

**MAURICE RIVER TOWNSHIP
AGENDA
Thursday, May 19, 2016 – 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 (tabled until June meeting)

B. Presentations

1. N.J.S.P.

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

D. Ordinances

1. Second reading by title Ordinance 648 – The Flood Damage Prevention Ordinance of the Township of Maurice River, Cumberland County, New Jersey
2. Second reading by title Ordinance 649 – An Ordinance of Maurice River Township, Cumberland County, New Jersey Amending Ordinance No. 580 (Uniform Construction Code Fees)
3. First Reading of Ordinance 650 – Amendment to Chapter VI – Street Opening and Excavation, Township of Maurice River, Cumberland County, New Jersey
4. First Reading of Ordinance 651 – An Ordinance of the Township of Maurice River, Cumberland County, Governing the Maintenance of Vacant Property, Establishing Requirements for Registration and Requiring a Registration Fee on Owners of Vacant Properties
5. First Reading of Ordinance 652 – An Ordinance of the Township of Maurice River, Amending Chapter 35 Land Development Regulations

E. Consent Agenda Resolutions

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.

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|-----|----------------|---------|---|
| * 1 | Resolution No. | 63-2016 | A Resolution Requesting Approval Of Special Items Of Revenue And Appropriation (N.J.S.A. 40A:4-87)
NJDOT Transportation Trust Funds – Estell Manor Road |
| * 2 | Resolution No. | 64-2016 | A Resolution Requesting Approval Of Special Items Of Revenue And Appropriation (N.J.S.A. 40A:4-87)
2016-2017 Municipal Alliance To Prevent Alcoholism & Drug Abuse |
| * 3 | Resolution No. | 65-2016 | A Resolution To Accept The Annual Report Of Audit For The Year 2015 |

* 4	Resolution No.	66-2016	A Resolution Requesting Change In Title, Text, Or Amount Of Appropriation Pursuant To N.J.S.A. 40A:4-85
* 5	Resolution No.	67-2016	A Resolution Of Maurice River Township Adopting The Mitigation Plan For Four New Jersey Counties
* 6	Resolution No.	68-2016	A Resolution Supporting The New Jersey Department Of Transportation Designation Of A No Passing Zone On Route 47Z
* 7	Resolution No.	69-2016	A Resolution Requesting Approval of Special Items of Revenue and Appropriation (N.J.S.A. 40A:4-87)
* 8	Resolution No.	70-2016	A Resolution Authorizing In Rem Foreclosure Proceedings against Certain Properties
* 9	Resolution No.	71-2016	A Resolution Authorizing The Sale of Real Property Not Needed For Public Use
* 10	Resolution No.	72-2016	A Resolution Authorizing Public Sale to the Highest Bidder of Certain Premises known as Block 117 Lot 23.05, Block 291 Lot 103, Block 320 Lot 136 and Block 289.01 Lot 6

F. Township Committee Reports

G. Professional Reports

Engineer

Solicitor

OLD BUSINESS

H. Announcements

1. The Municipal Offices will be closed on Monday, May 30, 2016 in observance of Memorial Day.
2. The Primary Election is Tuesday, June 7, 2016 from 6:00 am to 8:00 pm.

I. Correspondence

1. NJDEP correspondence dated April 26, 2016 encouraging towns to seek and leverage buyout funds for Green Acres.
2. CCPYDC letter dated April 26, 2016 acknowledging receipt of the Maurice River Township resolution supporting June as Gun Safety and Violence Awareness Month.
3. Cumberland County Purchasing Office forwarded the Municipal Alliance agreement for 2016-2017 grant period.
4. NJDOT letter dated April 18, 2016 denying the 2016 Municipal Aid application submitted for the Reconstruction of Newell Road.
5. CCPYDC invitation to the Township Committee to attend the event Stand Up For Gun Safety on June 18th.
6. Dave Smith, Fire Official, approved the request by MRT for an extension of 90 days to correct violations of the OEM building on May 6, 2016.
7. On May 3, 2016 NJDEP forwarded a copy of the executed agreement for the 2016 Municipal Aid Program for Estell Manor Road Phase 3.
8. FEMA letter dated May 4, 2016 requesting that the measures taken to adopt the Flood Damage Prevention ordinance be forwarded.

NEW BUSINESS

J. Correspondence

1. MRTES BOE request for use of the Leechester Hall on Tuesday, June 14, 2016 for the 8th grade dance. Certificate of Insurance is attached.
2. Choose Maurice River request to use the Municipal Building on May 25th at 6:00 pm to hold a meeting.
3. William Guenther application for a Certificate of Registration to participate at the Veterans Vending Park. Veterans ID and Peddlers license are attached.
4. William Philpot application for a Certificate of Registration to participate at the Veterans Vending Park. Veterans ID and Peddlers license are attached.
5. Letter dated May 2016 from Meteor Motorcycle Club Inc. requesting MRT acknowledge they were informed of an upcoming Hare Scramble they plan to hold at the Ormond Farms property on Aug 13 & 14, 2016.
6. Letter dated May 13, 2016 from Ms. Janet Fischer stating she would like to donate her land (Block 322 Lot 35) to MRT.
7. Letter dated May 11, 2016 from Cindy Bloom-Cronin, NJDOT, which included an executed agreement between NJDOT and MRT for the installation of the Pine Barrens byway signs by NJDOT on an MRT R.O.W.

REPORTS

Treasurers Report	\$819,756.35
Road Dept. Report April 2016	
Ron's Animal Control Monthly Reports April 2016	

PAYMENT OF BILLS

SECOND PUBLIC COMMENT SESSION

ADJOURNMENT

Thursday, May 19, 2016 - 7:30 pm

PRESENT: Andrew Sarclette, Mayor
Patricia Gross, Deputy Mayor
J. Roy Oliver, Committeeman
Frank DiDomenico, Solicitor
Cormac Morrissey, Engineer
Allen Foster, Finance Officer
Michelle Behm, Deputy 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. Gross, present
Mr. Oliver, present

Approval of Minutes

Mr. Oliver made a motion to table the minutes of prior meetings (April) to our June meeting; seconded by Mrs. Gross.

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

Presentations

1. N.J.S.P. - Lt. Bauer, Station Commander of the Port Norris Barracks provided a report of activity for the month of April:

Motor Vehicle Stops	241
Motor Vehicle Accidents	14
Property Checks	58
Thefts & Burglaries	2

There was theft of cooper wire from US Silica and another scrap theft. These types of thefts have really come down since the new state mandate which has been implemented with scrap yards and pawn shops having to inventory items that come in with receipts; a great deterrent.

There was a movable 10' box trailer stolen from a property in MRT. There was also one stolen from Commercial Twp and one in Lawrence Twp. It seems as though someone in our area of the county is driving around locating small box trailers that are unlocked and easy access. It only takes about 30 seconds to hook up to one of these and they're gone. Put out the word to make sure their hitches are locked and the wheels chocked.

Due to the motor vehicle accident on Route 49, Lt. Bauer took a minute to remind the parents of the rules of the graduated license program and what the requirements are. Again, it was a terrible tragedy, but that program is in place for a reason. He wanted to remind the parents who have young drivers that they are not supposed to be driving at certain times and not supposed to have passengers and asked that they please adhere to the rules.

Penny Wells asked Lt. Bauer who issues permits to transport boats on our state and county roads? Lt. Bauer stated not the State Police. Ms. Wells claimed this is the third time a boat has come by her house and ripped wires from her house; the boat was 13' high. When this happens,

it boomerangs the wires, and if there had been a person nearby they would've been hurt badly. She also reported that Tom went to Yank Marina to discuss and he was told they had a permit to carry boats up to 13' high.

Lt. Bauer stated the State Police do have an inspection team for oversized vehicles, but as far as issues permits it's definitely not them. Ms. Wells questioned how to stop this from continuing to happen. Lt. Bauer stated he is aware that there is a height limit for an underpass and every vehicle on the road is supposed to adhere to that unless they have a special permit, but as far as wires go, he's not sure. He'll find out and report back to Mayor and Council.

Mr. Sarcellette also stated he'll check with our representative from the electric company. Ms. Wells stated it was not an electric wire; it was phone (Verizon) and cable (Comcast). Mr. Sarcellette stated since the electric company is aware of homes moving down the street, he's sure they'd know who is responsible.

Mrs. Gross asked if it's the same person/marina that seems to have this issue. Ms. Wells answered yes. When it happens, they follow the boat and it always turns into Yank Marina.

First Public Comments Session (Limit 30 Minutes Total)

Mr. Oliver made a motion to open the first public comment session at 7:49 pm; seconded by Mrs. Gross.

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

1. Jim Kille, 133 Middle St

Mr. Kille thanked the township and the maintenance guys; they have a lot of responsibility and the township is a big township. There are a lot of empty houses he's seen throughout the last year that everybody is working on and cleaning up, but being a homeowner, he's more concerned with his own back yard. Right now, he has vacant homes sitting all around his property. They're dilapidated, run down and nobody lives in them. I understand there are legal ramifications with the banks that tie these properties up for the township do deal with. But on the other hand, he is the one who has to live in the middle of these houses. He questioned what the township is doing or can do or if there's something he can do to help to get rid of these empty houses.

Mr. Sarcellette replied that this is a multi-faceted answer to your question. Sometimes it's an issue where the zoning officer gets involved and cites the land owner. We're actually introducing an Ordinance tonight which will require the banks or title to the property accountable for registering the property and paying a fee; it will help us maintain the database for who has it and a contact for to reach when a property is left vacant. We're aware of the issue, it's obviously not just Maurice River Township; anywhere you drive you can see people are just walking away. Other times, the people are still in their homes, but they don't have the same concern for their property as other people do.

So we do have different issues that we're trying to deal with, but we are taking some measures. The zoning officer has been issuing citations pretty regularly, but a 94 sq. mile township he has to work his way around. You have to provide owners time, by statute, to address the concerns that are presented to them. If it's not done, we send a second notice. This ordinance is the first big measure that we're trying to do. It will take a couple of months to get through the system. This is the reason for the ordinance. We can't help it if someone walks away from the property; we can't stop them. But the bank holding the mortgage would ultimately be responsible for taking care of the problem. Whether it's sell the house to someone cheap enough to make it

worthwhile or maintain their interest in the property by taking care of the property by cutting the grass, boarding and secure, whatever is necessary to keep it safe and presentable.

If the owners aren't maintaining, then you have to find someone else who will; a lot of the properties you see being cleaned up it's because the township is doing it. But, before, we can do that, we have to go through a process also so that we have the authority to do it. Allow the landowner/bank a time to do it, then go through the proper motions at township meetings and then direct the township road department to clean up; whether its cuts the grass or remove a dilapidated buildings, whatever the case may be. And then, unfortunately, we're also maintaining them until we either foreclose on it and have a public sale to get rid of it or somebody buys the lien on the property and they'll take over that and the township gets reimbursed. There's a lot of tentacle to this octopus that we're dealing with, but we're trying to deal with it and I understand.

