundwater quality standards. No testing was completed on AOC-9 due to safety concerns. In this area the oil drum was located within the store building and the conditions of the building and floor were determined to be unsafe.

The suspected dumping on the site identified in AOC-7 was verified during a site inspection to encompass approximately 3,000 square feet (roughly 45 by 65 feet). The area was not fully inspected due to the heavy vegetation. The area will require clearing which could become costly since the dumping area appears to extend into a wetland area. Additional permitting will be required before this area can be further analyzed and cleaned up.

REDEVELOPMENT FINDINGS

Based upon the above findings, the study area meets the criteria of the Local Redevelopment and Housing Law as an area in need of redevelopment. The generality of the buildings on the property are unsafe and dilapidated. The abandonment and discontinuance of the buildings have allowed them to fall into a state of disrepair such that they are no longer tenable. (N.J.S.A. 40A:12A-5.a & b)

The Township acquired the property through foreclosure in 2004. The conditions of the property relating to the contaminants in the soils have created a significant burden such that it is not likely to be improved or developed without the instrumentality of private capital. (N.J.S.A. 40A:12A-5.c.)

There also exists on the property buildings and improvements that have become dilapidated with a deleterious land use. The prior use of the property as a service station with underground storage tanks, the storage of drums, the use of a hydraulic lift and the dumping of material in the center of the site in proximity to wetland areas all contribute to a condition which is detrimental to the safety, health, morals, and welfare of the community. (N.J.S.A. 40A:12A-5.d.)

It is further submitted that a program of rehabilitation and a subsequent adoption of a redevelopment plan will prevent further deterioration of the property and promote the overall development of the community.

CONCLUSION

The study area satisfies the following criteria under the Local Redevelopment Housing Law as an area in need of redevelopment:

- *N.J.S.A. 40A:12-5.a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.*
- *N.J.S.A. 40A:12-5.b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.*
- *N.J.S.A. 40A:12-5.c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of*

the soil, is not likely to be developed through the instrumentality of private capital.

- *N.J.S.A. 40A:12-5.d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.*

The historical use of the property, condition of the property and environmental contamination and other factors as described herein, all lead to the conclusion that the Study Area is in Need of Redevelopment under the criteria noted, 40A:12A-5 (a) through (d).

It is submitted, therefore, that the Study Area, meets the statutory definition for an “area in need of redevelopment”, and that the Township Committee and Planning Board take the action necessary, after public notice and hearing as required, to make the determination according to law.

EXHIBIT I – Ackley Garage 200' Boundary Map

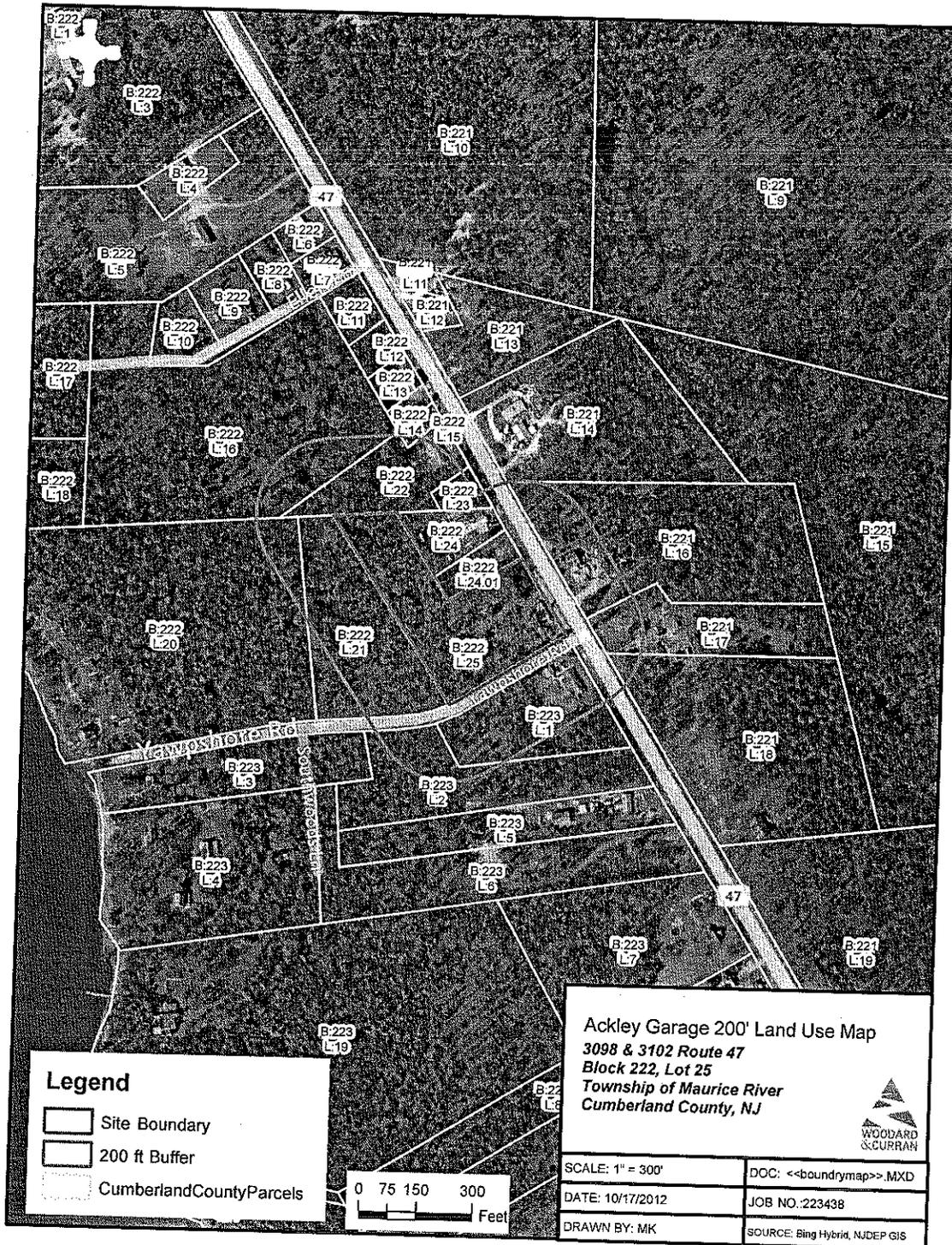


EXHIBIT II
**“Initial Receptor Evaluation – Ackley Garage – NJDEP
Program Interest No. 133385” as prepared by Woodard
and Curran and dated November 6, 2012.**