

Thursday, March 17, 2022 - 7:30 pm

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

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of March 17, 2022 was included in a list of meetings notice advertised in the Daily Journal on January 7th, 2022 and the South Jersey Times on January 7th and 14th, 2022, posted on the bulletin board in the Municipal Building on January 4th, 2022 and has remained continuously posted as required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

This meeting was held permitting for in-person attendance by the public with teleconference availability which was posted on the Township website.

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

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

Approval of Minutes

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

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

Presentations

1. N.J.S.P. – A representative was not present from the N.J.S.P.

First Public Comments Session (Limit 30 minutes Total)

Mr. Ashton made a motion to open the first public comment session noting the time at 7:32 pm; seconded by Mr. Sterling.

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

There being no public comment, Mr. Ashton made a motion to close the first public comment session noting the time at 7:33 pm; seconded by Mr. Sterling.

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

Ordinances

Ordinance 709

The clerk provided the first reading by title of Ordinance No. 709: An Ordinance Of Maurice River Township, Cumberland County, Amending § 19-4 Of The Revised General Ordinances Of The Township Of Maurice River, Collection Of Residential Trash And Garbage

Mr. Ashton motioned to approve Ordinance No. 709 on first reading by title and to set the date for the public hearing for Thursday, April 21, 2022; seconded by Mr. Sterling.

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

Consent Agenda

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.

Resolutions

- | | | | |
|-----|----------------|---------|--|
| *1. | Resolution No. | 52-2022 | Authorize Joining Pinelands Municipal Council For Restoration Of Full Funding Of Pilot Payments Under The Garden State Preservation Trust Act |
| *2. | Resolution No. | 53-2022 | A Resolution Authorizing Maurice River Township To Enter Into An Agreement With W. B. Mason Company, Inc. For Supplying And Delivering Office Supplies Pursuant To Its Participation As A Member Of The Cumberland County Cooperative Pricing System |
| *3. | Resolution No. | 55-2022 | Resolution Of The Township Of Maurice River Authorizing The Use Of The Public Rights-Of-Way By Planet Networks, Inc. |
| *4. | Resolution No. | 56-2022 | A Resolution Authorizing Public Sale To The Highest Bidder Of A Certain Premise Known As Block 170 Lots 6 & 7 |
| *5. | Resolution No. | 57-2022 | A Resolution Authorizing Shared Service Agreement Between City Of Vineland And Maurice River Township Regarding Municipal Court |
| *6. | Resolution No. | 58-2022 | A Resolution Authorizing Shared Service Agreement Between County Of Cumberland And Maurice River Township Regarding Transportation Of Heavy Equipment |
| *7. | Resolution No. | 59-2022 | Resolution Authorizing Sound Recorder For Municipal Court Sessions |
| *8. | Resolution No. | 62-2022 | A Resolution Authorizing Signers On Checks For The Maurice River Township Municipal Court Account. |

Routine Items

- *1. The Heislerville United Methodist Church submitted a request to participate in the Clean Communities Road Clean up program.

Mr. Ashton made a motion to adopt the resolutions and approve the routine items listed on the Consent Agenda; seconded by Mr. Sterling.

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

Allen Foster, CMFO

Introduction of 2022 Municipal Budget (Resolution No. 54-2022: 2022 Municipal Budget)

Mr. Foster provided a power point presentation in relationship to the 2022 Municipal Budget. Mr. Foster explained that the local purpose tax will remain at .442 (same as 2021) and that there is a slight increase in the net valuation. The surplus is the same as 2021 and State Aid will be at pre-2021 levels. There will be no significant changes in revenue (local anticipated). The ARP funding, which will be used for broadband extension work, will be inserted into the budget at a later date.

Expenses will be very close to last year's. Mr. Foster explained he has budgeted very tightly with no major increases. There are no insurance increases in the budget,, a new OEM truck has

been input, there is a slight benefit decrease and he added some to accommodate for gas/diesel price increases.

The net valuation taxable from 2015 to present is showing a decline but so far it has been manageable. The local anticipated revenues have stayed level. The contracts for ambulance service and trash have helped. The trend with surplus is holding relatively steady. All indication is that the Township is healthy which helps keep the local tax rate steady.

Mr. Whildin thanked Mr. Foster for a very informative presentation.