Mr. Sarclette asked Mr. Kille has notified our zoning officer who replied yes, several times and that's why I'm coming here to make my comments known. Mr. Sarclette commented that Mr. Gross is good at what he does. He's tries to allow people time to react if they're so inclined. Mr. Kille stated the township did come and clean the main property that's in front of his house. It's very discouraging because he spends a lot of time in keeping my property managed. It's a nice looking property and house for the township and I have what looks like a dump all the way around.

Mr. Sarclette thanked Mr. Kille for what he does and assured the audience that the township is trying to do our part to get some of these other places in order. Mr. Kille asked so this ordinance would force the banks to start their procedure a little faster or at least be responsible? Mr. Sarclette replied correct; they'll have to register, pay a fee and be on record what they're going to do with it, and if they don't do it we'll do it and then they'll pay it. We don't have the manpower to clean up all the properties that need to be cleaned up. We're trying to do what we can do.

Mrs. Gross commended Mr. Kille for how well he maintains his property.

Mr. Oliver added that this ordinance has a graduated scale; in other words, the longer the bank keeps it as a vacant property, the more substantial the yearly fees are going to be. So it's to their benefit to move the property and get somebody in there as quick as possible otherwise they're going looking at pretty hefty financial responsibility.

2. Brian Griffiths, 81 Station Rd

He asked who answers to emails when we email questions to the township? Mr. Sarclette asked which email address are you emailing too? Mr. Griffiths answered the one that's on our website. Ms. Behm commented that she gets them, but she had not gotten anything from him. She double checked right after Mr. Griffiths left (*earlier that day*).

He further asked how come every time he comes to the township or calls the township or the township is involved with something with him, there's something wrong with it? It all started back with Kevin Maloney, I spoke to you (*Mr. Sarclette*) on the phone; of course, there's no accountability there. I come in here, I ask how do I get put on the ballot down here and I'm handed a voter registration form; I'm already registered to vote, I want to be voted on. So I go to my party and they tell me what I have to do. It's a little late to go out and get a couple of hundred signatures right now and have it in by the end of the month; so, I guess it's next year. It just seems convenient.

Mr. Sarclette asked what his issues are? Mr. Griffiths commented his survey does not match our tax map and that his neighbor's fence is on his property. Mr. DiDomenico informed him that

that is not a township issue, but a legal issue between the property owners. Mr. Sarclette advised Mr. Griffiths that our tax map is not a sealed survey it's only a guide; so if there's an issue, your sealed survey would have to be compared to your neighbor's sealed survey and it dealt with outside the township.

Mr. Griffiths stated when he comes to the hall, he's told the office is closed or someone is out. Mr. Sarclette assured Mr. Griffiths and the audience the township has nothing to hide; if we receive emails they are forwarded to the responsible party for response. There has not been any other complaint on this issue.

Penny Wells stated maybe the link on the website is not working properly. Mr. Sarclette stated it's possible, but there is no email being ignored. We will look into it. She also stated it's been a bit of time since the website has been updated.

Mrs. Gross stated we will be meeting on and updating the website. So it's something we've been wanting to do. We are going to be working on it. Mr. Sarclette also informed the audience when working with the website, you do not have to use the email link to get a message to the township. Everyone has their own email listed so that you can email that person directly.

3. Mr. Oliver, Bricksboro Flooding Meeting

Mr. Oliver wanted to add that since Ray is in the audience, Mr. Morrissey, Mr. Whildin and Mr. Stowman should coordinate a new meeting date. Mr. Morrissey recommended an initial small meeting with himself and Mr. Oliver and Mr. Stowman to sit and think about how we want to approach this especially from a stakeholder's standpoint. The residents definitely have to be involved in the process, but before we go out there, they to get an idea of how going to attack the problem because we'll also have to work around DEP regulations. Mr. Morrissey suggested the initial small meeting and then set a time to do a site evaluation. Mr. Oliver asked for Ray and a small number of other people should attend. Mr. Morrissey stated now that he felt they need to meet to discuss the regulatory thresholds that we might have to overcome just to get a strategy before we attack the problem.

Mr. Oliver asked if they could look at short term, intermediate term and long term. The longer it goes the more agencies are going to get involved. That way if we can get some short term or intermediate term solutions at least it would help them out. The small meeting was scheduled for Wednesday, June 25th at 1 pm.

4. Penny Wells asked if mosquito and gypsy moth spraying was going to happen this year?

Mr. Sarclette stated mosquito spraying will happen through the County Mosquito Department and he knows the township gave permission to do aerial spraying. The truck spraying depends on the situation. Sometimes there are problem areas that are automatically sprayed. Other times you have to register with Heather Lomberk with the County. But they started treating the larva already. If you know where there is standing water and you report it, they can address that area, along with people who do not maintain their ditches. Someone will go out and address the situation with the homeowner and ask them to clean up. Pools, tires, buckets, boats, wheelbarrow, wagons...anything that'll hold water will be a breeding ground for mosquitos. If it's yours, turn it over and dump the water out, make sure it's left upside down if possible. If it's a neighboring or unknown issue, call the mosquito department and they'll investigate it. People cut their bushes and trim their trees and throw it in the ditches and the water doesn't flow.

Mr. Sarclette stated there are tent caterpillars, which a lot of people are thinking they are gypsy moths, which are not the same. There is usually a survey for gypsy moths and we're notified if

we have infestations that are worthy of spraying. Then they'll ask permission to spray and how much it will cost. We usually do it if they recommend it. This is a state operation.

Mr. Oliver made a motion to close the first public comment session at 8:13 pm; seconded by Mrs. Gross.

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

Ordinances

1. Second reading by title Ordinance 648 – The Flood Damage Prevention Ordinance of the Township of Maurice River, Cumberland County, New Jersey

Mr. Morrissey explained there was language that needed to be cleaned up a little bit to clarify some of our buffer requirements. Mr. DiDomenico stated it's required by the state anyway. Mr. Morrissey and Mr. Sarclette replied yes. Mr. Morrissey further explained the state said you have to revise your flood ordinance in order to qualify for the proper insurance coverage. They've given us a boilerplate and we've added some additional information and the deadline for compliance is June 13th. Once we're approved we will sent it back so that we're fully compliant with the state requirements and we'll move on from there.

Mr. Oliver made a motion to open the public hearing for Ordinance 648; seconded by Mrs. Gross.

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

Mr. Sarclette asked the audience if after hearing the ordinance summary if anyone had any questions regarding the Ordinance 648. No one did.

Mr. Oliver made a motion to close the public hearing for Ordinance 648; seconded by Mrs. Gross.

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

Mr. Oliver made a motion to adopt Ordinance 648; seconded by Mrs. Gross.

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

2. Second reading by title Ordinance 649 – An Ordinance of Maurice River Township, Cumberland County, New Jersey Amending Ordinance No. 580 (Uniform Construction Code Fees)

Mr. Oliver made a motion to open the public hearing for Ordinance 649; seconded by Mrs. Gross.

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

Mr. Sarclette explained the Ordinance is being used to update out of date zoning fees and asked the audience if anyone had questions regarding Ordinance 649. No one did.

Mr. Oliver made a motion to close the public hearing for Ordinance 649; seconded by Mrs. Gross.

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

Mr. Oliver made a motion to adopt Ordinance 649; seconded by Mrs. Gross.

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

3. First Reading of Ordinance 650 – Amendment to Chapter VI – Street Opening and Excavation, Township of Maurice River, Cumberland County, New Jersey

Mr. Morrissey explained the Ordinance is prepared to (*since we're repaving streets in the township*) usually towns have a moratorium so that they do not cut into a newly paved street. We notify the utility companies, in this case SJ Gas, in advance of our street pavings so they can

get any gas lines in. What it does it prevents the opening of the street for a 5 year period. Now there are provisions in there in case there is an emergency opening and there are methods and means to repair the pavement in an emergency situation, whether it's a full repavement, the full width of the street, or there's a technology where they heat up the pavement put the trench in and reconstitute the pavement so it doesn't look like there's a big gash in the street.

Mr. Oliver made a motion to approve Ordinance 650 on first reading and to set the date and time for second reading and public hearing for Thursday, June 16, 2016 at 7:30 pm; seconded by Mrs. Gross.

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

4. First Reading of Ordinance 651 – An Ordinance of the Township of Maurice River, Cumberland County, Governing the Maintenance of Vacant Property, Establishing Requirements for Registration and Requiring a Registration Fee on Owners of Vacant Properties

Mr. Oliver made a motion to approve Ordinance 651 on first reading and to set the date and time for second reading and public hearing for Thursday, June 16, 2016 at 7:30 pm; seconded by Mrs. Gross.

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

5. First Reading of Ordinance 652 – An Ordinance of the Township of Maurice River, Amending Chapter 35 Land Development Regulations

Mr. DiDomenico commented that Mr. Sarcellette questioned about notice on this Ordinance. He stated there is no noticed required to any property owner, but we do have to give notice to the County Planning Board and to any adjacent municipality if their border is within 200 feet. He's not sure if there are; it will be reviewed. Notice has to be given 10 days prior to adoption.

Mr. Sarcellette informed the audience that this is the Ordinance Mr. Morrissey referenced earlier. We're just trying to clarify the verbiage in the Land Use Development Ordinance. Our Ordinance was accurate, but there were opinions that it didn't read clearly. We've hopefully address the issues and it will be easier to understand. It doesn't change anything; only clarifies wording regarding buffers and set back areas around mining specifically.

Mr. Oliver made a motion to approve Ordinance 652 on first reading and to set the date and time for second reading and public hearing for Thursday, June 16, 2016 at 7:30 pm; seconded by Mrs. Gross.

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

Ben Stowman questioned if a copy of Ordinance 652 would be given to the LUB to review as a courtesy? Mr. DiDomenico stated we can, but there's no action required from the LUB. It went to the LUB and Tiffany Cuvillo provided the draft for the Ordinance, but we can send it for review and make sure there weren't any issues. This was first reading, so we will have an opportunity to amend it if there is a question or concern.

Consent Agenda Resolutions

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.

1. Resolution No. 63-2016 A Resolution Requesting Approval Of Special Items Of Revenue And Appropriation (N.J.S.A. 40A:4-87)
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10. Resolution No. 72-2016 A Resolution Authorizing Public Sale to the Highest Bidder of Certain Premises known as Block 117 Lot 23.05, Block 291 Lot 103, Block 320 Lot 136 and Block 289.01 Lot 6

Mr. Oliver made a motion to adopt Resolutions 63-2016 through 72-2016; seconded Mrs. Gross.
 Roll Call: Ayes – Gross, Oliver, Sarclette Nays: None

Township Committee Report

Mr. Oliver reported on Saturday, May 14, 2016, our Wall of Hone dedication was held and it was a really great endeavor. He thanked again anyone who had anything to do with it. We had a full house (approx. 300 people); the only thing missing with the exception of Sheriff Robert Austino, were the County Elected Officials. He questioned why we didn't at least get a courtesy call. He believes our 981 veterans deserve more than that. As far as the ceremony, we had a Civil Reenactment Band for entertainment, local folks singing, the church members sing the Navy Hymn; overall it was a long time coming.

