

Little Egg Harbor Township Committee Meeting Agenda

March 28, 2019

7:00 P.M.

1. MEETING CALLED TO ORDER
2. PLEDGE OF ALLEGIANCE
3. OPEN PUBLIC MEETING STATEMENT
4. ROLL CALL: _____ Ms. Stevens _____ Mr. Scibetta _____ Mr. Gormley
 _____ Mr. Kehm _____ Mrs. Crea
5. PROCLAMATION
 - National Library Week
 - National Donate Life Month
 - National Autism Awareness Month
 - Alcohol Awareness Month
6. APPROVAL OF MINUTES
 - February 28, 2019
 - March 14, 2019
7. ORDINANCE **[SECOND READING AND ADOPTION]**

2019-06 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, authorizing the increase of final appropriations to exceed the municipal budget appropriation limits for CY 2019 and to establish a cap bank pursuant to N.J.S.A. 40A:4-45.14
8. ORDINANCE **[FIRST READING AND INTRODUCTION]**
2019-07 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, providing for the mechanical maintenance dredging of Rose Creek and several man-made lagoons on the easterly side of Radio Road in the Mystic Island section of the Township and related expenses so as to provide navigable access to Great Bay from the several lagoons, benefitting properties abutting said lagoons, and appropriating \$4,500,000 therefor, and providing for the issuance of \$4,500,000 in bonds or notes of the Township of Little Egg Harbor to finance the same, and directing the Special Assessment of the cost thereof

2019-08 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, providing for additional site work and recreational improvements to Veterans Park in the Township and appropriating \$240,000 therefor from the Township's Open Space Trust Fund

2019-09 An Ordinance of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, amending Chapter 15 of the Township Code of the Township of Little Egg Harbor, entitled "Land Use and Development"[§4.28 (PV Pinelands Village Zone)]

9. CONSENT AGENDA

A Consent Agenda includes items of business which are not controversial and do not require individual discussion. The Consent Agenda is moved, seconded, and voted upon as one item by the Governing Body.

2019-95 A Resolution authorizing the promotion of Detective Joel Mahr to the position of Sergeant in the Township of Little Egg Harbor Police Department

2019-96 A Resolution making application to the Local Finance Board pursuant to N.J.S.A. 40A:2-11(c) and N.J.S.A. 40A:2-7(d)

2019-97 A Resolution authorizing the execution of a contract under a National Cooperative Purchasing Agreement (Contract #15-JLP-023)

2019-98 A Resolution authorizing the execution of a Right-Of-Way Use Agreement with Cross River Fiber, LLC

2019-99 A Resolution certifying tax liens for costs incurred in accordance with the Property Maintenance Code

2019-100 A Resolution authorizing various tax refunds

10. PUBLIC COMMENT – Consent Agenda Only

11. BILL RESOLUTION

2019-101 A Resolution authorizing the Payment of Bills in the Amount of \$331,713.45

12. MISCELLANEOUS APPROVALS

- Raffle Application for Italian & American Social Club 50/50 raffle on April 28, 2019 at Sea Oaks Country Club
- Raffle Application for Ocean County Foundation for Vocational and Technical Education 50/50 raffle on June 1, 2019 at Cuisine on the Green
- Raffle Application for Parker's Army Inc. gift auction on May 28, 2019 at Sea Oaks Country Club
- Raffle Applications for West Tuckerton Fire Co. 50/50 raffle, lottery hat raffle, and gift auction on May 10, 2019
- Bingo Application for West Tuckerton Fire Co. on May 10, 2019

13. TOWNSHIP ENGINEER COMMENTS

14. PUBLIC COMMENT – any topic

15. TOWNSHIP COMMITTEE COMMENTS

16. EXECUTIVE SESSION

2019-102 A Resolution authorizing the convening of an Executive Session in accordance with the Open Public Meetings Act matters of discussion: contracts related to projects within the Township. Formal action may be taken

17. ADJOURN

DRAFT

RESOLUTION NO. 2019 – 95

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE PROMOTION OF DETECTIVE JOEL MAHR TO THE POSITION OF SERGEANT IN THE TOWNSHIP OF LITTLE EGG HARBOR POLICE DEPARTMENT

WHEREAS, there is currently an opening in the position of Sergeant in the Township of Little Egg Harbor Police Department; and

WHEREAS, the New Jersey Civil Service Commission administered the Police Sergeant promotional examination and issued eligible lists on November 9, 2016; and

WHEREAS, the Chief of Police has recommended the promotion of Detective Joel Mahr, Step 14, who is qualified and has demonstrated the requisite character and aptitude for the position; and

WHEREAS, it is the desire of the governing body to promote Detective Joel Mahr to the position of Sergeant in the Little Egg Harbor Township Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby promote Detective Joel Mahr to the position of Sergeant in the Township of Little Egg Harbor, at a salary of \$130,078 in accordance with the applicable Collective Bargaining Agreement and in accordance with the Township Salary Ordinance.
2. That this appointment shall be effective immediately.
3. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the Chief of Police, Chief Financial Officer and Sergeant Joel Mahr.