Mr. Ashton made a motion to approve 2022 Budget Resolution 54-2022 and to set the date and time for the second reading for Monday, April 18, 2022 at 6:30 pm; seconded by Mr. Sterling.
Roll Call: Ayes – Ashton, Sterling, Whildin Nays - None

1. Resolution No. 60-2022: A Resolution For Self-Examination Of Budget As Required DCA
2. Resolution No. 61-2022: A Resolution Approving The 2022 Budget To Be Read By Title Only

Mr. Ashton made a motion to adopt Resolution No. 60-2022 and Resolution No. 61-2022 by title only; seconded by Mr. Sterling.

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

Township Committee Reports

Joe Sterling, Committeeman

Mr. Sterling reported the following:

1. Information has been received regarding the closure of Southern State. Phase 1 compound A is being merged into Bayside while Phase II is being closed. Mr. Whildin added that he has spoken to the Assistant Commissioner at NJDOC and Bayside is staying open. Maurice River Township will be involved in future communications. Mr. Whildin explained that this closure will have an economic impact on Maurice River Township and that he would like to see something done on this property once the prison is closed.
2. The LUB subcommittee met on Tuesday and discussed revising some of the LUB ordinances. The Township Planner will attend the next meeting.
3. The Dunkin Donuts septic system paperwork is being reviewed by the County Health Department then it will go to Pinelands.
4. He will be attending the next Cumberland County Commissioner's meeting to discuss the animal shelter problem.

Bill Ashton, Deputy Mayor

Mr. Ashton reported the following:

1. Baseball signups resulted in five teams this year and this past Saturday volunteers did a cleanup of the area. Mr. Ashton thanked the volunteers for all the hard work they are doing.
2. He was advised that repaving of the area of roadway of Route 47 near the Recycle Center is in the award stage with the work possibly taking place in the fall.

3. A Targeted Brownfields Assessment Phase II grant has been awarded for landfill #1. They anticipate ten test pits with two wells (one up stream and one downstream). The work is slated to begin around the beginning of April. Once Phase II is complete they will be able to provide a input on closure plans for the landfill.
4. Comcast extension work: the County did not offer any assistance as they are working on their own plan and asked if people could wait until their plan is complete. Comcast and Allen agree that reporting is unclear regarding broadband. A RFP will be required to move forward.

Ken Whildin, Mayor

Mr. Whildin reported the following:

1. He attended a meeting regarding the dredging of the river which was 5 hours long and productive.
2. He met with Senator Testa to discuss NJDEP issues
3. The Municipal Court Shared Service Agreement will be in full force on May 1st.
4. There is a meeting with the Army Corps of Engineers scheduled for next week regarding dikes near in Heislerville.
5. The US Coast Guard is holding a meeting next week to discuss larger vessels and increased traffic in the river.
6. Congressman Van Drew's office has confirmed that the 4.1 million is in the Federal budget and the dredging of the river is going to happen

Professional Reports

Engineer

Mr. Morrissey provided the following report:

Fox Street – Information has been sent over to Pinelands and the design of the drainage is under review. The bid specifications have been sent over to NJDOT and waiting for comment. It is possible this will go out for bid in April with award in May. Everything is on schedule to meet the extension date for the 2020 grant.

Road Program – review of Thompson's Beach is pending. Mr. Kumor provided the original plans for Thompsons Beach to the Township Committee for review which included the roadway from Glade Road to the beach.

Carlisle Place Road Speed Limit – Mr. Morrissey provided a letter of his review and has recommended a speed limit of 35 mph based on the number of houses located on the roadway. An ordinance will be needed for this to take place.

Local Recreation – The agreement is in the works for the \$50,000 that was awarded. Paving of the main grove train and possibly some additional utilizing these funds is proposed.

Estell Manor – survey work is pending with anticipated award in the fall.

Hazard Mitigation – is ongoing.

East Point Bulkhead – NJDEP is looking at this repair from the drop into the water to the parking lot. It is recommended that NJDEP representatives visit the site so they can visually see the work done.

Stormwater Grants – grants have been submitted.

Tax Map Update – He will be using the information supplied by the Tax Assessor to place all the Tax Maps into a PDF.