Mrs. Gross congratulated Mr. Oliver on the project. It is something that will be with the township forever and he did a great job organizing it. She stated she has received messages that a couple of the Freeholders regrettably couldn't make it. It was not intentional to miss the event; they already had commitments.

Mr. Sarclette commented it was a wonderful event that he was glad to be a part of it. He thanked Mr. Oliver and everyone who had helped. He also received a call from Senator Van Drew and the reason they didn't respond. They were at an Eagle Scout event which did not start on time; putting off their plans. Two of them are Veterans; one who had lost half of his leg. So they do respect the Veteran's and they would've been there if they could.

Mr. Sarclette reported the wall would be moving to the municipal hall in the near future. Hopefully, parents will bring their children and show them just how many people from Maurice River Township have sacrificed for what we enjoy today.

Mrs. Gross reported that Ken Whildin was able to get the township a recyclable donation clothing bins and we're going to work on getting it decorated and we want to have it for a drop off for the flags to be recycled. We're working with Belleplain and the VFW and they will be

doing the pick-ups and the ceremonial burning once a year. We don't know exactly where we're going to put it, but it will look very nice to show respect for the flags.

Mr. Oliver stated subsequent to our discussion Monday night, he spoke with Jeff Bruckler, whose affiliated with the Millville American Legion. He said it would be proper to have a drop off bin for a temporary for a holding pattern for flags. He volunteered to come down and dispose of them once the bin is filled. Millville doesn't do it every year, they wait until they have an accumulation of flags then they have an elaborate ceremony for the flag destruction. Again, he made to offer to also help with disposal.

Mrs. Gross reported the date for Family Night Out has been set for Thursday, August 4, 2016 and the rain date is Tuesday, August 9, 2016. We plan to have fireworks, the rock wall and add a couple of more things than last year. Last year we had approximately 600 people that actually signed in and picked up bags. This year we're looking at least 1,100 to 1,200 people; we're preparing for at least 1,000.

Mrs. Gross also commented that the Municipal Alliance is going to provide four \$50 scholarships for the 8th grade graduating students. They'll be doing a mandatory essay on the importance of staying drug free. I think we'll be able to participate in the graduation which hopefully we'll be able to do every year.

The Economic Development Committee had a meeting on May 10, 2016. We're going to look into off site signage with Ms. Cuvillo; not quit as big as the Spring Garden sign. These would be a smaller directional sign. The sign (*Mauricetown Antiques*) at the Veteran's Vending Park was secured by the township to use as a message board. It will be a slide in letter display.

Mrs. Gross reported that the Town Watch has been turned over to Patrick Phillips. He is the official Town Watch Captain Liaison. He's promoting it very well on social media. They'll be at Family Night Out with a table in hopes of getting more signed up.

Mrs. Gross attended the County meeting and reported they are talking about possibly putting a traffic light at the Buckshutem Road and Mauricetown Causeway intersection at the blinking light. There are five requirements and the intersection must meet one to get a light. This intersection meets two of the criteria: accidents and visibility. I see a light coming in the near future. Mr. Sarcellette also added that a four-way stop is also being considered.

Mr. Sarcellette stated the Committee had a request from Nancy Patterson for the use of chairs (35) for an event being held tomorrow (5/20/16) by the lighthouse. Mrs. Gross agreed and added that on Sunday the East Point Lighthouse is meeting at Leechester Hall for a trustee meeting at 2 pm.

Professional Reports

Engineer

Port Elizabeth Library - Mr. Morrissey reported that he is still getting quotes on the Port Elizabeth Library. He met with someone today to get additional constructional quotes for taking out the chimney, patching the roof, replacing the heating system with a heating and air system.

The Road Program - They've completed their scope of work and what we're trying to do is take advantage of their favorable bid prices for the unit price for paving based on the tonnage price of \$73 a ton. We discussed with them working in the next road up, MacDonald and Schoolhouse, basically completing that loop. They were in agreement. We had looking to process two change orders:

- 1) To complete the work that's already been done. To adjust the contract price which basically came in under what they proposed because of the tonnage being slightly less and because of the fuel prices were even better than when they bid it. This change order is a reduction of \$9,072 – a 5.35% decrease over a base bid price of \$169,500 and some change.
- 2) To do the work what that we project the work to do, MacDonald and Schoolhouse, which would be an increase over the base contract price of \$11,860. We're somewhat conservative in our estimate in terms of quantities, but when you're paving a road you're putting down 1.5" to 2" on top of it. If the road is slightly slanted one way it becomes 2.5" if it's the other way it's 1.5" - so you have to allow for that. At the project close out you would get a final change order which would say + or – and the final quantities.

Mr. Morrissey stated what he is requesting is to adopt two change orders: 1) reduction of base price initially and 2) the additional price for MacDonald and Schoolhouse. Usually I would do this under one change order, but I thought it would be more clear to identify work they've already had done and then the extra work we're asking them to do.

I've also issued a recommendation for payment that will be handled through Louann's (Karrer) office for \$159,153.46. That'll pay them for work they've done on Thompson's Beach Road, Middle and the streets in Port Elizabeth. This is what we call the 2015 Road Program and dovetailing it to the next thing is the 2016 Road Program which is in design; he's trying to work out some of the drainage issues on some of the streets.

Mr. DiDomenico stated we should have a resolution approving those change orders. Mr. Morrissey asked if a resolution was needed for payment as well. Mr. Foster asked for the percentage of the change order. Mr. Morrissey replied it's under the 20%. The total change order will be an increase in project costs for 7%. The object of this road program is to pave as many streets as we can for the best price that we can. That's why I'm including this in as a change order as opposed to throwing it in the 2016 Road Program Bid because the prices may not come out as favorable.

Mr. Morrissey explained that the State puts out a set fuel price index and an asphalt price index at the time a project is bid and another at the time the project is completed. The two prices are compared to see if they went up or down. Our prices are substantially less when this project was bid last November. Not only are we still at a good unit price advantage, but we're still benefiting from the lower gas prices.

There was discussion between the committee, Mr. DiDomenico, Mr. Morrissey and Mr. Foster regarding the number of resolutions needed.

Resolution 74-2016 - Change Order #1 - to reflect the reduction of \$9,072.14 in the original contract price for asphalt and to decrease the total contract amount to \$160,425.96. Resolution 75-2016 - Change Order #2 - to reflect the increase of \$11,860.36 for a final contract price of \$181,358.46. There will be a third resolution to reflect the total contract price upon completion.

Mr. Oliver made a motion to adopt Resolutions 73-2016; seconded Mrs. Gross.

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

Mr. Foster asked Mr. Morrissey when he anticipates the 2016 Road Program actually starting. He's wondering when payments would start; when would the first payment be? Mr. Morrissey stated he's looking at a September/October construction. So the first payments would be in October.

Estell Manor Rd Grant (3rd phase) - This road has gotten substantially worse since we've done the first two phases. This grant money was definitely timely. He's been trying to figure out the best situation, which is in design now and is in on the similar track that we have the Road Program on. This will pick up the paving from where we stopped and pave out to Route 49. We're trying to some areas in base repair and overlay the rest of it so that we have a greater depth/thickness of pavement.

Matt's Landing Bike Path - The last word from NJDEP representative is that they are still waiting for the land swap to occur. Mr. Morrissey suggested requesting a meeting with them just to get a definitive answer. We need to make a decision on that grant.

Fuel Tank Canopy - We had contractors look at it and we still have a few questions coming in. He believes the next meeting coming in he should have at least three quotes on each structure (PE library and canopy). The prices he is getting are all over the place from \$46,000 to \$18,000. He anticipates having something for the next meeting.

MacDonald and Canon Range Rds - Mr. Morrissey visited the area recently and the signage is up at the curve, but there's no chevrons installed. He'll talk to Steve to see if they're still going to be placed. The chevrons are the reflectors leading you through the curve. He was happy to see the speed limit and the right angle curve are in place and are visible.

Bricksboro Flooding - Cormac stated they'll be on top of it next week and get a game plan. It's very important and I was happy to see the residents seemed very willing to participate. Even the residents across the swale (Mr. Valentine) were pretty interested in helping solve the problem. He was happy to see the community support for that.

Mrs. Gross asked Mr. Morrissey who specifically do we need to meet with on the bike path? Mr. Morrissey stated Lorie Pettigrew since she's been speaking to her supervisor. The deal was that the bike path was through their property and they were going to be the applicant and help us with the permitting. They were encouraging us; now they're backing off.

Mr. Sarcellette stated the property will remain DEP property; that's not an issue. He believes their issue is their commitment to the area, but they still have the crab pier and still promoting the bird watching; so he doesn't understand their backing away. Dave is the "boss" and Jason is the local representative. Lorie was very easy to work with when she was in charge of the area within the past, but I don't know what capacity she has now that she's come back.

Mrs. Gross stated she wanted to take some accountability in this because she was supposed to be overseeing their bike path and she has not done due diligence to the program. So she would like to be involved in the meeting. Mr. Sarcellette stated if the state's not going to support the program we can't do it no matter what because it's their property.

Solicitor

Mr. DiDomenico stated he called Ryan Benson, Deputy Attorney General, regarding the East Point Lighthouse cottage. He left a message and is waiting for a return call. Once he hears from him the next step will be taken. Mr. Sarcellette stated that's another issue that they may need to have a meeting. Nancy (Patterson) who is heading up that project - East Point Lighthouse program - is now concerned about this whole thing. Mr. DiDomenico asked if she has a copy of the lease from the state; Mr. Sarcellette stated he believes so. Mr. DiDomenico said if we could take a look at that, it may help.

OLD BUSINESS

Announcements

1. The Municipal Offices will be closed on Monday, May 30, 2016 in observance of Memorial Day.
2. The Primary Election is Tuesday, June 7, 2016 from 6:00 am to 8:00 pm.

Correspondence

1. NJDEP correspondence dated April 26, 2016 encouraging towns to seek and leverage buyout funds for Green Acres.
2. CCPYDC letter dated April 26, 2016 acknowledging receipt of the Maurice River Township resolution supporting June as Gun Safety and Violence Awareness Month.
3. Cumberland County Purchasing Office forwarded the Municipal Alliance agreement for 2016-2017 grant period.
4. NJDOT letter dated April 18, 2016 denying the 2016 Municipal Aid application submitted for the Reconstruction of Newell Road.
5. CCPYDC invitation to the Township Committee to attend the event Stand Up For Gun Safety on June 18th.
6. Dave Smith, Fire Official, approved the request by MRT for an extension of 90 days to correct violations of the OEM building on May 6, 2016.
7. On May 3, 2016 NJDOT forwarded a copy of the executed agreement for the 2016 Municipal Aid Program for Estell Manor Road Phase 3.
8. FEMA letter dated May 4, 2016 requesting that the measures taken to adopt the Flood Damage Prevention ordinance be forwarded.

Mr. Sarclette reported he had a discussion with Mr. Gross on Monday regarding the fire alarms and smoke detectors. And after following up on it, we do not need any additional phone lines; what we have is adequate. Mr. Sarclette would like to make a motion to move forward with Option #2. This option would add smoke detectors on all levels including the basement that would tie them in for monitoring. And also, I would like to make a motion to tying in the burglar alarm; that was \$900. It would come out of the EOM budget which they have the funds for. The price would be \$4,418 for the equipment and installation. We would also have an annual fee for monitoring.

