

**MAURICE RIVER TOWNSHIP
BILL & AGENDA REVIEW MEETING
Monday, May 16, 2016 – 6:30 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. Gordon Gross, OEM & HO/ZO Report
- B. Allen Foster, CMFO Report
- C. Public Comment Session
- D. Discussion Items
 - 1. Abandoned/Vacant Properties Ordinance
 - 2. Moratorium for newly paved roads Ordinance
 - 3. NJDEP request for support by resolution of centerline markings on Route 47z
 - 4. Temporary/Seasonal Road Department
 - 5. Maurice River Diner statement of consent for septic system upgrade
 - 6. Fee waiver request from Maurice River Historical Society regarding the construction At the East Point Lighthouse
 - 7. Mitigation Plan (Final) –Resolution to Adopt
 - 8. Garvey Real Estate request dated May 6, 2016 to vacate Pond Street
 - 9. Ordinance Amending Chapter 35 Land Development Regulations
 - 10. Preliminary In-Rem Foreclosure List
- E. Misc. Report of Operations
- F. Township Committee Concerns
- G. Review of Agenda for May 19, 2016
- H. Review of Bills for approval at May 19, 2016
- I. Adjournment

Monday, May 16, 2016, 6:30 P.M.
Bill Review & Agenda Meeting

PRESENT: Andrew Sarclette, Mayor
Patricia Gross, Deputy Mayor (*late*)
J. Roy Oliver, Committeeman
Frank DiDomenico, Solicitor
Michelle Behm, Deputy 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.

Mayor Sarclette announced that Deputy Mayor, Patricia Gross is working in the concession stand and is running a little late. The meeting will be started without her.

ROLL CALL: Mr. Sarclette, present
Mr. Oliver, present

Office of Emergency Management and Housing/Zoning Reports

Mr. Gross provided the following report for the Office of Emergency Management and Housing/Zoning:

Property Maintenance - Mr. Gross reported he has been sending out notices on grass and property maintenance issues. Also, there has been some activity at MacDonald Ave, but believes we're waiting for the timeframe to go through before our road department can finish the clean-up. Mr. Gross has noticed some activity on that property.

Mayor Sarclette announced that Deputy Mayor, Patricia Gross arrived (6:36 pm).

Generator Grant – Mr. Gross reported the County has received all MOU's back from each municipality. They'll be purchasing all the generators from a company and separate the two big school generators out from all the smaller generators (which we fall under). They're looking for an early fall completion date.

Cumberland Tower – Mr. Gross attended a meeting last Monday night and also contacted the county this morning on for tower updates. The Cumberland tower is still waiting for Windstream and Verizon. I guess because of the strike and Windstream, the tower's been ready since September 5th. We still don't have communications out there, but there is no estimated time when it will be working or on-line.

The South tower we're still having problems with getting the antennas changed. As of today, there was no change, no movement on the county's part as far as the Osprey nest or getting the antennas changed. So we're still having South tower issues, we'll just deal with it like we have been.

Mr. Sarclette asked for Jennifer's last name. Mr. Gross stated Jenn Lichenstein is the chief for the 9-1-1 communications and Will Mosley is one of the supervisors for programming. Mr. Sarclette asked if he would email one of those individuals what he's found out about the procedures with NJDEP.

Mr. Sarcellette contacted NJDEP to find out if they really expect us to wait until October to have emergency communications. They said there is a mechanism and the gist of it is you have to make a case for why it's necessary and then hire a professional who's licensed or sanctioned to relocate the osprey nest is what's in place to do that. How much that costs or how long it takes, that I don't know the answer to, but I will forward the information I have to Jenn and Will. I'll touch base with them or if you (Mr. Gross) do, ask them to call me so I can talk to the Freeholder.

Mr. Gross suggested Mr. Sarcellette forward the information to Freeholder Derella. Whoever you can contact we would appreciate it.

Registered Abandoned Property Ordinance - Mr. Gross stated that Denise, Michelle and he met about the ordinance and have a couple of changes which were forwarded to Frank (via email). He questioned how the Committee or the Clerks Office wanted to handle the July 1 deadline. Originally, Mr. Gross requested that date mainly because that's when rental registration is done, January to the end of June, but since registration is being handled through the Clerk's Office, the July 1 deadline is really not an issue. The property maintenance that he would handle is going to be year round so it really doesn't pertain to his end of the process.

Deputy Clerk, Michelle Behm, stated the registration timeline doesn't matter based on her workload schedule. Mr. Gross offered that the July 1 deadline may want to be changed back if it seems easier.

Frank DiDomenico stated he prepared a base document for discussion so he has no objection to any changes. There was discussion about the effective date and the registration timeline between Frank, Gordon and Michelle. Under the General Requirements section, Mr. Sarcellette stated the Ordinance will be effective as of the date the Ordinance passes; that a static date, but each individual property would have its own "effective date". Mr. DiDomenico stated that all annual registrations fee are due July 1.

Mr. Gross stated the plans are to start registration with properties currently owned by banks then follow up with privately owned properties where they've just left the property.

Fire Truck in Delmont Building - Mr. Gross stated he filled out a questionnaire for Municipal Clerk, Denise Peterson, and needed to get a couple more pictures; the process is moving along.

Fire and Alarm System at OEM Building - The State failed the building inspection because the basement did not contain a monitored smoke detector. After visiting the building with the alarm company and AFA, it was discovered the entire building is not alarmed. There are two pull stations with emergency lighting, but they will only go off if you pull the alarm which will only sound the alarm.

Mr. Sarcellette questioned the intent of the law? It's obviously to protect the inhabitants of the building? Mr. Gross agreed. There is an interconnected smoke detector in the basement, but it's not monitored; none of the detectors except the burglar alarm is monitored. There are options, which Denise sent paperwork to you. Some are not cheap, but there is a lot of equipment in the building. Mr. Gross stated he'd hate to see the top two floors burn before the monitor in the basement would go off.

Mr. Sarcellette stated it doesn't sound like we have much choice other than to get competitive quotes on it, see what the cost would be and make sure we have the funding available. It's not clear why this process has started this year, but it was understood that the next move is to go the churches. Mr. Sarcellette said typically, this would happen if you were building a new one or doing an upgrade; that's when they would implement stringent rules and expensive upgrades.