Mr. Sterling questioned whether Fox Street was being widened. Mr. Morrissey explained that the roadway is currently 20 feet wide which meets the standard and can be widened if that is what the Township wants. Township Committee consensus was that the residents do not want the roadway widened.

Mr. Ashton made a motion to put Fox Street out for bid; seconded by Mr. Sterling.

Roll Call: Roll Call: Ashton, Sterling, Whildin Nays – None

Mr. Ashton made a motion to proceed with an ordinance making the speed limit on Carlisle Place Road 35 mph; seconded by Mr. Sterling.

Solicitor

Mr. DiDomenico provided the following report:

Regarding tax appeals there are four matters at the court level. One matter Brian Gallagher is to be dismissed. Other three are Wawa for 2020, 2021 and 2022; appraisals have been requested and are due by March 31st.

NEW BUSINESS

1. Citizen's United has requested a Letter of Support for a wetland's restoration project grant proposal.

(Item 1 & 2 combined) The Township Committee discussed the grants being sought will be utilized in the Township. The consensus was to provide the Letter of Support to both Citizen's United and ALS.

2. ALS is requesting a Letter of Support for a grant proposal for Delaware Watershed Conservation Funding.

See Item #1 above.

3. Discuss four liens and how to proceed with foreclosure.

Mr. Ashton explained that these have been in the foreclosure process since 2019 and appear to be stalled. The Township Committee discussed moving these to the new search company to expedite the process.

Mr. Ashton made a motion to move these four properties to the new search company; seconded by Mr. Sterling.

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

ANNOUNCEMENTS

1. The Municipal Offices will be closed on Friday, April 15, 2022 in observance of Good Friday.
2. A Community Clean-Up Day is scheduled for Saturday, April 23, 2022. The Recycling Center will be open from 9 am until 3 pm.

REPORTS

Treasurers Report	\$1,218,305.60
Road Dept. Report – February 2022	
Shore Animal Control Monthly Report February 2022	

Mr. Ashton made a motion to accept the above reports, seconded by Mr. Sterling.

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

PAYMENT OF BILLS

Amazon.com Services, Inc.	71.93
Amazon.com Services, Inc.	180.88
Allen J. Foster	48.11
Amtrust North America	4,284.00
Accses New Jersey, Inc.	1,488.80
Accses New Jersey, Inc.	744.40
Atlantic City Electric	5,763.89
Atlantic City Electric	2,367.67
AFLAC	81.26
Barry L. Creamer	570.00
Barry L. Creamer	31.10
Barry L. Creamer	545.00
Bottino Holdings, Inc.	67.81
Bottino Holdings, inc.	43.72
Bottino Holdings, Inc.	33.86
Barber Consulting Services	300.00
Comcast Cable	201.26
Comcast Cable	309.53
CM3 Building Solutions	785.00
CM3 Building Solutions	231.00
S.J. Regional Animal Shelter	1,475.17
Caprioni Portable Toilets Inc.	558.00
City of Bridgeton	1,428.00
C and S Signs	200.00
C and S Signs	50.00
Dixon Assoc. Engineering, LLC	741.25
Dixon Assoc. Engineering, LLC	1,417.50
Dixon Assoc. Engineering, LLC	7,082.50
Dixon Assoc. Engineering, LLC	740.00
Dixon Assoc. Engineering, LLC	2,057.50
Denise Peterson	34.09
Denise Peterson	199.95
Frank DiDomenico	1,625.00
Frank DiDomenico	1,000.00
Frank DiDomenico	512.50
Filbey's Heavy Equip & Repair	350.00
Government Forms & Supplies	111.40
H.A. DeHart & Son	1,289.58
Health Mats Co.	99.28
Hanson Aggregates BMC, Inc.	383.60
Jack's Auto Service, LLC	1,204.55
Linda Dedrick	150.00
Lynn Perryman	240.92
M.R.T. Recreation Assoc.	1,034.91
Maurice River Township BOE	188.38
Maurice River Township BOE	262,250.00
Municipal Information Systems	900.00
MGL Printing Solutions	52.00
Michelle L. Behm	50.00
New Jersey SHBP	12,010.33
New Jersey SHBP	7,198.42
NJ State Dept. of Health & Sr.	134.40