Mr. Sarclette made a motion to opt for Option #2 and include the \$900 burglar alarm tie in. We should simplify that to one company and protect our investment in that building and all the equipment in the building and the safety of whoever happens to be in there for meetings or other. There is really a lot of money tied up in the equipment. Mr. Oliver seconded the motion.

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

Mr. Sarclette took a minute to thank Mrs. Karrer and Mr. Gross both for following up on the details he was concerned about on Monday. They got answers quickly for him.

NEW BUSINESS

J. Correspondence

1. MRTES BOE request for use of the Leechester Hall on Tuesday, June 14, 2016 for the 8th grade dance. Certificate of Insurance is attached.
Mr. Oliver made a motion to approve with a request to impress upon the chaperones for the dance that we do not want any damage to the Wall of Honor; seconded by Mrs. Gross.
Roll Call: Ayes – Gross, Oliver, Sarclette Nays: None

2. Choose Maurice River request to use the Municipal Building on May 25th at 6:00 pm to hold a meeting.
Assuming the municipal calendar is clear, Mr. Oliver made a motion to approve request; seconded by Mrs. Gross as long as personnel is available to allow entry to the building.
Roll Call: Ayes – Gross, Oliver, Sarclette Nays: None

3. William Guenther application for a Certificate of Registration to participate at the Veterans Vending Park. Veterans ID and Peddlers license are attached.
Mr. Oliver made a motion to approve application; seconded by Mrs. Gross.
Roll Call: Ayes – Gross, Oliver, Sarclette Nays: None

4. William Philpot application for a Certificate of Registration to participate at the Veterans Vending Park. Veterans ID and Peddlers license are attached.
Mr. Oliver made a motion to approve application; seconded by Mrs. Gross.
Roll Call: Ayes – Gross, Oliver, Sarclette Nays: None

5. Letter dated May 2016 from Meteor Motorcycle Club Inc. requesting MRT acknowledge they were informed of an upcoming Hare Scramble they plan to hold at the Ormond Farms property on Aug 13 & 14, 2016.

Mr. Sarclette explained this is a state requirement. Even though the event is on private property, the municipality still has to acknowledge awareness for the permit purposes.
Mr. Oliver made a motion to acknowledge being informed; seconded by Mrs. Gross.
Roll Call: Ayes – Gross, Oliver, Sarclette Nays: None

6. Letter dated May 13, 2016 from Ms. Janet Fischer stating she would like to donate her land (Block 322 Lot 35) to MRT.

This item will be given to Mr. DiDomenico for review and provide recommendation to the Committee.

7. Letter dated May 11, 2016 from Cindy Bloom-Cronin, NJDOT, which included an executed agreement between NJDOT and MRT for the installation of the Pine Barrens byway signs by NJDOT on an MRT R.O.W.
Acknowledgment so noted.

REPORTS

Treasurers Report	\$819, 756.35
Road Dept. Report (April 2016)	
Ron's Animal Control Monthly Reports April 2016	

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

PAYMENT OF BILLS

Acu-Print	25.20
Acu-Print	5.04
Atlantic City Electric	4254.85
Atlantic City Electric	1148.30
Aflac	285.00
B.W.Stetson	58.00
Buonadonna & Benson, P.C.	5970.00
Buonadonna & Benson, P.C.	22.00

Buonadonna & Benson, P.C.	5495.00
Buonadonna & Benson, P.C.	750.00
Buonadonna & Benson, P.C.	132.00
Brittney Adams	54.33
Brittney Adams	54.33
Beck's Phila. Brigade Band	1500.00
Bottino's Supermarkets	112.72
Bottino's Supermarkets	65.71
Board Of Fire Commissioners	33,654.00
Board Of Fire Commissioners	24651.00
Board Of Fire Commissioners	20,566.00
Board Of Fire Commissioners	27,579.00
Belleplain Emergency Corps	5,555.55
Custom Graphics Inc.	1006.50
Comcast Cable	242.68
Comcast Cable	242.68
Comcast Cable	495.27
Comcast Cable	138.79
CM3 Building Solutions	644.00
CM3 Building Solutions	187.00
CM3 Building Solutions	28.55
Cherry Valley Tractor Sales	430.75
Cumberland County Assessor's	250.00
Cumberland County Treasurer's	846,402.10
CCFA	250.00
Colonial Flowers	60.00
Colonial Flowers	45.00
Capital Contractors, Inc	624.00
C and S Signs	4,825.00
Dixon Assoc Engineering, LLC	202.50
Dixon Assoc Engineering, LLC	946.25
Dixon Assoc Engineering, LLC	437.50
Dixon Assoc Engineering, LLC	2617.50
Dixon Assoc Engineering, LLC	1012.50
Daley Pit	50.00
Earthtech Contracting, Inc.	16,990.42
Earthtech Contracting, Inc.	7,011.44
J.C. Ehrlich Co., Inc.	40.00
J.C. Ehrlich Co., Inc.	83.50
Eurofins QC, Inc.	45.00
Eurofins QC, Inc.	45.00
Frank DiDomenico	144.09
Frank DiDomenico	22.00
Frank DiDomenico	991.25
Frank DiDomenico	718.27
H. A. Dehart & Son	25.09
Health Mats Co	86.15
Heritage Business Systems, Inc.	73.11
Heritage Business Systems, Inc.	28.00
Heritage Business Systems, Inc.	44.81
Heritage Business Systems, Inc.	28.00
ICC	138.00
ICC	114.00
Jackie L James	145.00
Jack's Auto Service, LLC	1128.70
Jack's Auto Service, LLC	458.63
Kathryn L Karrer	115.00
Lynn's Hometown Deli & Takeout	80.00
Laurel Lawnmower Service, Inc.	507.12
L.J. Zucca, Inc.	142.25
Lisa R Fisher	150.00
Millville Rescue Squad	24,500.00

Maurice River Township BOE	234,340.00
Maurice River Township BOE	188.38
Max Communications, Inc.	115.00
Michael R Mazzoni, PA	775.00
Michael R Mazzoni, PA	775.00
Michael R Mazzoni, PA	775.00
Municipal Information Systems	1350.00
NJ Clean Communities Council	160.00
New Jersey SHBP	12,756.73
New Jersey SHBP	8,089.17
NJ State Dept of Health & SR	63.00
New Jersey Casualty Insurance	2,130.34
New Jersey Casualty Insurance	2,466.68
New Jersey Casualty Insurance	1,671.94
New Jersey Casualty Insurance	1,671.94
NAPA (Genuine Parts Company)	155.20
New York Life Insurance Co	186.26
NJ Advance Media	121.04
NJ Advance Media	15.02
NJ Advance Media	11.68
NJ Advance Media	127.53
NJ Advance Media	55.89
NJ Advance Media	125.96
NJ Civil Service	320.00
One World Hosting	145.00
Port Elizabeth Vol. Fire Co.	13,000.00
Power of Production Studio	100.00
Patricia Gross	451.29
Patricia Gross	64.84
Pitney Bowes, Inc.	738.00
Pitney Bowes, Inc.	180.00
Prudential	67.07
Quantum Electric	350.00
Riverview Plumbing, Inc.	1,050.00
Riggins, Inc.	1,438.67
Riggins, Inc.	921.21
Riggins, Inc.	616.20
Riggins, Inc.	1970.50
Rutgers, The State University	235.00
Ron's Animal Shelter	400.00
Ronald L. Sutton, Sr.	950.00
South Jersey Gas Company	1207.47
Steven M. Hagemann	140.00
Seashore Asphalt Corp.	205.00
Seashore Asphalt Corp.	171.25
Stephen P. Kernan	350.00
Stephen P. Kernan	187.50
Staples Business Advantage	117.51
Staples Business Advantage	75.30
Staples Business Advantage	47.47
Selective Insurance Co.	4,437.00
Selective Insurance Co.	16.41
Shawn Ronan	48.90
Shawn Ronan	48.90
Sophia Pontarelli	205.00
Treasurer, State of New Jersey	778.00
Tractor Supply Credit Plan	19.99
Tractor Supply Credit Plan	120.90
Treasurer, State of New Jersey	25.00
The Hartford	2,540.00
TCTA of New Jersey	385.00
Tri City Paper Co	264.75

Tri City Paper Co	74.70
Tri City Paper Co	16.90
Tri City Paper Co	79.70
The Home Depot	194.85
The Home Depot	632.44
The Home Depot	264.12
The Home Depot	91.69
The Home Depot	391.01
The Home Depot	250.56
The Home Depot	202.22
The Home Depot	170.23
The Home Depot	55.95
Universal Computing Services	388.70
Verizon Wireless	391.25
Verizon	29.45
V. E. Ralph & Son, Inc.	293.00
Vineland Auto Electric	132.54
Vineland Auto Electric	40.45
W.B. Mason Co. Inc.	148.14
William R. Mints Agency	1,931.00
William R. Mints Agency	1,884.00
William R. Mints Agency	600.00
William R. Mints Agency	3,250.00

Mr. Oliver made a motion to pay all properly signed bills, seconded by Mrs. Gross.

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

Second Public Comment Session

Mr. Oliver made a motion to open the second public comment session; seconded by Mrs. Gross.

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

Ben Stowman explained the Van Drew, Andrzejczak, Bayshore “coalition” responded to many of the constituents and dignitaries they are a part of. Last year they formed this group including different townships in Cape May, Cumberland and even Salem counties. The different entities are invited to this “coalition”. Its main function is to get more recognition to the bayshore communities and make it an area of special significance so can get more support when there are things happening like hurricane Sandy or commercial endeavors may need to dredge a river or possibly the flooding in Bricksboro. All the townships involved, our goal is to get more support from the state, actually from LoBiondo’s group for federal as well.

Today there is a resolution going to the state to recognize the southern municipalities in these counties as a “special area”. Townships will be invited to take part in the effort by passing a resolution and designate a representative Township Committeeperson or delegate and pay a \$100 fee. It will be a non-profit group to gather strength in numbers for our area because the shore from Cape May North up to Sandy Hook, they get most of the money they need to do different projects; we don't usually don't get any support at all.

Mr. Sarclette thanked Mr. Stowman for the update and for attending the meeting.

Mrs. Gross stated the resolution was need by the next meeting (June). Mr. Stowman stated but they will be obligated to send out the sample resolution so we know what it looks like. June we'll need to take action if they can hold to their time table. Sometimes when you join forces your specific problems have to be weighed again all the priorities, but they know the mouth of the Maurice River is a major priority, they know East Point Light is a major priority, and they know flooding up and down the coast is a problem. With those things, there is more benefit to gain at least by participating. If we don't participate, we may get into a position where if things

to start to happen, then we're way behind because haven't been "sounding the gong" with everybody else.