On old building that doesn't get used at all in some months, but other months it gets used two or three times by emergency personnel that are not going to be in the building oblivious to a problem. Churches are going to be hit next and people are typically in there an hour or two on a Sunday and they're going to have to do this.

Mr. Gross stated that obviously any of those type of structures that were built new would be required. Mr. Sarclette understands, but to take a 200 year old building and have to do these things. If your insurance company was asking you to do it would be one thing, but for the State to ask you to do it.

Mr. Gross asked that it really comes down to do you want the building monitored. Mr. Sarclette said it doesn't sound like we have a choice. Mr. Gross said the way its set up now, no one will know there's a fire until it gets to the basement. Mr. Sarclette said he thinks we should do some upgrades. Mr. Gross stated it's a difference of \$3,000 to \$5,000.

Mr. Sarclette asked if the back emergency light was done and if the other item was done? Mr. Gross stated yes the light was done and the monitored detector in the basement was the only other outstanding issue. Mr. Gross stated it was discussed about redoing some of the electric system, eliminating some of the baseboard heat and putting the rest of the building into the generator, but that did not move forward to due billing. Mr. Sarclette stated we have to move forward with something, but we have to see how determine what we can afford to move forward with and what the State is going to mandate we move forward with.

Mr. Gross stated at minimum we'd have to go with Option #1. Mr. Sarclette said before we do anything he'd like to look at the whole thing because he'd like to get the electric work with the baseboard heat utilize the gas heat. Which Gordon said would be a whole different contract. Mr. Sarclette stated we do have 90 days to take action so we need to do something soon. Maybe a meeting at the building.

East Point Permit Fees – In speaking with contractors about the renovations, Mr. Gross, suggested they contact the township regarding waiving the permit fees. The Construction Office has no problem waiving those fees since it doesn't come off the bottom line of the Construction Report. Either way, he'll do the inspections, plan review, either way.

Mr. Sarclette doesn't have a problem with it, but just make a note at the end of the year how many permit fees were waived so that the Construction Office does get a fair shake on the job and not what we could've had if we were stringent.

Mitigation Resolution – Mr. Gross stated he needs to make sure Resolution #67-2016 is approved since he's under a timeframe with it.

FEMA Floodplain – Mr. Gross stated there were changes initiated by Cormac and that Ordinance #652 needs to be adopted by June 16th.

Mr. Sarclette suggested he and Mr. Gross discuss the OEM building and the budget. He stated we do not have a price on the electric upgrades, but that he talked to Louann about it. She has spoken to a couple of electricians, but doesn't know if any quotes have been received as of yet and suggested Mr. Gross could ask her. If she has we could discuss and make a recommendation on Thursday for the Committee to consider. Mr. Gross stated the OEM budget has not incurred any large expense so if it is needed, he does not expect any to come in.

Mrs. Gross asked if Mr. Gross would repeat the conversation he had with Officer Johnson regarding dog training.

Mr. Gross stated "Boomer" the County bomb dog had to be put down about a month or so ago. He was just replaced with another bomb dog, Dutch Sheppard, which comes with 18 month training. This dog is trained "on lead", but Officer Johnson likes to work "off lead" with his dogs. Therefore, Officer Johnson is looking for a space where he can train the dog with other bomb dogs. Mr. Gross offered the tennis courts as a space to work with the dog to do larger loops where the dog will feel more secure. This will put more police presence in our town. I didn't think the Committee would have any problems with that; the state police and county sheriff's departments here. A little more regular right now doing some training. They're going to spread out probably start using the OEM Building for some interior things and maybe the ball grounds. Mr. Sarcellette stated since the ballfields are still in use on there will have to be some coordination and clean up when they're done. Mr. Gross stated the training would all be done during the day.

Mrs. Gross stated he just happened to stumble across it because he was down here with Gordon at a meeting and saw the tennis courts and asked about using them. Sherriff Austino said if they were able to use the area they would be very appreciative because they didn't know how they were going to do it.

Mr. Sarcellette made a motion to allow the Sheriff's Department to use the municipal complex to including OEM, recreation area and the township hall if necessary for training purposes; seconded by Mrs. Gross.

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

Municipal Finance Officer Report

Mr. Sarcellette stated Mr. Foster would not be joining us tonight.

Public Comment Section

Mrs. Gross made a motion to open the meeting to the public; seconded by Mr. Oliver

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

Ben Stowman asked Mrs. Gross about the meeting to be held here by the Bayshore Group, Van Drew, Andrzejczak; they're meeting here this Thursday at 2:00 pm and are supposed to be looking at their By-Laws. Then on Thursday, it goes before one of the Environmental Sub-Committees up at the State and the Resolution that the Bayshore Group put forward was to make the whole bayshore from the tip of Cape May all the way through Cape May, Cumberland and Salem Counties to make that an area of special significance. It's heavily weighted toward the environmental end, but there are some pieces in there about historic villages; it's not a negative thing.

Mr. Sarcellette asked if there is any cloak and dagger verbiage in there that would eliminate recreational uses or things we would normally do. Mr. Stowman answered between now and Wednesday he'd be studying that thing very closely because I got a copy of it that I've been passing around. I think Patti or Andy you may have gotten to review. Mr. Stowman assured he'll look it over with a fine tooth comb. Mr. Sarcellette stated he wanted to make sure they're not trying to circumvent the public hearings. I don't want them use something that should be a positive against us where all of a sudden we can't and they have control of our beaches instead of us kind of a thing.

Mr. Stowman stated not only that but recreation or commercial uses. The only thing we won't be able to get away from is when it's that time of year for the horseshoe crabs. Mr. Sarclette said we have an ordinance for that; that's okay. We just don't want them to further restrict.

Mrs. Gross asked if the meeting should be held in the senior center. Mr. Stowman stated the senior center.

Mrs. Gross made a motion to close public comment: seconded by Mr. Oliver.

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

Discussion Items

Mr. Sarclette announced we would be reviewing Item #8 first since all parties are present.