NAPA (Genuine Parts Company)	26.72
NAPA (Genuine Parts Company)	7.91
New York Life Insurance Co.	40.24
NJ Advance Media	59.23
NJ Advance Media	60.90
NJ Advance Media	59.23
NJ Conference of Mayors	395.00
Nathan Van Embden	420.00
NJ Civil Service Association	280.00
Pineland Construction, LLC	30,154.45
Riggins Inc.	1,798.08
Riggins Inc.	388.94
Riggins Inc.	610.54
Riggins Inc.	1,093.12
Riggins Inc.	1,812.41
Riggins Inc.	609.63
Riggins Inc.	766.37
Riggins Inc.	571.24
Riggins Inc.	267.43
Riggins Inc.	315.26
Riggins Inc.	139.11
Riggins Inc.	160.24
Riggins Inc.	2,698.79
Riggins Inc.	2,952.52
Riggins Inc.	747.24
Riggins Inc.	638.70
Riggins Inc.	275.49
Riggins Inc.	297.64
Rutgers, The State Univ of NJJ	1,109.00
Shore Animal Control Services	1,200.00
Shore Animal Control Services	75.00
Stewart Business Systems LLC	54.91
Stewart Business Systems LLC	49.61
Staples Business Advantage	46.93
Staples Business Advantage	75.26
South Jersey Culligan Water	28.25
South Jersey Culligan Water	28.25
Tractor Supply Credit Plan	139.94
Tiffany A. CuvIELLO, PP, AICP	500.00
Tiffany A. CuvIELLO, PP, AICP	2,550.00
Tiffany A. CuvIELLO, PP, AICP	1,050.00
Thomas M. Corrigan, Esq.	962.00
The Home Depot	163.06
The Home Depot	783.62
The Home Depot	51.82
The Home Depot	89.94
U.S. Postal Service	1,000.00
United State Postal Service	407.29
Verizon Wireless	395.08
Verizon	38.21
Western Pest Services	50.00
Woodard & Curran, Inc.	2,107.75
William Eller	59.76
Yoel Zuman	275.60

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

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

Second Public Comment Session

Mr. Ashton made a motion to open the second public comment session noting the time at 8:15 pm; seconded by Mr. Sterling.

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

Mr. Rich Camp, Port Elizabeth, questioned whether the feral cat program was active. Mr. Whildin explained that this program is stalled as it requires funding to proceed; no taxpayer funds will be used for this program.

Mr. Kontes, Port Elizabeth, asked if the Township had a firm proposal from Comcast for the extension work. Mr. Ashton stated he proposal received was firm. Mr. Kontes questioned whether requesting proposals could prompt a high price. Mr. Ashton explained that he does not believe there is an expiration on the proposal provided by Comcast. Mr. Kontes questioned whether the existing quote could be raised by Comcast. Mr. Ashton stated that Comcast appeared to be committed and it was stated that any additional costs would be the burden of Comcast.

Mr. Ashton explained that Mr. Foster was looking at creating the RFP for the broadband extension and samples have been located. Mr. Ashton stated he was hopeful to have the RFP ready next month.

Mr. Ashton made a motion close the second public comment session noting the time at 8:22 pm; seconded by Mr. Sterling.

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

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

Denise L. Peterson, Municipal Clerk

TOWNSHIP OF MAURICE RIVER

ORDINANCE NO. 709

AN ORDINANCE OF MAURICE RIVER TOWNSHIP,
CUMBERLAND COUNTY, AMENDING § 19-4
OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF MAURICE RIVER, COLLECTION OF RESIDENTIAL TRASH AND GARBAGE

WHEREAS, § 19-4, Collection of Residential Trash and Garbage, of the revised General Ordinances of the Township of Maurice River was previously adopted by the Township Committee; and

WHEREAS, § 19-4 is intended to protect the health, safety and welfare of the residents of Maurice River Township by providing procedures for the proper disposal of garbage, trash, refuse and ashes within the Township; and

WHEREAS, the Township Committee has determined that § 19-4 should be amended in order to update proper procedures for removal of garbage, rubbish, refuse and ashes.