Mrs. Gross questioned Mr. Stowman if he got the impression we should be taking more action as a committee with the lighthouse restoration? Mr. Stowman commented that the status was that they're in a catch 22 between the state and the Army Corp. They want to see what the easement is going to say and (Cormac) if the plan in front of the lighthouse is to put the berm out there, be it 9' or 11', he believe they are siding with 11'. Then the question was, with or without the gabion sunk at the top of it.

Basically, it's a large \$1.8 to \$1.9 million dollars, of course the state and Army Corp would pick up the majority of the funds, but it looks like there is one owner, New Jersey Conservation, they want to see a specific easement; not a barricades or bulkheads. Otherwise, they are fine with the berms and gabion berms and all the different plantings that would go around.

To answer your problem, yes I think we should get involved and push it further, because even though Bill Dixon, Megan Rutowski's boss, said he's finished with what it is, but a little nudge to Bill's office might help.

Mr. Sarclette stated he already has a call in to Bill's office and Eric also who works for him. He also had a long conversation with Mr. Morris at NJCF. They're not as negative about the process as we were told they were, but they want to be included in it and they'd like to have a chance to see it. That's where the problem is; DEP's not even sharing it. DEP's saying or alluding to that maybe they're the problem.

Mr. Stowman stated he believes we could get it done if a meeting were held with the three entities together (the state, Army Corp, and the NJCF). Mr. Stowman stated he questioned Megan when is Bill going to hand it over if he's done with it; she didn't have an answer.

We expressed to them that there was a \$500,000 or \$800,000 grant that came in that the County was supporting. Mrs. Gross stated yes, on the interior. So the lighthouse roof is working on the interior and working on the interior, but the last thing we want to happen is another storm come in the fall and take out what they've done and loose the lighthouse.

Mrs. Gross stated the problem came in because they didn't do a feasibility study, which they normally would do, but the Army Corp new how urgent this is so where that step was skipped that's where the easement, sample easements came in. She further stated she thinks all parties are on board, but that she doesn't understand why it's held up. She then invited Mr. Morrissey to attend the meeting.

Mr. Morrissey stated he would since he has experience with the other side of East Point with the gabion protection along Bay Ave, which took a number of years to come to fruition. He also offered some information on Mr. Dixon's office, what they're dealing with as far as Sandy clean-up, etc. and possibilities to the delay in not releasing the information.

Mr. Oliver made a motion to close the second public comment session; seconded by Mrs. Gross.
Roll Call: Ayes – Gross, Oliver, Sarclette Nays – None

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

THE FLOOD DAMAGE PREVENTION ORDINANCE
of
THE TOWNSHIP OF MAURICE RIVER
CUMBERLAND COUNTY, NEW JERSEY

ORDINANCE NO. 648

SECTION 1.0

a) **STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1 et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Township Committee of the Township of Maurice River of Cumberland County, New Jersey does ordain as follows:

1.2 FINDINGS OF FACT

- a) The flood hazard areas of the Township of Maurice River are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a) Protect human life and health;
- b) Minimize expenditure of public money for costly flood control projects;
- c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d) Minimize prolonged business interruptions;
- e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- f) Help maintain a stable tax base by providing for the second use and development of areas of special flood hazard so as to minimize future flood blight areas;
- g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

**SECTION 2.0
DEFINITIONS**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

AO Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

AH Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone

Appeal — A request for a review of the Construction Official's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding — A designated AO or AH zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist; where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard — Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

Base Flood — A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) — The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year. For zones VE and V1-30 the elevation represents the stillwater elevation (SWEL) plus wave effect (BFE = SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Basement — Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Coastal A Zone — The portion of the Special Flood Hazard Area (SFHA) starting from a Velocity (V) Zone and extending up to the landward Limit of the Moderate Wave Action delineation. Where no V Zone is mapped the Coastal A Zone is the portion between the open coast and the landward Limit of the Moderate Wave Action delineation. Coastal A Zones may be subject to wave effects, velocity flows, erosion, scour, or a combination of these forces. Construction and development in Coastal A Zones is to be regulated the same as V Zones/Coastal High Hazard Areas.

Coastal High Hazard Area — An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

Development — Any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Digital Flood Insurance Rate Map (DFIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Elevated Building — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor or, in the case of a building in a Coastal High-Hazard Area or Coastal A Zone, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In Areas of Coastal High Hazard and Coastal A Zones "elevated buildings" also includes a building otherwise meeting the definition of "elevated building" even though the lower area is enclosed by means of breakaway walls.

Erosion — The process of the gradual wearing away of land masses.

Existing Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Flood or Flooding — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters and/or
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without accumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

Historic Structure — Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

Limit of Moderate Wave Action (LiMWA) — Inland limit of the area affected by waves greater than 1.5 feet during the Base Flood. Base Flood conditions between the V Zone and the LiMWA will be similar to, but less severe than those in the V Zone.

Lowest Floor — The lowest floor of the lowest enclosed area [including basement]. An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

Manufactured Home — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Manufactured Home Subdivision — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New Construction — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

Primary Frontal Dune — A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves from coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from the relatively steep slope to a relatively mild slope.

Recreational Vehicle — A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Sand Dunes — Naturally occurring or man-made accumulations of sand in ridges or mounds landward of the beach.

Start of Construction — For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure — A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

Substantial Damage — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

Violation — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

SECTION 3.0 GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Township of Maurice River, Cumberland County, New Jersey.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Township of Maurice River, Community No. 340172, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- b) A scientific and engineering report "Flood Insurance Study, Cumberland County, New Jersey (All Jurisdictions)" dated June 16, 2016.
- c) "Flood Insurance Rate Map for Cumberland County, New Jersey (All Jurisdictions)" as shown on Index and the following panels, whose effective date is June 16, 2016:

34011C0208E; 34011C0209E; 34011C0214E; 34011C0216E; 34011C0217E; 34011C0218E;
34011C0219E; 34011C0228E; 34011C0236E; 34011C0238E; 34011C0332E; 34011C0334E;
34011C0342E; 34011C0344E; 34011C0351E; 34011C0352E; 34011C0353E; 34011C0354E;
34011C0356E; 34011C0360E; 34011C0361E; 34011C0362E; 34011C0363E; 34011C0364E;
34011C0370E;
34011C0376E; 34011C0378E; 34011C0386E; 34011C0431E; 34011C0432E; 34011C0433E;
34011C0434E; 34011C0451E; 34011C0452E; 34011C0453E; 34011C0454E; 34011C0456E;
34011C0457E; 34011C0458E; 34011C0462E; and 34011C0466E;

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at the Maurice River Township Construction Office.

3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a disorderly persons offense. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than ninety (90) days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Maurice River, from taking such other lawful action as is necessary to prevent or remedy any violation.

3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and,
- c) Deemed neither to limit nor repeal any other powers granted under State statutes

3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Township of Maurice River, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 4.0 ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Office and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been flood proofed.
- c) Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria in section 5.2-2; and,
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development

4.2 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Construction Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Construction Official shall include, but not be limited to:

4.3-1 PERMIT REVIEW

- a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- c) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of 5.3 a) are met.
- d) Review all development permits in the coastal high hazard and Coastal A Zone area of the area of special flood hazard to determine if the proposed development alters sand dunes so as to increase potential flood damage.
- e) Review plans for walls to be used to enclose space below the base flood level in accordance with section 5.4-2 d).

4.3-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED

- a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b) For all new or substantially improved floodproofed structures:
 - i. verify and record the actual elevation (in relation to mean sea level); and
 - ii. maintain the floodproofing certifications required in section 4.1 c).

- c) In coastal high hazard and Coastal A Zone areas, certification shall be obtained from a registered professional engineer or architect that the provisions of 5.4-2 a) and 5.4-2 b) i. and ii. are met.
- d) Maintain for public inspection all records pertaining to the provisions of this ordinance.

4.3-4 ALTERATION OF WATERCOURSES

- a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control Section and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

4.3-5 SUBSTANTIAL DAMAGE REVIEW

- a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Dam Safety and Flood Control Section.
- c) Ensure substantial improvements meet the requirements of sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

4.3-6 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 4.4.

4.4 VARIANCE PROCEDURE

4.4-1 APPEAL BOARD

- a) The Land Use Board as established by Maurice River shall hear and decide appeals and requests for variances from the requirements of this ordinance
- b) The Land Use Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Official in the enforcement or administration of this ordinance.
- c) Those aggrieved by the decision of the Land Use Board, or any taxpayer, may appeal such decision to the New Jersey Superior Court as provided in New Jersey statutes and New Jersey Court rule 4:69-1 et seq.
- d) In passing upon such applications, the Land Use Board, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - i. the danger that materials may be swept onto other lands to the injury of others;
 - ii. the danger to life and property due to flooding or erosion damage;
 - iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - iv. the importance of the services provided by the proposed facility to the community;
 - v. the necessity to the facility of a waterfront location, where applicable.
 - vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - vii. the compatibility of the proposed use with existing and anticipated development;
 - viii. the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- e) Upon consideration of the factors of section 4.4-1 d) and the purposes of this ordinance, the Land Use Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- f) The Construction Official shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

4.4-2 CONDITIONS FOR VARIANCES

- a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items i.-xi. in section 4.4-1 d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

- c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e) Variances shall only be issued upon:
 - i. A showing of good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 4.4- 1 d), or conflict with existing local laws or ordinances.
- f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

5.1-1 ANCHORING

- a) All new construction to be placed or substantially improved and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

5.1-2 CONSTRUCTION MATERIALS AND METHODS

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

5.1-3 UTILITIES

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- d) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5.1-4 SUBDIVISION PROPOSALS

- a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

5.1-5 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 3.2. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in section 4.3-2, USE OF OTHER BASE FLOOD DATA, the following standards are required:

5.2-1 RESIDENTIAL CONSTRUCTION

- a) For Coastal A Zone construction see section 5.4 COASTAL HIGH HAZARD AREA AND COASTAL A ZONE.
- b) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive;
- c) Require within any AO or AH zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

5.2-2 NONRESIDENTIAL CONSTRUCTION

- a) In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone (for Coastal A Zone construction see section 5.4 COASTAL HIGH HAZARD AREA AND COASTAL A ZONE) shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities:
either
 - a) Elevated to or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive; and
 - b) Require within any AO or AH zone on the municipality's DFIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
or
 - c) Be floodproofed so that below the base flood level plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, whichever is more restrictive, the structure is watertight with walls substantially impermeable to the passage of water;
 - d) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
 - e) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 4.3-3 b) ii.

5.2-3 MANUFACTURED HOMES

- a) Manufactured homes shall be anchored in accordance with section 5.1-1 b).
- b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
 - i. Be consistent with the need to minimize flood damage,
 - ii. Be constructed to minimize flood damage,
 - iii. Have adequate drainage provided to reduce exposure to flood damage; and,
 - iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive.

5.3 FLOODWAYS

Located within areas of special flood hazard established in section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b) If section 5.3 a) is satisfied, all new construction and substantial improvements must comply with section 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.
- c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

5.4 COASTAL HIGH HAZARD AREA AND COASTAL A ZONE

Coastal high hazard areas (V or VE Zones) and coastal A Zones are located within the areas of special flood hazard established in section 3.2. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply:

5.4-1 LOCATION OF STRUCTURES

- a) All buildings or structures shall be located landward of the reach of the mean high tide.