8. Garvey Real Estate request dated May 6, 2016 to vacate Pond Street.

Mr. Garvey stated Mr. Forss is under contract with the property in question and is in attendance if the Committee has any questions.

Mr. Mark Garvey, President Garvey Real Estate, in Cape May Courthouse, represents Roger Forss who is the purchaser under contract. Mr. Garvey explained he is the real estate agent selling a single family home at 120 Railroad Ave located on lot 3 (block 266). A survey revealed the house is actually not located on that lot at all. As a result, Mr. Garvey stated he spoke to Ms. Behm who gave him a copy of the Ordinance #546 that vacated Pond Street between Main Street (Route 616) and Railroad Avenue.

In order to move forward with the sale since approximately half of the house is in the road R.O.W., it would clear that up if the road was vacated. Then we'd have to contend with the owner of lot 2 who is the widow of the previous owner of lot 3, Mr. Scheidts, who is deceased. Mr. Garvey contacted Ms. Scheidts' daughter because she was out of town. When the Veteran's Administration foreclosed on lot 3, which was mortgaged with the house, as the lender thought, they foreclosed on lots 1 and 2 which is not encumbered by the mortgage; which is against the law. The first step was to attempt to vacate Pond Street, and then the VA and myself (Mr. Garvey) have to speak with Mrs. Scheidts in regards to conveying lot 2 in order to give clear title to Mr. Forss.

Mr. Sarclette stated even if we vacate Pond Street, half would go with lot 3 and half would go with 2; correct? Mr. DiDomenico agreed. So you'll have less of a problem, but you'll still have a problem.

Mr. Garvey stated lot 1 and 2 is owned by Mr. Scheidts, she doesn't realize that she owns it; she thought they lost everything to the bank. But what the bank did was foreclose against properties they shouldn't have foreclosed upon according to Shore Title Company.

As a point of interest on the assessment records, lot 1 and 2 are assessed together to Reynold who is deceased. And, Deborah is his widow; she's the owner of lot 1 and 2. Mr. Sarclette asked if Mr. Garvey has approached Debra about the situation. Mr. Garvey replied that he spoke to her daughter who said Deborah is supposed to be from vacation tomorrow. Mr. DiDomenico asked who owns lot 3. Mr. Garvey stated it is owned by the Veteran's Mortgage Services via foreclosure. Mr. Scheidts was apparently retired Coast Guard and he got a VA loan in which he never got a survey which puts us where we are. Mr. Garvey stated Michelle (Behm) informed me, after the first of the year, the Assessor will review.

Ms. Behm clarified that once Mr. Garvey obtains the legal documentation showing who owns what, before Kevin (Maloney) could make any determination, he'd need some kind of Final Judgment or some type of legal document showing who owns what. Mr. Garvey stated it's the responsibility of the seller to provide marketable title to the buyer so we can go forward with the closing. He is confident they can work that out, but the first step would be to have the small section of Pond Street vacated.

Mr. DiDomenico asked if Mr. Forss is purchasing lots 1 and 2. Mr. Garvey responded no Mr. Forss is purchasing lot 3 thinking it had a house on it, but it doesn't. Mr. DiDomenico asked what does Mrs. Scheidts plan on doing with the property? Mr. Garvey said he hasn't spoken with her as of yet, but is planning on it in the morning.

Ms. Behm stated prior to the death of Mr. Scheidts, he owned the three properties by himself, before he died he transferred I believe the property that he thought the house sat on to Mrs. Scheidts. So it's the two remaining lots that could not be transferred to her; they're still in his estate. For the Assessor to change his records; there are a lot of things going on with that property.

Mr. Sarclette asked, does Maurice River have any obligation to Mrs. Scheidts or anybody else or what we do with the before we make any decisions or are we just can simply say we don't have any interest in Pond Street and then they work it out. Mr. DiDomenico replied the Committee can do nothing or you can retain Pond Street. Is it a lot or a paper street?

Ms. Behm replied it's an extension of Pond Street which was formerly vacated, but the Ordinance says it specifically from Main Street to Railroad Avenue. The remaining portion only affects lots 1, 2 and 3. She explained the original request (in 2004) was due to a contiguous owners request around Pond Street and Second Street affecting their back yard. Mr. Garvey provided a copy of the original map and current map.

Mr. DiDomenico asked if we (MRT) own Pond Street? Mr. Garvey stated his surveyor could not find a deed for it in the County records back to 1798. Ms. Behm stated that we've had streets on the tax map which actually did not exist, but how they came about, I have no idea. Mr. Sarclette stated his only concern was out of all fairness to all property owners of lot 1, 2 and 3.

Mr. Garvey stated Mrs. Scheidts owns lots 1 and 2, but in the opinion of Dave Scheidegg, Environmental Consultant with Schaeffer, Scheidegg and Nassar, said his map shows it all as fresh water wetlands (lots 2 and 1, vegetation, soils and whatnot). Mr. DiDomenico asked if the owner lived at the property. Mr. Garvey replied she lives on 211 Shunpike Road, Cape May Courthouse.

The assessment is \$19,600 for the two lots together; 6.77 acres. Mr. Sarclette asked if the assessment for the house is with lot 3. Mr. Garvey confirmed. Mrs. Gross asked if she (Deborah) lived there up until her husband died? Mr. Garvey stated he believes she did.

Mr. Oliver asked if there are any septic problems on this property. Mr. Garvey stated not that he's aware of. It's high along the road, but there's a line where there's a water line that runs off the Maurice River. Mr. DiDomenico stated even if there are wetlands, the house exists and can be used you just won't be able to expand it.

Mr. Sarclette asked is it Mr. Forss' intention to purchase lot 2 also – 1 and 2 or just 2? Mr. Forss stated he's just going to use the house; that's it. Mr. Garvey said they're trying to get title insurance to lot 2. Mr. Garvey stated in the opinion of Shore Title Company underwriters, say it belongs to Ms. Scheidts. This happens a lot, lenders grab what they can grab and then they hit a brick wall when there's a title search done. So they technically grabbed two parcels in the

foreclosure proceedings that were encumbered by a mortgage. Mr. DiDomenico said she may change her tune when she finds she is the owner and it has some value. Mr. Garvey stated the problem is when she finds out she's the owner and the Assessor makes the various adjustments, she'd going to get a tax bill. And when she speaks to or hires Environmental Consultants or speaks to Dave Scheidegg, she's going to find out that she's not going to be able to build a home where there's skunk cabbage and all the various wetlands plants that are growing right now.