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 amend § 19-4, as follows:

1. §19-4.3a is amended as follows:

"Receptacles for ashes shall be metallic containers. The metallic container shall not exceed a weight of 50 pounds and shall not exceed 54 gallons in volume. The metallic container shall have two handles for ease of carrying. Receptacles for ash must have a tight-fitting lid to prevent spillage. Containers commonly known as "pickle barrels" shall not be utilized."

2. §19-4.3b, is amended as follows:

"Receptacles for garbage, rubbish and refuse shall be either metal, plastic, or wood with tight fitting lids. Said receptacles shall not exceed a weight of 50 pounds and shall not exceed 54 gallons in volumes. All said receptacles shall have a minimum of two handles for ease of carrying. Trash bags may also be utilized, however, shall not exceed a weight of 50 pounds. Trash bags shall be securely tied to prevent the scattering of trash. Containers commonly known as "pickle barrels" shall not be utilized".

3. S19 -4.3c, is amended as follows:

Delete in its entirety

All other provisions of Chapter §19-4, as set forth in the revised general Ordinances of the Township of Maurice River, shall remain in full force and effect except as amended by this Ordinance.

Severability: Should any section, sentence, clause or provision or a portion of this Ordinance be held to be invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect or impact upon any other section, sentence, clause or provision or portion of this Ordinance and the remainder of the Ordinance 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.

**MAURICE RIVER TOWNSHIP
CUMBERLAND COUNTY, NJ**

RESOLUTION NO. 52-2022

**AUTHORIZE JOINING PINELANDS MUNICIPAL COUNCIL
FOR RESTORATION OF FULL FUNDING
OF PILOT PAYMENTS UNDER THE
GARDEN STATE PRESERVATION TRUST ACT**

WHEREAS, the Pinelands Municipal Council represents fifty-three (53) municipalities within the State-designated Pinelands area, and its primary function is to address various issues facing the municipalities within the group; and

WHEREAS, Township of Maurice River is a member municipality of the Pinelands Municipal Council; and

WHEREAS, over the course of the last decade, these municipalities have seen a loss of payments for State or conservancy-owned acreage under the payments in lieu of taxes program set forth in the Garden State Preservation Trust Act; and

WHEREAS, by Resolution 2022-01 adopted on January 26, 2022 (a copy of which is attached hereto and incorporated herein by reference), the Pinelands Municipal Council expressed gratitude to the Governor and Legislature of the State of New Jersey for the restoration of full funding of the payment in lieu of taxes program that occurred in the 2021 State Budget; and

WHEREAS, Township of Maurice River desires to formally join in the gratitude expressed by Pinelands Municipal Council Resolution 2022-01, as well express its continued request that this full funding remain in place as set forth in the Garden State Preservation Act; and

WHEREAS, just as the loss of this funding had an appreciable impact on Township of Maurice River's local budget, the restoration of the funding has likewise had a significant impact to the benefit our local budget and our residents.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the governing body of the Township of Maurice River does hereby formally join in support of Pinelands Municipal Council Resolution 2022-01, adopted on January 26, 2022, a copy of which is attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be transmitted by the Municipal Clerk to the Governor and our State Legislators.

BE IT FURTHER RESOLVED that the Pinelands Municipal Council respectfully requests and encourages the Governor and Legislature to continue the full funding of the payments in lieu under the Garden State Preservation Trust Act in 2022 and going forward.

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

R E S O L U T I O N N O . 5 3 - 2 0 2 2

**A RESOLUTION AUTHORIZING MAURICE RIVER TOWNSHIP TO ENTER INTO AN AGREEMENT
WITH W. B. MASON COMPANY, INC. FOR SUPPLYING AND DELIVERING OFFICE SUPPLIES
PURSUANT TO ITS PARTICIPATION AS A MEMBER OF THE
CUMBERLAND COUNTY COOPERATIVE PRICING SYSTEM**

WHEREAS, the Cumberland County Board of Chosen Freeholders has awarded a Cooperative Pricing System Contracts to the following company for supplying and delivering office supplies and its participating members of the Cumberland County Cooperative Pricing System; and

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

WHEREAS, it is the desire of Maurice River Township to execute an agreement with the following company for supplying and delivering office supplies with Maurice River Township for the contract period of February 1, 2022 to January 31, 2024. Rates payable will be pursuant as provided with the bid package of the Cooperative Pricing System Identifier #181-CCCPS, Bid #21-71,