- b) The placement of manufactured homes shall be prohibited, except in an existing manufactured home park or subdivision.
- c) Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, V, and Coastal A on the community's FIRM.

5.4-2 CONSTRUCTION METHODS

a) ELEVATION

All new construction and substantial improvements shall be elevated on piling or columns so that:

- i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 4-1, whichever is more restrictive, and,
- ii. With all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided or in section 5.4-2 d).

b) STRUCTURAL SUPPORT

- i. All new construction and substantial improvements shall be securely anchored on piling or columns.
- ii. The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse or lateral movement due to the effects of wind and water loading values each of which shall have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
- iii. There shall be no fill used for structural support.

c) CERTIFICATION

A registered professional engineer or architect shall develop or review the structural design specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for compliance with the provisions of section 5.4-2 a) and 5.4-2 b) i. and ii.

d) SPACE BELOW THE LOWEST FLOOR

- i. Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls, open wood lattice-work or insect screening are used as provided for in this section.
- ii. Breakaway walls, open wood lattice-work or insect screening shall be allowed below the base flood elevation provided that they are intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Breakaway walls shall be designed for a safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions.
 - (i) breakaway wall collapse shall result from a water load less than that which would occur during the base flood and,
 - (ii) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.
- iii. If breakaway walls are utilized, such enclosed space shall be used solely for parking of vehicles, building access, or storage and not for human habitation.
- iv. Prior to construction, plans for any breakaway wall must be submitted to the Construction Code Official or Building Sub-Code Official for approval.

5.4-3 SAND DUNES

Prohibit man-made alteration of sand dunes within Coastal A Zones, VE and V Zones on the community's DFIRM which would increase potential flood damage.

SECTION 6.0 SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 7.0 ENACTMENT

7.01 ADOPTION

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

**MAURICE RIVER TOWNSHIP
ORDINANCE NO. 649**

**AN ORDINANCE OF MAURICE RIVER TOWNSHIP, CUMBERLAND COUNTY,
NEW JERSEY AMENDING ORDINANCE NO. 580.
(UNIFORM CONSTRUCTION CODE FEES)**

WHEREAS, the Township of Maurice River previously adopted Ordinance No. 580 amending the Uniform Construction Code Fees and repealing Ordinance No. 541; and

WHEREAS, the Township now wishes to revise portions of said Ordinance to include fees previously not listed in Ordinance No. 580.

BE IT ORDAINED, by the Township Committee of Maurice River Township, Cumberland County, New Jersey that Ordinance No. 580 (UNIFORM CONSTRUCTION CODE FEES), as adopted, is hereby amended as follows:

Section E. PLUMBING SUBCODE FEES: Additional plumbing subcode fees shall be as follows:

2. Special Devices: the fee shall be \$60.00 each for the following:
n) Condensate Drain

Section F. ELECTRICAL SUBCODE FEES: Additional electrical Subcode fees shall be as follows:

Solar Energy Systems	1-50 KW.....	\$100.00
	51-100 KW.....	\$200.00
	Over 100 KW.....	\$600.00
	Disconnect/Each.....	\$60.00
	Inverters/Each.....	\$100.00
	MicroInverters/Each.....	Put under Switches
	Revenue Meters.....	No Charge
	Solar Guards	
	Service/Subpanels.....	As per Ordinance 580

Section G. FIRE SUBCODE FEES: Additional fire Subcode fees shall be as follows:

(9) Heat producing devices

Fireplace, woodstove, furnace.....	\$50.00
Chimney Liner.....	\$25.00
Fire Logs.....	\$25.00

The minimum fire permit shall be \$50.00

BE IT FURTHER ORDAINED that all remaining portions of Ordinance No. 580 are reaffirmed and shall remain in full force and effect.

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

**AMENDMENT TO CHAPTER VI – STREET OPENING AND EXCAVATION
THE TOWNSHIP OF MAURICE RIVER
CUMBERLAND COUNTY, NEW JERSEY**

ORDINANCE NO. 650

The following sections shall be added to Chapter VI – “Street Opening and Excavation”

6-17 NEWLY PAVED STREETS

No permit shall be issued for any street opening which would disturb the pavement of any road having been constructed, reconstructed or overlaid until a period of five (5) years after the completion of said construction, reconstruction or overlay, except in the event of an emergency or hardship as described below. The five-year period as articulated herein shall be calculated from December 31 of the year in which the road was constructed, reconstructed or overlaid and run for five years.

- A. Emergency opening. In the event that an entity shall be required to open a street and/or roadway as a result of an emergency, said emergency opening shall be reviewed by the Township Construction Official and Township Engineer and if the said Township Construction Official and Township Engineer shall determine that no such emergency existed, then the entity so opening the street and/or roadway shall have a fine imposed upon such entity in the amount established in § 6-16.
- B. Hardship Condition. In the event in which a property owner has a hardship condition which requires a street opening permit to be issued contrary to 6-3 herein, The Township of Maurice River may grant relief if all of the following conditions are met:
 - a. A letter addressed to the Township, care of the Township Clerk, is received detailing the hardship and necessity of opening the street in lieu of waiting the prescribed period of time.
 - b. Upon receipt of the letter, a public meeting date will be set for the Township to take formal action.
 - c. The property owner making the request shall serve notice to all property owners within 200 feet, by certified mail, return receipt requested, or by personal hand delivery, a minimum of ten (10) days prior to the public meeting.
 - d. The property owner shall file a copy of the notice served to the adjoining property owners with and affidavit of proof of deliver of notice with the Township Clerk at least three days prior to the public meeting. The notice must:
 - i. Identify the property by street address and block and lot;
 - ii. State the reason for the hardship;
 - iii. State the type and size of the street opening;
 - iv. Advise the adjoining property owners that, if they have any objections, they must advise the Township Clerk, in writing, as to their objections to the proposed street opening at least three (3) days in advance of the public meeting;
 - v. State date and time of public meeting;
 - vi. Be approved by the Township Clerk prior to mailing;
 - e. The Township shall consider the request at a public meeting and review all objections received, in writing. Approval or denial of the request shall be formal adoption of a resolution;
- C. Roadway Restoration
 - a. In the event that an emergency or hardship requires the opening of a roadway that has been constructed, reconstructed or overlaid by the Township during the previous five years, a full width reconstruction will be required. The restoration will consist of a six-inch dense graded aggregate base course and a six-inch HMA 19M64 bituminous base course brought to existing grade, within the excavated area. A full width, curb to curb, milling two inches in depth to extend 20 feet beyond the limit of excavations will be performed after proper settlement in the trench area. The allowable time for the settlement shall be ninety (90) days unless otherwise directed by the Township Engineer. The final surface course shall be a two inch HMA 9.5M64 bituminous surface course.
 - b. Trench restoration may be permitted under special circumstances, and at the option of the Township of Maurice River and the Township Engineer, for openings having a minimum impact on the longevity and serviceability of the street in question.
 - c. The Township Engineer may allow, at his or her discretion, other means of restoration which in said Engineer's opinion are deemed to have a minimal impact on the serviceability and longevity of the street in question.

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

TOWNSHIP OF MAURICE RIVER

ORDINANCE NO. 651

**AN ORDINANCE OF THE TOWNSHIP OF MAURICE RIVER, CUMBERLAND COUNTY,
GOVERNING THE MAINTENANCE OF VACANT PROPERTY, ESTABLISHING REQUIREMENTS FOR
REGISTRATION AND REQUIRING A REGISTRATION FEE ON OWNERS OF VACANT PROPERTIES**

WHEREAS, the Township of Maurice River, in the County of Cumberland, in the State of New Jersey, (hereafter referred to as "Township") contains numerous structures that are vacant and/or abandoned; and

WHEREAS, in many cases the owners or other responsible parties of these structures have neglected them, are not maintaining or securing said properties to an adequate standard, or have not restored them to productive use; and

WHEREAS, vacant and abandoned structures pose a risk to health, safety and general welfare of the community, including diminution of neighboring

property values, increased risk of fire, and potential increases in criminal activity and public health risk; and

WHEREAS, the Township of Maurice River incurs disproportionate costs as compared to occupied structures in order to resolve the problems of vacant and abandoned structures, including but not limited to fire calls and property inspections; and

WHEREAS, it is in the public interest for the Township of Maurice River to establish minimum standards of accountability on the owners or other responsible parties of vacant and abandoned structures in order to protect the health, safety and general welfare of the residents of the Township of Maurice River; and

WHEREAS, it is in the public interest for the Township of Maurice River to impose a fee in conjunction with a registration ordinance for vacant and abandoned structures in light of the disproportionate costs imposed on the Township by the presence of these structures.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, THAT THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MAURICE TOWNSHIP, COUNTY OF CUMBERLAND, STATE OF NEW JERSEY, DOES HEREBY ENACT THIS ORDINANCE AS FOLLOWS:

DEFINITIONS

- A. "OWNER" shall include the title holder, any agent of the title holder having authority to act with respect to a vacant property, any foreclosing entity subject to the provisions of C.46:10B-51(P.L. 2008, c.127, Sec. 17), or any other entity having a legal interest or right or authority to act with respect to the property.
- B. "VACANT PROPERTY" shall mean any building used or to be used as a residence or commercial use which is not legally occupied or at which substantially all lawful construction operations or residential occupancy or commercial use has ceased, and which is in such condition that it cannot legally be re-occupied Without repair or rehabilitation; provided, however, that any property that contains all building systems in working order and is being actively marketed by its owner for sale or rental, shall not be deemed vacant. Property determined to be "abandoned property" in accordance with the meaning of such term in the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78, et seq., shall also be deemed to be vacant property for the purposes of this ordinance.

GENERAL REQUIREMENTS:

- a) Effective the date of this ordinance, the owner of any vacant property as defined herein shall within 30 days after the building becomes vacant property or within 15 days after assuming ownership of the vacant property, whichever is later, file a registration form for each such vacant property with the Municipal Clerk on forms provided by the Municipal Clerk for such purposes. The registration shall remain valid for one year from the date of registration. The owner shall be required to renew the registration annually as long as the building remains vacant property and the owner shall pay a registration or renewal fee.
- b) Any owner of any building that meets the definition of vacant property as of the effective date of this ordinance, shall file a registration form for the property on or before thirty (30) days of the effective date of this ordinance. The registration form shall include such information as set forth on the prescribed Registration form.
- c) The owner shall notify the Municipal Clerk within 30 days of any change in the registration information by filing an amended registration form on a prescribed form provided by the Code Enforcement Officer for such purpose.
- d) The registration form shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the owner or owners of the building.