Mr. DiDomenico noticed the contract of sale to Luke's Rentals a General Partnership by Roger Forss, so I'm guessing Mr. Forss is plan is to rent the house? Mr. Forss responded yes, that was his intention. Mr. Sarclette commented that you have to own the lot that it's on entirely. If you have 3 (lot #) and if we abandoned the road, you have half of the roadway. Mr. Forss, I won't buy until it's one piece. Mr. DiDomenico added how are you going to do that without Mrs. Scheidts agreeing if you didn't speak to her? Mr. Forss said that's his (Mr. Garvey's) problem. Mr. Garvey explained the problem as per the agreements of sale is on the lender, the VA, to go back to their attorney's and work with Mrs. Scheidts. He tried to get someone here to no avail. I believe if she says I don't want any part of any of this and doesn't cooperate at all, then the house will fall into the ground. She's going to own a house and get a tax bill. Mr. Sarclette said and then it will be the township's property at some point.

Mr. Sarclette said I don't want to be difficult, I don't think we have any interest in Pond Street, but we do have an interest in being fair. Can we, if the Committee was so inclined, agree conditionally so they can have something they could be working with that would be a legal document, but not actually unless all the pieces fell together? Mr. DiDomenico, agrees with the Mayor, he doesn't want to be difficult either, but is possible to have Mrs. Scheidts come here with the two of you (Mr. Garvey and Mr. Forss)? The Committee would want the make sure she understands what's going on here.

Mr. Garvey said he had mentioned to her daughter she may want to consult with an attorney or have the attorney contact him. Contact the title company's attorney:

Mr. DiDomenico said we don't know what the value of this is and she may not understand either, but it has some value. Mr. Sarclette added, even if she was offered (Mr. DiDomenico says in background \$10,000 or \$5,000) some kind of a small something and then legally signs it over and you own it and you're done free and clear. And, then we don't care about Pond Street, everyone's happy, but without something happening there, I'm uncomfortable, I would do it conditionally, but if everything fell together at the end. Mr. Garvey said right; subject to title and ownership of lots 1 and 2 being conveyed to the lending institution or to Mr. Forss.

Mr. DiDomenico said but there is an issue her of standing also, Mr. Forss is not the property owner for any of this. The VA, VA Mortgage and Mrs. Scheidts have an interest. Now, if Mr. Forss was to buy Mrs. Scheidts properties, then he has standing to come before the Committee to ask for the street to be vacated. Mr. Sarclette stated if the street were vacated, it would be split in half and added to the adjacent properties. At this point all the committee could do is vacate the road, but we couldn't do in good continence without a property owner to request it.

Mr. Domenico state the best approach is to have Mr. Forss purchase lot 2 from Mrs. Scheidts and then come before the committee and say I have a contract of sale for lot 3. Mr. Sarclette agreed. It was decided the committee and Mr. Domenico will hold on to the surveys for when Mrs. Scheidts attends a meeting. Mr. Garvey stated he'll try to get Mrs. Scheidts back to the June 13th meeting.

Ms. Behm asked Mr. Garvey what the intention is of the VA is in regards to their faulty foreclosure. Would the VA have to vacate the foreclosure Frank? And then it would go back into Scheidts name? Mr. Domenico stated a similar issue in Vineland where the mortgage

company foreclosed on a big chunk of land which included a couple of lots they didn't own. That was a mess that went on for a couple of years. He believes they'd (the VA) would have to get a court order. Ms. Behm further stated Kevin, the Assessor, will need some type of court order vacating the foreclosure in order to change any records. Mr. DiDomenico agreed that that's what the Assessor required in Vineland also.

Mr. Garvey stated he was under obligation to contact Mrs. Scheidts and advise of the situation. Hopefully she'll have legal counsel to decipher all the title and whatnot. Mr. Sarclette thanked Mr. Garvey for his intentions and trying to utilize the property instead of keeping it another vacant property. Mr. Garvey commented that this is something he sees all over South Jersey it's a weekly thing where the grass gets higher and next the back door is open and people are in there taking the copper. Mr. Sarclette and Mr. Garvey agreed that hopefully Mrs. Scheidts is willing to get out from under the whole things and settle the situation in a way that keeps everyone happy. Mr. Garvey and Mr. Forss thanked the Committee for their consideration and stated Mr. Forss would not be moving forward without marketable title.

Mrs. Gross wanted to take the opportunity since you (Mr. Garvey) are in the real estate business and if you ever have anyone who is interested in buying one of our properties and you have any questions, you could certainly reach out to us and we could sit down with our planner and a potential buyer. Mr. Garvey asked if we currently had a list of this type of properties. Mr. Sarclette stated we do have a list of 16 properties which we will discuss later in the meeting to potentially move forward with which will take 6 months to a year. Mrs. Gross stated what she was trying to convey is that we have empty businesses, two restaurants, Pine Grove and The Village, if you ever had a buyer that might be interested, we would be more than willing to sit down with them and talk. Mr. Garvey asked if the township is looking to take over these two restaurants. Mr. Gross replied no, just in general to rejuvenate businesses. Mr. Sarclette clarified that Mr. Garvey steer potential buyers to the forces.

Mr. Garvey stated a couple of years ago, Ms. Behm, then Assessor, adjusted the assessment on the Pine Grove Restaurant and Jennifer Truxton now has it for sale I think for \$67,000. Ms. Behm added that the property contains the restaurant, a house and a billboard, which makes it a hard property to market. Frank Laughlin, who owns The Village, was asking \$105,000 the last time Mr. Garvey spoke to him. Ms. Behm added that property has a restaurant and a mobile home with it which is a current rental property.

Mrs. Gross told Mr. Forss that his rehabbing houses in our township, it certainly helps because you do a really nice job on them and you pick good people to choose as your tenants. So we do notice that and we do thank you for that. Thank you. It's not often we get you in here so I'm going to take advantage of this time to thank you. Mr. Garvey stated driving around town you can tell which ones are owned by Mr. Forss.