W.B. Mason Co., Inc.
59 Centre Street
Brockdon, MA 02303

Supplying and Delivering of
Office Supplies

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP that the Township shall enter into an Agreement with W. B. Mason Co., Inc., 59 Centre Street, Brockdon, MA 02303 to supply and deliver office supplies to Maurice River Township through the Cooperative Purchasing Award of the Cumberland County Board of Chosen Freeholders; and

BE IT FURTHER RESOLVED that the contract period shall be February 1, 2022 to January 31, 2024 at the rates indicated (Attachment A) per commodity pursuant to the Bid Tabulation Sheet for participating members Of The Cooperative Pricing System Identifier #181-CCCPS, Bid #21-71 (Attachment A); and

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

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 54-2022

2022 Municipal Budget Resolution

**MAURICE RIVER TOWNSHIP
CUMBERLAND COUNTY, NJ**

RESOLUTION 55-2022

**RESOLUTION OF THE TOWNSHIP OF MAURICE RIVER
AUTHORIZING THE USE OF THE PUBLIC RIGHTS-OF-WAY BY
PLANET NETWORKS, INC.**

WHEREAS, Planet Networks Inc. ("Planet Networks") is a provider of telecommunications services that is authorized by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout New Jersey; and

WHEREAS, Planet Networks has petitioned the municipality for consent to use the public rights-of-way to place its telecommunication facilities aerially on existing and new utility poles and/or in underground conduit; and

WHEREAS, the Federal Communications Commission has held that that "an effective prohibition [under the Telecommunications Act of 1996] occurs where a state or local legal requirement materially inhibits a provider's ability to engage in any of a variety of activities related to its provision of a covered service ... not only by rendering a service provider unable to provide an existing service in a new geographic area or by restricting the entry of a new provider in providing service in a particular area, but also by materially inhibiting the introduction of new services or the improvement of existing services." Declaratory Ruling and Third Report and Order, WT Docket No. 17-79; WC Docket No. 17-84, FCC-18-133A1, at para. 36, p. 15-16; and

WHEREAS, Planet Networks has or will enter into agreements with the utility companies for the use of their poles; and

WHEREAS, N.J.S.A. 48:3-19 provides that "[t]he consent of the municipality shall be obtained for the use by a person of the poles of 'another person unless each person has a lawful right to maintain poles in such street, highway or other public place;" and

WHEREAS, N.J.S.A. 27:16-6 provides, in part that "[t]he board of chosen freeholders shall not grant an easement, right of way, or use in, under or over, any portion of a county road in a municipality, unless the governing body of the municipality ... shall consent thereto;" and

WHEREAS, N.J.S.A. 46:17-8 provides that "[a]ny telegraph or telephone company organized under the laws of this or any other State, or of the United States may erect, construct and maintain the necessary poles, wires, conduits, and other fixtures for its lines, in, upon, along, over or under any public street, road or highway, upon first obtaining the consent in writing of the owner of the soil to the erection of such poles, and through, across or under any of the waters within this State and upon, through or over any other land, subject to the right of the owners thereof to full compensation for the same."

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes,

levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal agency; and

WHEREAS, it is in the best interests of the municipality and its citizens to grant consent to Planet Networks.

NOW THEREFORE BE IT RESOLVED THAT the governing body does hereby grant permission and authority to Planet Networks, Inc. to install fiber optic cables and related facilities on existing utility poles within the public right-of-way and to install new utility poles, upon the following terms and conditions:

- a) Planet Networks shall adhere to all applicable federal, State, and local laws in connection with its use of the public right-of-way.
- b) Planet Networks shall obtain any applicable permits in connection with the installation of its facilities;
- c) Planet Networks shall indemnify, defend and hold harmless the municipality, its officials, agents, and employees, from and against any claim of liability, damages or loss resulting in bodily injury or property damage arising out of Planet Network's use of the public right-of-way, except to the extent such loss, injury or property damage resulting from the acts or omissions of the municipality.
- d) Planet Networks shall procure and maintain, at its cost and expense, commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence and shall include the municipality as an additional insured on said insurance policy.
- e) Planet Networks shall be responsible for the repair of any damage to pavement or any structure arising from its construction, installation or maintenance of its facilities.
- f) Notwithstanding any provision contained herein, neither the municipality nor Planet Networks shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this consent.
- g) That the Mayor is hereby authorized to execute and the Clerk to attest to any other documents necessary to effectuate the terms of this resolution.