REGISTRATION FORM REQUIREMENTS, PROPERTY INSPECTION

After filing a registration form or a renewal of a registration form, the owner of any vacant property shall provide access to the Township to conduct an exterior or interior inspection of the building to determine compliance with the municipal code, following reasonable notice, during the period covered by the initial registration or any subsequent renewal.

a) The registration form shall include the name, street address and telephone number of a natural person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement of any applicable code. This person must maintain an office in the state of New Jersey or reside within the state of New Jersey. The statement shall also include the name of the person responsible for maintaining and securing the property, if different.

b) An owner who is a natural person and who meets the requirements of this ordinance as to location of residence or office may designate him or herself as agent.

c) By designating an authorized agent under the provisions of this section the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of his section shall be deemed to consent to the continuation of the agent's designation for the purpose of this section until the owner notifies the Municipal Clerk of a change of authorized agent and in no way releases the owner from any requirement of this ordinance.

FEE SCHEDULE

The initial registration fee for each property shall be \$500.00 for one (1) year. Said fee shall be prorated for the initial year of registration. All annual registration for vacant properties together with the appropriate fee shall be due and payable by July 1 of each year. All fees will be processed through the Municipal Clerk's Office. The fee for the first annual renewal is \$1,000.00 and the fee for the second annual renewal is \$2,000.00. The fee for any subsequent annual renewal beyond the second renewal is \$3,000.00.

REQUIREMENTS FOR OWNERS OF VACANT PROPERTY

The owner of any building that has become a vacant property, and any person maintaining, operating or collecting rent for any such buildings that becomes vacant shall, within 30 days:

a) Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the code of the Township of Maurice River, or as set forth in any applicable rules and regulations; and

b) Post a sign affixed to the building indicating the name, the address and the telephone number of the owner, the owner's authorized agent for the purpose of service of process (if designated pursuant to Registration Form Requirements; Property Inspection.) and the person responsible for day-to-day supervision and management of the building, if such person is different from the owner holding the title or authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearest, but shall be no smaller than 18"X24", and

c) Secure the building from unauthorized entry and maintain the sign until the building is legally occupied or demolished or until repair or rehabilitation of the building is complete.

ADMINISTRATION

The Municipal Clerk and the Code Enforcement Officer shall be responsible for the administration of the provisions of this ordinance.

VIOLATIONS AND PENALTIES

a. Any owner who is not in full compliance with this ordinance or who otherwise violates any provision of this ordinance or of the rules and regulations issued hereunder shall be subject to a fine of not less than \$100.00 and not more than \$1,000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this chapter shall be recoverable from the owner and shall be a lien on the property.

b. For purposes of this section, failure to file a registration form in time, failure to provide correct information on the registration form, failure to comply with the provisions under the Requirements for Owners of Vacant Property, shall be deemed to be violations of this ordinance.

Nothing in this Ordinance is intended to conflict with or prevent the Township from taking action against buildings found to be unfit for human habitations or unsafe structures as provided in applicable provisions of the Code of the Township of Maurice River. Further, any action taken under any such code provision other than the demolition of a structure shall not relieve the owner from its obligations under this ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, that the Township Committee of the Township of Maurice River, County of Cumberland, State of New Jersey, does hereby enact this ordinance as follows:

This Ordinance authorizes the Township to govern the maintenance of vacant properties in the Township of Maurice River, establishes registration requirements and levies a registration fee on owners of vacant properties.

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

MAURICE RIVER TOWNSHIP

ORDINANCE NO. 652

**AN ORDINANCE OF THE TOWNSHIP OF MAURICE RIVER
AMENDING CHAPTER 35 LAND DEVELOPMENT REGULATIONS**

WHEREAS, the purpose of this Ordinance is to amend Chapter 35, Land Development Regulations of the Township of Maurice River; and

WHEREAS, the Township Committee referred this ordinance for recommendation to the Planning Board in accordance with the requirements of N.J.S.A. 40:55D-64. The Planning Board found that the proposed ordinance is consistent with the adopted Master Plan and made a favorable recommendation supporting the ordinance amendments at their June 1, 2016 meeting.

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MAURICE RIVER, NEW JERSEY THAT CHAPTER 35 LAND DEVELOPMENT REGULATIONS BE AMENDED AS FOLLOWS:

Section 1. Delete and Replace item "C.1." under Section 35-9.16 Resource Extraction as follows:

- 35.9.16.C.1. Is designed so that no area of extraction or area that can be used for future extraction, sedimentation pond, storage area equipment or machinery or other structure or facility is closer than:
- a. Two hundred (200) feet to any property line; or
 - b. Five hundred (500) feet to the property line of any residential or non-resource extraction related commercial use which is in existence on the date the permit is issued.
 - c. The distance from the property line as required in "a" or "b" above shall be considered a buffer as defined in Section 35-3.3 of this Chapter. All such buffers shall maintain existing vegetation and shall be designed and installed in accordance with Section 35-11.4.D. of the ordinance.

Where extraction ponds are established, buffers shall be considered and developed as a means of mitigating unauthorized and potentially dangerous access to such ponds.

All resource extractions operations shall preserve existing wooded tracts to the extent that same may serve to act as such vegetative buffers to present and future resource extraction operations.

Section 2. Amend Section 35-11.3.D Buffers and screening as follows (strikethrough indicates to be deleted and underlined to be added):

35.11.3D. Buffers and screening.

~~Wherever buffers~~ Buffers or screening are required ~~it shall be installed~~ according to the following:

Section 3. If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Ordinance, but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which judgment shall have been rendered.

NOW THEREFORE, BE IT FURTHER ORDAINED by the Governing Body for the Township of Maurice River, County of Cumberland and State of New Jersey, that a certified copy of this ordinance is forwarded to the Pinelands Commission for certification.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed the first reading at a meeting of the Township Committee of the Township of Maurice River, County of Cumberland and State of New Jersey, held on May 19, 2016, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Building located at 590 Main Street, Leesburg, NJ 08327, on June 16, 2016, at 7:30 p.m. or as soon thereafter as the matter may be reached.

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

RESOLUTION NO. 63-2016

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

NJDOT TRANSPORTATION TRUST FUNDS – ESTELL MANOR ROAD

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 2016 in the sum of \$181,000 which item is now available as a revenue from the New Jersey Department of Transportation 2016 Municipal Aid Program, State of New Jersey, as NJDOT Transportation Trust Funds in the amount of \$181,000.00.

BE IT FURTHER RESOLVED that the like sum of \$181,000.00 is hereby appropriated under the caption of "NJ Transportation Trust Fund Authority Act – Estell Manor Road"; and

BE IT FURTHER RESOLVED that the above is the result of a state grant of \$181,000.00 from the New Jersey Department of Transportation.

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

RESOLUTION NO. 64-2016

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

2016-2017 MUNICIPAL ALLIANCE TO PREVENT ALCOHOLISM & DRUG ABUSE

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 2016 in the sum of \$13,200.00, which item is now available as a revenue from the NJ GCADA via the County of Cumberland, as Municipal Alliance to Prevent Alcoholism & Drug Abuse in the amount of \$13,200.00.

BE IT FURTHER RESOLVED that the like sum of \$13,200.00 is hereby appropriated under the caption of "Municipal Alliance on Alcoholism & Drug Abuse – State Share"; and

BE IT FURTHER RESOLVED that the sum of \$3,300.00 representing the amount of the municipality's share of the aforementioned grant appears in the budget under the caption "Local Share – Municipal Alliance to Prevent Alcoholism & Drug Abuse".

BE IT FURTHER RESOLVED that the above is the result of a state grant of \$13,200.00 from the New Jersey GCADA.

**MAURICE RIVER TOWNSHIP
CUMBERLAND COUNTY**

RESOLUTION NO. 65-2016

**A RESOLUTION TO ACCEPT THE ANNUAL
REPORT OF AUDIT FOR THE YEAR 2015**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual entitled:

**General Comments
Recommendations**

and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**General Comments
Recommendations**

as evidenced by the group affidavit form of the governing body attached hereto, and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6-5, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office”.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Maurice River hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 66-2016

A RESOLUTION REQUESTING CHANGE IN TITLE, TEXT, OR AMOUNT OF APPROPRIATION PURSUANT TO NJSA 40A:4-85

WHEREAS, NJSA 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality,

NOW, THEREFORE, BE IT RESOLVED, BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP, that in accordance with the provisions of NJSA 40A:4-85, the Township of Maurice River hereby requests the Director of the Division of Local Government Services to make the following correction in the 2016 budget:

From: Sheet 24 - 41-899 Matching Funds for Grants -\$3,300
To: Sheet 24 - 41-703 Local Share - Municipal Alliances on Alcoholism & Drug Abuse -\$3,300

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Township of Maurice River for the reasons set forth:

To identify the specific use of the “Matching Funds for Grants” appropriation in the 2016 budget.

Adopted this 19th day of May, 2016.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 67-2016

A RESOLUTION OF MAURICE RIVER TOWNSHIP ADOPTING THE MITIGATION PLAN FOR FOUR NEW JERSEY COUNTIES

WHEREAS, the Township Committee of Maurice River Township recognizes the threat that natural hazards pose to people and property within Maurice River Township; and

WHEREAS, Maurice River Township has participated in the preparation of the Mitigation Plan for Four New Jersey Counties, a multi-jurisdictional, multi-hazard mitigation plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Mitigation Plan for Four New Jersey Counties includes:

- The Regional Hazard Mitigation Plan and Annexes that include summary information common to all participating jurisdictions in the four county region, and
- The Maurice River Township Appendix that identifies mitigation goals, strategies, and measures specifically for Maurice River Township to reduce or eliminate long-term risk to people and property from the impacts of future hazard events and disasters; and

WHEREAS, adoption by the Township Committee of Maurice River Township demonstrates commitment to hazard mitigation and achieving the goals outlined in the Mitigation Plan for Four New Jersey Counties.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Maurice River, Cumberland County, New Jersey that the Township Committee adopts the Mitigation Plan for Four New Jersey Counties and the Township of Maurice River Appendix including authorizing the formation and duties of the Maurice River Township Hazard Mitigation Working Group as follows:

1. The Working Group shall be convened by the Maurice River Township Emergency Management Coordinator and will include representatives of the following departments, Agencies, and organizations and other interested parties:

Member	Entity	Title
Gordon Gross	OEM	<ul style="list-style-type: none"> • Coordinator • Floodplain Administrator • Fire Department Representative • Zoning Official • Construction Official
Patricia Gross	Township Committee	Deputy Mayor
Steven Hagemann	Public Works	Supervisor
Cormac Morrissey	Engineering	Township Engineer
Ben Stowman	Planning/Zoning Land Use Board	Land Use Board Chair
Lillian Johnson	OEM	Fire Company Commissioner Medical Officer
Jeanette Polhamus	N/A	<ul style="list-style-type: none"> • Resident • Business Owner

2. The Working Group shall convene to conduct plan implementation and maintenance activities as identified in the Regional Hazard Mitigation Plan and Maurice River Township Appendix including monitoring, evaluation, and updating the Maurice River Township Appendix and providing annual reports to the Maurice River Township governing body and the Cumberland County Office of Emergency Management.

Vote:

Township Committee	Ayes	Nays
Andrew Sarclette	X	
Patricia Gross	X	
J. Roy Oliver	X	

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

RESOLUTION NO. 68-2016

**A RESOLUTION SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
DESIGNATION OF A NO PASSING ZONE ON ROUTE 47Z**

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 47Z in Maurice River Township from MP 0.00 to 0.19 (in the vicinity of Mauricetown Road –CR 670); and

WHEREAS, NJDOT investigation revealed the current centerline pavement markings on Route 47Z meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect current No Passing Zone conditions along NJ Route 47.