Mr. Sarclette announced we will now go back to the regular schedule on the Agenda.

1. Abandoned/Vacant Properties Ordinance #651 - Since we already spoke with this earlier with Gordon Gross is there anything else we need to discuss? Mr. Sarclette stated he was confused by this ordinance, because if people are walking away, why are they going to register and how can we make them register, but it's the bank that's going to end up with the property that we're asking to register and be responsible. Mr. DiDomenico stated 31 MacDonald we can't get the bank to respond on that. Mr. Sarclette said they are having the grass cut so they are aware.

Ms. Behm offered that the tax office receives notices from banks providing contact information for clean-up and violations which are dated back to 2009. So this is not something they're not use to, they know that it's out there. Mr. Sarclette said hopefully

it'll make them respond a bit quicker. They've obviously received letters because they're sending someone to cut the grass. Mr. DiDomenico said he'll make the couple of changes and he'll resubmit it for the committee to consider it.

2. Moratorium for Newly paved roads Ordinance #650 - Mr. Sarclette stated he and Cormac discussed this a couple of years ago and never moved forward with it; we weren't paving any roads; now we are. I didn't notice any additional fees; are there any? If they meet the criteria to open up a road is it just under the normal road opening fee schedule, inspection, etc.? Mr. DiDomenico stated that Cormac prepared it and he reviewed it. He didn't have any problem with it, but he believes the fees are as they are currently. Mr. Sarclette said so there's no additional cost to open up a newly paved road; they just have to meet the criteria. He said that he (Cormac) originally submitted this idea; it was based on a successful Ordinance in Egg Harbor Township. Mr. DiDomenico said other municipalities usually have a five year moratorium on cutting into freshly paved for five years; you can't cut into the roadways.

Mr. Sarclette asked in your experience with these things if you have any, does it hinder people that may be wanting to get a gas extension? Mr. DiDomenico said he never experienced any of that, but it does stop some of the fly-by-nighters from cutting into the roadway.

There was an alleged offense in Vineland. They just paved the road and without any permits got his backhoe and cut into the highway. Mr. Sarclette asked how serious the penalties are for that? Mr. DiDomenico answered our penalties cannot exceed our maximum of \$1,200 or \$1,000 by ordinance. Mr. Sarclette asked so in a situation like that we would have to go into a state statute on destruction of public property? Mr. DiDomenico said yes. Cormac's ordinance doesn't have any additional fees so it would just fall back into our normal ordinance violations.

Mr. Sarclette asked we could have our first reading and then make changes if we were so inclined. Mr. DiDomenico said yes and Cormac will be here on Thursday so he can make comment.

3. NJDEP Request for Support by Resolution of Centerline Markings on Route 47z - Mr. Sarclette asked if the "z" was a typo; meaning 47S (south)? Ms. Behm stated it was referenced on all documents as "47z" located between mile marker 0 and .19. *(the audience responded where they thought it was located)* Mr. Sarclette read Resolution #68-2016 which described the location as "a no passing zone on Route 47z". Traffic investigation on Route 47z in Maurice River Township from 0 to .19 in the middle of Mauricetown Road, Route #670. Mr. Sarclette stated if it's a no passing zone on Route 47, I say we agree.

Ben Stowman questioned if it is located at the 347 split.

4. Temporary/Seasonal Road Department - Mr. Sarclette mentioned he added this to the agenda; has Steve asked anyone about this? Mrs. Gross stated no.

He further stated he was thinking with Bill out for a while and the grass season coming, we may need help. I was going to talk to Steve about, but have not; just something to think about. We may bring it up later, but for now we'll table it and maybe we'll talk about it next month.

5. Maurice River Diner Statement of Consent for Septic System Upgrade - It was clarified this is for the diner and not the old (Port-O-Call) restaurant. Mr. Sarclette read from the

letter submitted with the application: "works approval permit to upgrades the existing individual subsurface sewage disposal system located at Maurice River Diner"... "required to submit a statement of consent form". It says that normally the township would adopt a resolution authorizing the Mayor to sign the consent and a certified copy sent to them.

The diner wants to upgrade their septic, they have to file with DEP and then DEP would request a township resolution of support. If Frank would review, I don't see why we wouldn't agree to it.

Mrs. Gross reported while Mr. DiDomenico is reviewing the paper, when she was at the County Planning meeting, they had looked at five different street intersections in Cumberland County. One is at the causeway of Buckshutem Road and Mauricetown Causeway which qualifies for a red light/stop light (where the blinking light is). There are five different criteria and each intersection has to meet at least one to be considered. This intersection met two; visibility and accidents. She feels this light will probably happen in the near future.

Mr. DiDomenico stated he believes Cormac should review because we have to certify that the township consents that the project conforms with all municipal ordinances. Mr. Sarclette asked if Tiffany (CuvIELLO) needs to review as Planner; Mr. DiDomenico stated no because it's more of an Engineering issue. The Deputy Clerk was asked to email the request letter and consent form to Mr. Morrissey and Mr. DiDomenico for review and further discussion on Thursday.

6. Fee Waiver Request from Maurice River Historical Society Regarding the Construction at the East Point Lighthouse - Mr. Gross spoke of this in his earlier report. Mr. Sarclette asked if there was any discussion on this. If none we will make a motion on Thursday to go forward.
7. Mitigation Plan (Final) - Resolution to Adopt - Already reviewed.
8. Garvey Real Estate request dated May 6, 2016 to Vacate Pond Street - Reviewed at beginning of Discussion. Mr. Sarclette and Mr. DiDomenico commented they were both uncomfortable with the situation because no one had spoken to Mrs. Scheidts, but to the daughter. The daughter is not the property owner. The owner must be involved.
9. Ordinance Amending Chapter 35 Land Development Regulations - Ordinance #652

Mr. DiDomenico commented to Mr. Sarclette that on page 2 under Buffers and Screening, "buffers and screening are required according to the following:" then it's blank. Mr. Sarclette explained he believes the first paragraph or two are replacing the beginning then it goes into the ordinance. Mr. DiDomenico stated he agreed with that but then section 3 follows.