CERTIFICATION

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the **28th** day of **March, 2019**.

DIANA K. MCCRACKEN, Township Clerk
Little Egg Harbor Township

DRAFT

RESOLUTION NO. 2019 – 96

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, IN THE COUNTY OF OCEAN, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-11(c) AND N.J.S.A. 40A:2-7(d)

WHEREAS, the governing body of the Township of Little Egg Harbor, in the County of Ocean, New Jersey (the “Township”) has introduced a bond ordinance (the “Bond Ordinance”) to authorize the mechanical maintenance dredging of approximately 34,500 cubic yards of bottom sediments from Rose Creek and several man-made lagoons on the easterly section of Radio Road in the Township, including the storage, dewatering, transportation and disposal of dredged material, and also including all work and materials, equipment, labor and appurtenances necessary therefor or incidental thereto, and provide for the special assessment of the cost thereof on the properties benefited thereby; and

WHEREAS, the Township desires to make application to the Local Finance Board for its review and approval of a waiver of down payment pursuant to N.J.S.A. 40A:2-11(c) and in accordance with 40A:2-7(d); and

WHEREAS, the governing body of the Township believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF LITTLE EGG HARBOR, IN THE COUNTY OF OCEAN, NEW JERSEY, as follows:

Section 1. The application to the Local Finance Board for the purposes described in the recitals hereof is hereby approved, and GluckWalrath LLP, the Township’s Bond Counsel, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Township Clerk is hereby directed to prepare and file a copy of this resolution and the proposed Bond Ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute, including causing its consent to be endorsed upon a certified copy of the Bond Ordinance as finally adopted by the Township.

Recorded Vote

AYE

NO

ABSTAIN

ABSENT

The foregoing is a true copy of a resolution adopted by the governing body of the Township of Little Egg Harbor, in the County of Ocean on March 28, 2019.

Diana McCracken, Township Clerk

RESOLUTION NO. 2019 – 97

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT (Contract #15-JLP-023)

WHEREAS, the Township of Little Egg Harbor intends to participate in the OMNIA PARTNERS Government Purchasing Alliance program to purchase under a National Cooperative Purchasing Agreement - HVAC Products, Installation, Services and Related Products and Services; and

WHEREAS, pursuant to N.J.S.A. 52:34-6.2(b)(3), Little Egg Harbor may by resolution and without advertising for bids, purchase any good or services under a national cooperative purchasing agreement; and

WHEREAS, the Township of Little Egg Harbor desires to enter into a contract with Tozour Automation under OMNIA PARTNERS Government Purchasing Alliance (F/N/A U.S. Communities National Cooperative) Contract #15-JLP-023, to purchase HVAC system; and

WHEREAS, the Township of Little Egg Harbor anticipates joining the OMNIA PARTNERS contract on April 15, 2019 and is required to publish the Notice of Intent once in the official newspaper of the Township of Little Egg Harbor; and

WHEREAS, the Chief Financial Officer of the Township of Little Egg Harbor has certified as to the availability of funds for this purchase.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

1. That the governing body does hereby authorize the purchase of HVAC Products, Installation, Services and Related Products and Services for a total cost of \$159,944.00 from Tozour Automation under OMNIA PARTNERS Government Purchasing Alliance program under Contract #15-JLP-023.
2. That the Notice of Intent shall be published once in the official newspaper of the Township of Little Egg Harbor.
3. That the Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Tozour Automation and any other documents necessary to effectuate the terms of this resolution.

4. That a Certificate of Availability of Funds executed by the Chief Financial Officer is annexed hereto. The following are the lines item appropriations or ordinances which constitute the availability of funds for this contract: _____

5. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer and Tozour Automation.

CERTIFICATION

I, **DIANA K. MCCRACKEN, RMC** do hereby certify that the foregoing is a true copy of a resolution adopted by the governing body of the Township of Little Egg Harbor at a meeting held on the **28th** day of **March, 2019**.