M A U R I C E R I V E R T O W N S H I P
R E S O L U T I O N N O . 5 6 - 2 0 2 2

**A RESOLUTION AUTHORIZING PUBLIC SALE TO THE HIGHEST BIDDER
OF A CERTAIN PREMISE KNOWN AS
BLOCK 170 LOTS 6 & 7**

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>
170	6 & 7	.6887 acre

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

WHEREAS the Township of Maurice River has determined that the subject property of **Block 170 Lots 6 & 7 located in PC zone, and is 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 property 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 property by open public sale at auction to the highest bidder after advertisement thereof on Monday, April 18, 2022 at the Township Hall located at 590 Main Street, Leesburg, New Jersey, commencing at 6:30 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 bid is 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>
170	6 & 7	\$1,100

(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 thirty (30) 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) The purchaser shall be responsible for costs associated with preparation of the deed, affidavits and recording of the deed with the Cumberland County Clerk's Office.

(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) The purchaser shall be responsible for all septic and wells meeting the requirements of the Cumberland County Department of Health which includes all required inspections

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

(l) 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 April 18, 2022 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.

**MAURICE RIVER TOWNSHIP
RESOLUTION NO. 57-2022**

**A RESOLUTION AUTHORIZING SHARED SERVICE AGREEMENT BETWEEN
CITY OF VINELAND AND MAURICE RIVER TOWNSHIP
REGARDING MUNICIPAL COURT**

WHEREAS, N.J.S.A. 2B:12-1c provides in part that two or more municipalities, by ordinance or resolution, may agree to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court. Where municipal courts share facilities in this matter, the identities of the individual courts shall continue to be expressed in the captions of orders and process; and

WHEREAS, the City of Vineland and the Township of Maurice River have negotiated and agreed upon the terms and conditions of such an agreement; and

WHEREAS, the Township Committee of Maurice River Township is desirous of authorizing the execution of a mutually agreeable agreement.

NOW THEREFORE BE IT RESOLVED that the Township Committee of Maurice River Township hereby approves such shared services agreement in the form attached hereto as Exhibit A with the City of Vineland and authorizes the Mayor, or his designee, and Clerk to execute same and be bound by the terms and conditions thereof.

**MAURICE RIVER TOWNSHIP
RESOLUTION NO. 58-2022**

**A RESOLUTION AUTHORIZING SHARED SERVICE AGREEMENT
BETWEEN COUNTY OF CUMBERLAND AND MAURICE RIVER TOWNSHIP
REGARDING TRANSPORTATION OF HEAVY EQUIPMENT**

WHEREAS, N.J.S.A. 40A:65-1, et seq. known as the "Uniform Shared Services and Consolidation Act," authorizes two or more local units to enter into an agreement for shared services known as Shared Services Agreement for the provision of municipal services ("Agreement"); and

WHEREAS, Maurice River Township desires to enter into a shared service agreement with the County of Cumberland for the transporting of heavy equipment; and

WHEREAS, the County of Cumberland has deemed it to be acceptable to provide the service to the Township of Maurice River for a cost pursuant to the Shared Service Agreement; and

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

1. The Township of Maurice River pursuant to N.J.S.A 40A:65-1 is authorized and empowered to enter into a Shared Service Agreement with the County of Cumberland for the transporting of heavy equipment.
2. The terms of this Shared Service shall be as outlined in the Shared Services Agreement and attached hereto as "Exhibit A".
3. The Mayor and Clerk are authorized to take any action necessary or advisable to carry out the intent and purpose of this Resolution. Specifically, the Mayor and Township Clerk are authorized to execute the Shared Service Agreement on behalf of the Township of Maurice River and the clerk shall affix the official seal of Maurice River Township.
4. Notice of this action shall appear once in the South Jersey Times, a newspaper of

general circulation in the Township.