Mr. Sarclette and Mr. DiDomenico both stated we need clarification on what is being done with the ordinance. Mr. Stowman stated he will review and offer suggestions at Thursdays meeting.

Mr. Sarclette stated they will agree to this change on Thursday, send it back to the LUB for you to put into the whole ordinance and see if you agree that it solves our problem. The problem is there is some discrepancy as to whether our ordinance is clear. We want to clarify the wording.

Mr. Stowman commented the only discussion that will come back from the LUB is just being it's a pretty minor change from a LUB standpoint because it's really just saying even clearer what we already knew to be the way it should be. The question between Mr. DiDomenico and Mr. Bensen is what is needed to get that in. Mr. Sarlette stated that his concern is does this constitute a change where we have to notify everybody? Mr. Stowman stated he thinks the answer is no because Mr. Bensen was saying it was such a minor item. We're not changing the intent of the ordinance the wording was just weak how it was written.

Mr. DiDomenico stated any time you change zoning or you change the zoning lines (boundaries), then you have to give notice within that area. Mr. DiDomenico doesn't think we need to notify anyone, but he'll check on it. It's a recommendation to adopt the changes.

Mr. Stowman commented the LUB was submitting it to the Committee to review due to upcoming sand mines coming due; timing was critical. Mr. Sarlette stated unless there is a red flag comes up because of notifications, Thursday we would do the first reading and then following month. Mr. DiDomenico commented we could take action, but it can't become township law until it's approved by the Pinelands anyway.

10. Preliminary In-Rem Foreclosure List - Mr. Sarlette stated this is the recommendation of Terry (Tax Collector) and Michelle which he had a change to look over some of it last week. These are properties due to their value as we've always done we'll get our biggest bang for our buck kind of thing (based on what they owe). There was one he asked we not proceed with, which was the old Fishtales marina; one because it's owned by DEP and two because I'm hoping that we'll own it in the near future. If we don't we can foreclose on it later. Mr. Sarlette stated they have until Thursday to look at it.

Ms. Behm stated the majority of the properties are residential, some are still lived in. Schedule 5, 6 and 7 were installment plans which a couple never made any payment towards their plans since granted. The top four properties are vacant land; I believe. We made sure we didn't add anything with wetlands. If we're going to spend money to foreclose on it, we should be inheriting something that we could turn around and offer to the public that could actually sell and get back on the tax rolls.

I had Mr. Gross review the listing to make sure nothing stood out to him as far as pollution issues or DEP situations or anything where we'd be inheriting problems. I also asked Steve to go to each of the properties to see if there was any kind of maintenance that would have to be done, just so you knew beforehand what we're getting involved in. Steve reported some needed dilapidated sheds torn down or just basic upkeep of the land, but he didn't see anything major that would have to be done.

Mr. Oliver questioned if there was a fire on the James McMillan property. Ms. Behm replied yes; the house is gone and the only thing left is debris and whatever personal items were in the yard. That would definitely be a clean-up issue. Mr. McMillan is deceased. Ms. Behm stated she believes the Wallace and Chatten properties were also clean-ups or board and secure; pretty substantial.

Mr. Graff will be in his office Thursday evening if anyone has any questions for him.

E. Misc. Report of Operations

Mrs. Gross stated we already talked about the Wednesday meeting and told Mr. Oliver if he wanted to attend the meeting, the Bayshore Van Drew meeting he was welcome. (*Meeting is on Wednesday at 2 pm, not Thursday.*)

Mrs. Gross stated Ken Whildin got a clothing bin which she'd like to get cleaned up or sand blasted and have Design Wraps do a wrap for a flag drop-off. Mr. Whildin stated it measures 5'x5'x6' tall and weighs about 300 lbs.

Mrs. Gross stated the Belleplain Commander asked if we could find a way to collect the flags because people have them and never know what to do with them. Another town did this and that's how they collect them. We would have people put the flags in the container and Belleplain would do the pick-up and burn them for their retirement on Memorial Day.

Mr. DiDomenico asked Roy if he knew what the procedure was because it sounds like they're throwing the flags in the trashcan. Flag etiquette is that you burn it without touching the ground, but as far as an intermediate step he's not sure.

Mr. Sarclette stated that what we're being asked to do is put a receptacle here so people could drop them off and Belleplain would pick them up and dispose of them properly. The receptacle will be outside the hall since you don't know what people will be bringing in, smells, etc. We didn't want to ask them to go to the Road Department. Mr. DiDomenico is concerned that people will throw trash in it.

Mrs. Gross stated they were thinking about placing the receptacle at the Leesburg Fire Company so we could put it near their building in order to give easy access and there are surveillance cameras. She feels there won't be a problem. Mr. Sarclette asked if we have any fenced in area, to have people bring them in like the oil and antifreeze recycle thing with someone monitoring. The only thing we can do is try it. Mr. Sarclette asked for the cost of the wrap. Mrs. Gross said she hasn't gotten any prices she wanted to see what the Committee thought of it first. She asked Mr. Whildin if Allen Steel could sand blast the container; he replied yes. And then we could probably paint the majority of it and have the front done with the wrap. She saw another town's receptacle and it was very nicely done. Mr. Sarclette stated C&S Signs does sand blasting and so does Day in Mauricetown.

Mr. Oliver stated he'll check with Jeff Bruckler to see what the American Legion does. Mr. Whildin said the VFW currently does this in two areas; Lindenwold and Millville is looking into the same thing.

The flags were brought up when we were doing the Veteran's Park and Louann brought up something too about Bibles and how to recycle a Bible.

Mr. Sarclette stated if the American Legion and other places are already doing it it's obviously passed scrutiny somewhere.

Mrs. Gross also stated at the Environmental Economic meeting last week, we talked about doing more signs; not like Spring Garden, but a smaller scale at some of the intersections. The problem is the sign ordinance says you cannot have offsite advertising. So is that something we can look at or change so that we could have offsite advertising? Mr. Stowman commented the ordinance states a business is allowed one offsite advertising sign. If you're talking about the LUB increasing the numbers that's one topic, but you're talking about having a township sign. Mrs. Gross further explained the sign would be a small sign like what we have inside the town hall for each office. It would be a single pole with a small sign

reflecting the direction of a business on major intersections – Main Street, Route 47 & Broadway, Route 49 & Port Cumberland Road, but we want to do them nice.