NOW, THEREFORE, BE IT RESOLVED THAT THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MAURICE RIVER IN THE COUNTY OF CUMBERLAND, NEW JERSEY that it supports the use of a “No Passing Zone” on Route 47 in Maurice River Township as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forward to NJDOT as requested.

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

RESOLUTION NO. 69-2016

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

CLEAN COMMUNITIES GRANT FUNDS

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 2016 in the sum of \$17,660.22, which item is now available as a revenue from the New Jersey Department of Environmental Protection, State of New Jersey, as Clean Communities Grant in the amount of \$17,660.22.

BE IT FURTHER RESOLVED that the like sum of \$17,660.22 is hereby appropriated under the caption of "Clean Communities Grant"; and

BE IT FURTHER RESOLVED that the above is the result of a state grant of \$17,660.22 from the New Jersey Department of Environmental Protection.

**MAURICE RIVER TOWNSHIP
CUMBERLAND COUNTY**

RESOLUTION NO. 70-2016

**A RESOLUTION AUTHORIZING IN REM FORECLOSURE
PROCEEDINGS AGAINST CERTAIN PROPERTIES**

WHEREAS, the tax sale certificates listed on Schedule A were struck-off to the Township of Maurice River for unpaid properties taxes, and

WHEREAS, more than six-months have transpired from date of sale establishing said tax sale certificates to Maurice River Township, and

WHEREAS, the owners of record have failed to redeem the tax sale certificates within a reasonable time.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Maurice River Township, County of Cumberland, and State of New Jersey, that it is hereby determined that the Township of Maurice River, foreclose, by summary proceedings In Rem, as provided in the In Rem Tax Foreclosure Act, (1948), the Tax Sale Certificates held by it, as listed on the attached Tax Foreclosure List (Schedule A).

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 71-2016

**A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY
NOT NEEDED FOR PUBLIC USE**

WHEREAS, the Township of Maurice River is the owner of certain real property located in the Township of Maurice River, County of Cumberland and State of New Jersey (hereafter "the subject properties") and otherwise designated as follows:

BLOCK	LOT	ACREAGE	ZONE
307	5	.33	MH
308	5	.5	MH
260	7.02	1.36	PVC3
268	22	.54	VC
295	13.01	2.65	MH
221	36 & 37	.81	VHB
285	9 & 10	.46	VC
289	14	.25	VC

WHEREAS, the real property known as Block 307 Lot 5 is located in zone MH is undersized with no structures but is possibly buildable due to existing footprint; and

WHEREAS, the real property known as Block 308 Lot 5 is located in zone MH is undersized with no structures and is buildable; and

WHEREAS, the real property known as Block 260 Lot 7.02 is located in zone PVC3 is undersized with a small utility structure but is buildable 2 years after the demolition of previous dwelling; and

WHEREAS, the real property known as Block 268 Lot 22 is located in zone VC is undersized with an existing mobile home; and

WHEREAS, the real property known as Block 295 Lot 13.01 is located in zone MH is undersized with an existing mobile home and garage; and

WHEREAS, the real property known as Block 221 Lots 36 & 37 is located in zone VHB is undersized with no structures and is possibly buildable; and

WHEREAS, the real property known as Block 285 Lots 9 & 10 is located in zone VC is undersized with a dwelling; and

WHEREAS, the real property known as Block 289 Lot 14 is located in zone VC is undersized with a dwelling; and

WHEREAS, the Township Committee has determined that Block 307 Lot 5, Block 308 Lot 5, Block 260 Lot 7.02, Block 268 Lot 22, Block 295 Lot 13.01, Block 221 Lots 36 & 37, Block 285 Lots 9 & 10 and Block 289 Lot 14 are not needed for public use.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Maurice River Township as follows:

1. The subject properties shall be sold by open public sale at auction to the highest bidder after advertisement in a newspaper circulating within the Township by two (2) notices at least once a week during two (2) consecutive weeks with the last newspaper publication to be not earlier than seven (7) days prior to the public sale.
2. A minimum sales price are set as follows:

BLOCK	LOT	Minimum Bid Price
307	5	\$14,100
308	5	\$36,700
260	7.02	\$45,500
268	22	\$59,400
295	13.01	\$80,000
221	36 & 37	\$41,200
285	9 & 10	\$60,000
289	14	\$60,000

3. Maurice River Township reserves the right to accept the highest bid or to reject all bids.

4. Upon acceptance of the highest bid, the successful bidder shall be required to deposit 10% of the purchase price by either cash or certified funds. The purchase price shall be paid in cash or certified funds within thirty (30) days of acceptance of the bid.
5. The date for the open public sale at auction shall be on the 16th day of June, 2016.

**MAURICE RIVER TOWNSHIP
RESOLUTION NO. 72-2016**

**A RESOLUTION AUTHORIZING PUBLIC SALE TO THE HIGHEST BIDDER
OF CERTAIN PREMISES KNOWN AS BLOCK 117, LOT 23.05,
BLOCK 291 LOT 103, BLOCK 320 LOT 136 AND BLOCK 289.01, LOT 6**

WHEREAS the Township of Maurice River is now in ownership and possession of certain premises located in the Township of Maurice River, County of Cumberland and State of New Jersey (hereafter "the subject properties") and otherwise designated as follows:

<u>BLOCK</u>	<u>LOT</u>	<u>ACREAGE</u>
117	23.05	.4621 acres, more or less
291	103	.35 acres, more or less
320	136	.9 acres, more or less
289.01	6	7.05 acres, more or less

WHEREAS the Township of Maurice River has determined that the subject properties are not needed for public use and it is in the best interest of the Township to sell the subject properties; and

WHEREAS the Township of Maurice River has determined that the subject properties of Block 117, Lot 23.05 and Block 291 Lot 103 are located in a PMH Zone, Block 320 Lot 136 is located in a VR zone and Block 289.01 Lot 6 is located in a VC zone and are each respectively less than the minimum size required for development under the municipal zoning ordinance and are without any capital improvements or are without public roadway access; and

WHEREAS it is the intention of the Township of Maurice River to sell the subject properties at an open public sale at auction to the highest bidder subject to those terms and conditions set forth below, pursuant to *N.J.S.A. 40A:12-13(a)*; and

WHEREAS the Township of Maurice River acknowledges that, pursuant to *N.J.S.A. § 40A:12-13*, any owner of any real property contiguous to the subject property has a right of prior refusal to purchase the subject property.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP AS FOLLOWS:

(1) The Township of Maurice River shall sell the subject properties by open public sale at auction to the highest bidder after advertisement thereof on Thursday, June 16, 2016 at the Township Hall located at 590 Main Street, Leesburg, New Jersey, commencing at 7:30 PM subject to a right of prior refusal to the highest bidder from among all owners of contiguous real estate thereto;

(2) The following minimum bids are hereby established with the reservation of the Township's right to reject all bids as it deems in the best interest of the Township to do so:

<u>BLOCK</u>	<u>LOT</u>	<u>MINIMUM BID</u>
117	23.05	\$8,000.00
291	103	\$14,400.00
320	136	\$57,900.00
289.01	6	\$5,300.00

(3) The invitation to bid shall be subject to the following terms, conditions and restrictions:

(a) Subject to such statement of facts as an accurate survey may disclose;

(b) Subject to existing Ordinances of the Township, including all Development Regulations and Construction/Housing Codes, it being understood that the sale of this property by the Township and the purchase of this property by a successful bidder is not to be construed as reasons in favor of the granting of any variance subsequently sought from the Land Use Board;

(c) Subject to restrictions of record, easements, rights of way, covenants, agreements, legal encumbrances and liens of record or otherwise, if any;

(d) Subject to the successful and highest bidder depositing at the time the property is struck off to the successful and highest bidder, a deposit of ten percent (10%) of the purchase price, but, in no event, no less than One Hundred Dollars (\$100.00) in cash or by acceptable check. In the event said successful bidder does not produce cash or an acceptable check in the sums set forth herein at the time of bidding, the subject property will be offered to the next highest bidder then present at the sale pursuant to the terms and conditions of the Notice of Sale;

(e) Subject to the balance of the purchase price being paid within sixty (60) days after the acceptance of such bid and ratification of such sale by the Township Committee. If, after the acceptance and ratification of such bid by the Township Committee, the transaction is not consummated within the time herein set forth, then, in that event, the Township Committee of Maurice River Township may declare the deposit forfeited and retain the said deposit as liquidated damages;

(f) Subject to closing occurring within sixty (60) days after the acceptance of such bid and ratification of such sale by the Township Committee. Title shall close at the office of any other title company of the purchaser's choice with offices in Cumberland County;

(g) Subject to the condition that no commission of any kind shall be paid by the Township to any person, firm or corporation for the consummation of the sale of the subject property;

(h) Subject to the payment by purchaser, in addition to the balance of the purchase price at closing, the sum of One Hundred Seventy-Five Dollars (\$175.00) for the preparation of the necessary deed and affidavits. The purchaser shall likewise be responsible for the payment of the recording of the deed in the Cumberland County Clerk's Office, as well as the entire closing fee and title premium/search fees charged by the title company, if the purchaser desires to obtain same;

(i) Subject to the deed of conveyance being bargain and sale without covenants. No warranty or guarantee of title will be given to the purchaser(s) and the Township makes no representation of any kind in accordance with the conditions hereinabove described and the subject property and any improvements thereon are sold in a strictly "as is" condition, defined herein as whatever condition same are in at the time of closing;

(j) Subject to such other terms and conditions as may be announced at time of bid;

(k) Subject to the right of the Township Committee to withdraw any or all of the subject property prior to sale.

(4) The Township Clerk is hereby authorized to place a Notice of Public Sale setting forth the foregoing in the official newspaper of the Township, same being circulated in the Township in which the subject properties are situated, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to June 16, 2016, the date of sale herein.

(5) The Township Clerk is further authorized to forward a copy of this Resolution by certified mail, return receipt requested, to all property owners owning real estate contiguous to the subject property herein.



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Item	Project Name	Project Number	Status
1	Port Elizabeth Church (Library)	MR15-001	Contractor quotes for building repair pending.
2	2015 Road Program	MR15-048	Change Orders submitted for MacDonald and Schoolhouse Lane.
3	2016 Road Program	MR16-043	Roadway plans substantially complete. Preparing for bid.
4	Estell Manor Road Phase III	MR13-053	Design work initiated. Anticipate summer bid.
5	Matts Landing Bike Path	MR11037	NJDEP DFW balking on project support in lieu of potential land transfer to Township
6	Fuel Tank Canopy	MR11010	Contractor suggestions for cost savings being taken into consideration. Additional quotes pending.
7	MacDonald/Cannon Range Roads		Signage improvements installed by Road Department. Chevrons still pending.
8	Bricksboro Flooding	MR16-001	Flood control alternatives to be evaluated.