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 59-2022

**RESOLUTION AUTHORIZING SOUND RECORDER
FOR MUNICIPAL COURT SESSIONS**

WHEREAS, for the Municipal Court to properly function a sound recorder must be available during court sessions; and

WHEREAS, the Township Committee of Maurice River is desirous to have a sound recorder available for all municipal court sessions; and

WHEREAS, a sound recorder is a specialized service requiring knowledge of the court and the process in conducting court sessions; and

WHEREAS, Maurice River Township Municipal Court is in the process of entering into a Shared Service Agreement with the City of Vineland Municipal Court which will be effective on or around May 1st of 2022; and

WHEREAS, Cindy Kelly from the Pilesgrove Joint Municipal Court is available and willing to attend the three remaining court sessions at the Maurice River Township Municipal Court.

WHEREAS, the Chief Finance Officer has determined there are sufficient funds to cover the expense for the sound recorder.

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

1. Cindy Kelly shall act as the sound recorder for the Maurice River Township Municipal Court for the three remaining court sessions effective immediately upon adoption of this resolution.
2. Cindy Kelly shall be paid at a rate of \$100 (One Hundred Dollars) per court session for the three remaining court sessions being held at Maurice River Township, 590 Main Street, Leesburg.

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

RESOLUTION NO. 60-2022

**A RESOLUTION FOR SELF-EXAMINATION OF BUDGET
AS REQUIRED DCA**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Maurice River has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2022 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Maurice River that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
- a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved:

Vote recorded as follows:

	AYES	NAYS	ABSENT
Ken Whildin	X		
Bill Ashton	X		
Joe Sterling	X		

MAURICE RIVER TOWNSHIP

RESOLUTION NO. 61-2022

A RESOLUTION APPROVING THE 2022 BUDGET TO BE READ BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget shall be made available for public inspection and shall be made available to each person upon request; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by The Township Committee of Maurice River Township, Cumberland County, State of New Jersey, that the 2022 budget resolution shall be read by title only

MAURICE RIVER TOWNSHIP

CUMBERLAND COUNTY

RESOLUTION NO. 62-2022

A RESOLUTION AUTHORIZING SIGNERS ON CHECKS FOR THE MAURICE RIVER TOWNSHIP MUNICIPAL COURT ACCOUNT.

WHEREAS, Ocean First must be advised of pending changes of authorized signers to municipal accounts, and

WHEREAS, the following court personnel will require access and authority effective March 17, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF MAURICE RIVER TOWNSHIP, that the following court personnel be listed as authorized signers with Ocean First on the Maurice River Township Municipal Court Account.

Authorized Signers:

1. Rachele D'Ippolito (Municipal Court Administrator)
2. Joni Bergen (Deputy Municipal Court Administrator)
3. Susan Bradley (Senior Violations Clerk)
4. Chantal Vargas (Clerk 2A)

BE IT FURTHER RESOLVED THAT no facsimile signatures (computer or stamped) will be permitted and one signature is required.



Township of Maurice River
Engineer's Report
March 17, 2022

Item	Project Name	Project Number	Status
1.	Fox Street/School Access/Sapello	MR19-044	Revised bus loop plan submitted to Pinelands on 2/18/22. Awaiting Pineland's review
2.	Fox Street Municipal Aid Grants	MR19-044	Bid specifications submitted to NJDOT on 3/15/22. Anticipate being on-target for project award in May and construction over the summer months.
3.	Road Program	MR20-001	Thompsons Beach Road repair being reviewed. Contractor field meeting pending.
4.	Carlisle Place Road Speed Limit	MR22-001	35 mph speed limit recommendation made on 3/17/22
5.	Local Recreation Improvement Grant	MR21-001	\$50,000 DCA grant awarded for bike paths at Township Park on 2/1/22. DCA agreement info. pending. Preliminary design concept to be discussed.
6.	Estell Manor Road Municipal Aid Grant	MR13-053	DA working on design plans and specs for Phase IV roadway resurfacing. Survey work pending.
7.	Hazard Mitigation Plan	MR14-031	Second workgroup for 5-year update held on 1/18/22. Update is progressing.
8.	East Point Bulkhead	MR21-109	Project status pending DEP response on permitting requirements. Preliminary response is that a CAFRA individual permit will be required.
9.	DEP Stormwater Grant	MR22-001	Grant application submitted to Dep on 2/28/22 for stormwater improvements at Bricksboro dike and Moores Beach Road.