Mr. DiDomenico stated the Committee could by resolution set a recommendation or request to the LUB to explore that portion of the ordinance and to render a report to the committee as to whether or not that sign ordinance regarding offsite signs should be changed. You might make the recommendation to the LUB and Tiffany can comment on how large the signs should be for motorists to see. If they're too small, they don't serve any purpose. You don't want them too big, then they're bad for the landscape.

Mr. Stowman asked if it matters if it's in the R.O.W.? Can we do something at an intersection? Mr. DiDomenico answered that no one is permitted to put a sign in the R.O.W. Mr. Stowman said outside of the R.O.W., the property owner would have to consent. Mr. DiDomenico said right, but by ordinance the township still controls signs outside the R.O.W. I think DOT requires a minimum of 10' outside of their R.O.W.; then you have issues of sight triangles. Mr. Stowman stated the LUB can look at it. The caveat would be if it's not a township intersection property. Mrs. Gross asked would an easement be required if it was a property owner? Mr. DiDomenico stated it would be rented space at that point. But that's not our issue. The ordinance would be whether or not they're permitted, size limitations, locations; then it's up to the property owner. Mr. Stowman stated something would have some instruction and they could review.

Mr. Sarlette informed Mrs. Gross that Ms. Cuvillo could help you draft something to bring to the Committee for so they can say to send it to the LUB to consider. Ms. Cuvillo will know how to form the request.

Mrs. Gross also spoke about her meeting possibly utilizing SNJ Advertising for some Economic Development needs. There is a list of different things SNJ could offer us; one was updating our website. She talked to Tony Stanzione who's going to work with Ms. Behm on that. One of the things that I'd like to ask the Committee is that if we could possibly hire SNJ to do press releases when we need them and help up market some of our empty businesses. Whether it be on commercials, a run on their local TV feed; it's probably a cost of \$1,200 for their services. It could've helped with the Wall of Honor, to help market our Veteran's Park, our marinas. Mr. Sarlette asked what the \$1,200 was for, a year or a period of time? Mrs. Gross said probably a period of time. She asked them for a price breakdown.

Mr. Sarlette stated in a situation like that we didn't budget anything for that. You need to have an idea how much money you're going to spend and talk to Allen about where it could legally come out of in our existing budget. Mrs. Gross was thinking it could come out of the Economic Development Committee line item. Mr. Sarlette asked if the info would be on Facebook because he thinks probably more people would see their stuff on Facebook than on TV. He stated that before anything is released on social media (Facebook, Twitter, etc.) someone that knows what's being done (from the township) would need to look at it.

Mrs. Gross stated she did obtain the sign for the Veteran's Park. They've decided to use the sign in a way to change the message with big letters that slide in and out. C&S Signs will be looking at the sign to see how much it will cost to do the lettering. Mr. Sarlette asked if Mrs. Gross was able to talk to Barry about the Welcome to Maurice River signs. The ones that are left are not in good shape. Mrs. Gross said yes, he's looking at the Causeway sign and whatever he does there would be good if we wanted to do them at other entrances. Mr. Sarlette stated that Whibco at one time said they contribute to that. If they're not willing to contribute, we ought to utilize the space for something else. Don't do away with the sign when you already have the space allocated. It was a Whibco contribution to put their name

out there and they put the Mike Lafferty sign on there. They told him a couple of years ago they'd take care of the sign, but they haven't.

Mrs. Gross wanted to let the committee know she received a call from Commercial Township asking if Maurice River would go in with them and make some brochures. Discussion took place and it was decided not to proceed.

Mrs. Gross also reported the residents at the last LUB meeting were very upset. After the meeting she went outside and talked to them. She thinks they were over thinking the situation with the solar panels. One of the things I told them to do is to continue coming in to Lillian (Johnson) and she could update them on the situation. Mr. Sarclette asked if it was the church. She answered it was residents that lived there, but they were thinking it was going to be worse than it is.

Mr. Stowman reported that the Planner had a major problem and we just couldn't handle it in the normal May meeting. So it had to go in a special meeting and it was possible the public thought we were doing that to hide something, but we weren't. Mrs. Gross stated they did. Mr. Stowman continued that they were just trying to accommodate the applicant so they could have a meeting before they had to wait until June. But then because of all the things that still needed to be done and then to top it off because of the special meeting date we had a couple of the board members didn't make it. Mr. Sarclette or Mr. Oliver would've had to step down because it was a use variance and that only left the rest of the members and there were three other members that didn't come in. The board tried to explain the situation to the public and announced to the group that they are meeting on June 1; extending everything on to then. The applicant wanted to come back in June because they felt they would have at least 7 people that would be voting on it.

Mrs. Gross said the public felt it was a conspiracy that the meeting was held on a Monday because they thought no one would come. They had printed photo's of solar farms and thought that's what was being done. They didn't at least trust the board to make the decisions on it.

Mr. Stowman stated there were a lot of OPRA requests through Lillian (Johnson) who did a lot of copying. Nothing was withheld from the public. Mrs. Gross did state the public seemed to calm down knowing they were able to come in and talk to Lillian and find out what was really happening. She's sure it's still going to be a heated meeting the next time.

Mr. Oliver stated his big project is officially over. He thanked everybody who had any degree of participation in the Wall of Honor. It really served our veterans well. He estimates 300 people were there and we had the motorcycle club from Woodstown, we had a rifle salute from the Millville American Legion and Civil Air Patrol and the Beck's Bank was outstanding. After the meeting we had some people come up with some cash donations. He talked to Barry Fisher who did absolutely an outstanding job on the wall. Barry stated that once he gets his check from the Township, he's going to donate back some money toward the kitty. Mr. Oliver said he think I can safely say now that the Wall of Honor did not cost the township residents one thin dime and actually anything we make over and above that will be put against the band itself, which was \$1,500. The whole project may only cost the taxpayers maybe a couple hundred bucks in the final analysis, which from the magnitude of it is pretty good. It's pretty cool we got a lot of community members involved, the kids, the grandparents and everybody in between. It went over good.

Next week, Mr. Oliver reported he wanted to get with Mr. Morrissey, and begin looking at the flooding situation in Bricksboro. What we're trying to look at is short term, intermediate term, and long term solutions to the flooding problem. They meet and get some cursory

investigations to offer the residents up there and see if we can't start putting them together. Mr. Stowman, Mr. Whildin and anyone else is welcome to join the meeting is more ideas together. Next time we have a major weather, maybe we can mitigate some of the consequences of high water in that area.

Mr. Sarclette commended Mr. Oliver on the Wall of Honor, it was very nice. He also asked if there was going to be a register where people could note changes, corrections or additions or if we're going have someone do it? Mr. Oliver stated Ms. Behm will be the point person for all updates to the wall. She will relay info to Barry and an overlay will be made for the particular plaque. He also mentioned that Lisa suggested that we have a guest register for anyone looking at the Wall that may want to leave a note.

Mr. Sarclette then asked if he needed to be questioning other officials. Did we officially invited the Freeholders? Mr. Oliver stated he sent out an invitation letter to Celeste Riley, Diana Pitman, Joe Derella asking him to also invite the rest of the Freeholders, Jeff Van Drew, Bob Andrzejczak, and Bruce Land? Mr. Sarclette stated that Senator Van Drew responded to him that he was very sorry that he couldn't attend, but he had like six other engagements that day, one of which was the same time, was an Eagle Scout promised previously. He still hasn't spoken to the others. Did we send letters?

Mr. Oliver said yes we sent a "Save the Date" letter in October of last year. He also spoke to Celeste Riley and Diana Pitman on the phone. He called Van Drew, Bob and Bruce. In fact, when he went to the meeting in late March about the exempt property, he was talking to Andrzejczak and he confirmed it was on his computer. Mr. Oliver said he wanted to say thank you to the Sheriff, Bob Austino, he was the sole representative of the County. He was very disappointed in that.

Mrs. Gross stated she saw Jim Quinn at the County Planning Board meeting and asked if he was going to the Wall of Honor and he wrote it down and said yes. After the event, she called him to ask why he didn't any of the Freeholders come. He said they never got invites. Mr. Quinn stated he didn't attend due to surgery.

F. Township Committee Concerns

Mr. Sarclette announced that Sunday, June 5th, Port Elizabeth United Methodist Church is doing an Old Home Day Celebration at 1:30 pm.

Mr. Sarclette also stated he was approached by Ron Sutton, Mayor of Commercial Township, about potentially combining forces for trash service. He said it's his feeling that both townships could save money. Just for future reference if you are so inclined to discuss.

Mr. Sarclette stated he asked Mr. DiDomenico to review the Lighthouse lease. Mr. DiDomenico said that on the last page of the lease, the section that talks about the tenants responsibilities. It's kind of vague and it doesn't specifically say they are caretakers. Mr. Sarclette said yes, but they are supposed to have to have some duties which is what we have to do now and talk to Kevin (Maloney) now to see if that meets the qualifications to make that tax exempt.

Mr. DiDomenico is going to call the DAG and see what their position is. Mr. Sarclette then asked if Mr. DiDomenico afterwards would speak with Kevin about it.

The issue is the prior administration of the Historical Society put this lease together just before they were replaced. The new lease is a 3-year lease that goes through 2018, but we

have the issue of it being taxable which causes a problem and an issue of it not being held responsible of what the people in the house are supposed to do. I asked for a legal opinion on that. Now we have to go to Nancy Patterson. Mr. DiDomenico stated the state may very well want the money from the lease. Mr. Sarcellette said that's the problem; the prior administration never accounted for the money they received through it.

Ms. Behm clarified that the initial reason when she was the Assessor that the cottage lost its tax exemption was because she was told by the Historical Society that the tenant was strictly a tenant and they had nothing to do with the lighthouse. So she had no option, but to make it taxable. The intent of the current administration and Mr. Sarcellette is to get the property back to tax exempt, but to meet the criteria. There are obligations in the new lease to cut the grass and do some things, but are they doing it is the question. If the issue is they're not doing it it could be grounds for them to negate the lease. Mr. DiDomenico stated they'd then have to give notice and time to cure.

Mr. Sarcellette said the purpose is not against the people living in the house, but to get the property to adhere to the rules and get it back to tax exempt and not have to deal with trying to foreclose on a state property.

Mrs. Gross asked what would happen if the Lighthouse wanted to use the cottage as an office or just for business. Ms. Behm replied, she's no longer the Assessor here, but being a certified Assessor, they would have to use it for storage or something to do with the organization or the lighthouse. It's the use or occupancy of the building that gives its exemption. In the past it was always occupied by the caretaker; that's how it got its exemption.

Mr. Sarcellette asked if Ms. Behm was familiar with any changes to the tax sale. Ms. Behm said the first ad is going in the paper May 27th and the second one is June 3rd and the sale is June 9th at 10 am. Terry ran the ad which remains the same regardless if an owner pays. Mrs. Gross asked if a lot of people will attend. Ms. Behm stated last year there were only 2 or 3 investors.

Mr. Sarcellette asked if we had a date for the public sale. Mr. Oliver stated he thought they were still waiting for something from the Assessor as far as value.

Mrs. Gross state the Municipal Alliance is going to do four \$50.00 grants for four of the graduating students. They're going to do an essay on staying drug free. They're also getting information for the next Family Night Out. Mr. Oliver was invited to attend some of the planning meetings. The date is Thursday, August 4th with a raindate of August 9th.

G. Agenda Review

The Deputy Clerk next reviewed the agenda for the May 19, 2016 meeting.

Mr. Sarcellette noted we will also have a couple of new ordinances for first reading (#650, #651, #652).

H. Review of Bills

The remainder of the meeting was dedicated to the review of bills to be approval at the May 19, 2016 meeting.

I. Adjournment

Mrs. Gross made a motion to adjourn, seconded by Mr. Oliver.

Michelle L. Behm, Deputy Clerk