DIANA K. MCCRACKEN
Township Clerk
Township of Little Egg Harbor

CERTIFICATE OF AVAILABILITY OF FUNDS

I, **RODNEY R. HAINES**, Chief Financial Officer for the Township of Little Egg Harbor do hereby certify that adequate funds are available for a contract with Tozour Automation pursuant to Omnis Partners Contract #15-JLP-023 at an amount not to exceed \$159,944.00 in accordance with the proposal submitted via email on February 27, 2019.

The funds which are available for this contract are found in the following line item appropriations or ordinances: _____

RODNEY R. HAINES, Chief Financial Officer
Township of Little Egg Harbor

DRAFT

RESOLUTION NO. 2019 – 98

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY USE AGREEMENT WITH CROSS RIVER FIBER, LLC.

WHEREAS, the Township of Little Egg Harbor has received a request from Cross River Fiber LLC ("Cross River Fiber") to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the Public Rights-of-Way within the Township of Little Egg Harbor for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

WHEREAS, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the Township of Little Egg Harbor for the joint use of any existing utility poles; and

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, regional or county governmental agency; and

WHEREAS, it is the in the best interests of the Township of Little Egg Harbor and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Little Egg Harbor that the Township is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

CERTIFICATION

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 28th day of March, 2019.

DIANA K. MCCRACKEN, RMC, Clerk
Township of Little Egg Harbor

RESOLUTION NO. 2019 - 99

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG
HARBOR, COUNTY OF OCEAN, STATE OF NEW
JERSEY, CERTIFYING TAX LIENS FOR COSTS
INCURRED IN ACCORDANCE WITH THE PROPERTY
MAINTENANCE CODE**

WHEREAS, in accordance with Chapter 273 of the Township Code of the Township of Little Egg Harbor entitled "Property Maintenance", notice of noncompliance was sent to the properties listed in Schedule A attached hereto; and

WHEREAS, said property owners did not comply with said notice and the Little Egg Harbor Department of Public Works was ordered to abate the violations for the preservation of the public health, safety and general welfare or to eliminate a fire hazard; and

WHEREAS, the governing body wishes to certify said costs incurred by the Department of Public Works as a lien against the properties listed on Schedule A in accordance with Chapter 273 of the Township Code.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby certify property maintenance liens against the properties listed on Schedule A.
2. That the Tax Collector shall be responsible for collection of the amounts herein certified.
3. That a certified copy of this resolution shall be forwarded to the respective property owners.

CERTIFICATION

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the **28th** day of **March, 2019**.

DIANA K. MCCRACKEN, Township Clerk
Township of Little Egg Harbor

RESOLUTION NO. 2019 – 100

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG
HARBOR, COUNTY OF OCEAN, STATE OF NEW
JERSEY, AUTHORIZING VARIOUS TAX REFUNDS**

WHEREAS, the Tax Collector has requested that an overpayment of taxes be refunded concerning property located in Little Egg Harbor Township; and

WHEREAS, the Governing Body of the Township of Little Egg Harbor has determined that taxes as set forth in the attached rider for the time period and property as also set forth, can be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

1. That the Governing Body hereby authorizes the refund of taxes as set forth in the attached rider to this resolution.
2. That a copy of this resolution shall be served upon the Tax Collector and the Treasurer of Little Egg Harbor Township.

CERTIFICATION

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Little Egg Harbor Township Committee at a meeting held on the **28th** day of **March, 2019**.

DIANA K. MCCRACKEN, Township Clerk
Little Egg Harbor Township

**TOWNSHIP OF LITTLE EGG HARBOR
BILL RESOLUTION 2019-**

MARCH 28, 2019

Be it resolved by the Township Committee that the following bills be approved for payment and the Township Clerk authorized to spread same in full on the minutes and the Treasurer authorized to issue checks for such in accordance with the statutes and regulations in cases governing:

PAYEE	PURPOSE	ACCOUNT	AMOUNT	CHECK #
SEE COMPUTER LISTING	BILL LIST	CURRENT	\$ 120,568.34	
		CAPITAL	\$ 179,953.56	
		GRANTS	\$ 13,117.75	
		RECREATION	\$	
		ESCROW	\$ 4,878.30	
		DEDICATED FUND	\$	
		ASSESSMENT	\$	
		OPEN SPACE	\$	
		PLANNING BOARD	\$	
		ESCROWS	\$ 5,261.00	
		AFFORDABLE HOUSING	\$ 7,934.50	
		ACH WIRES	\$	
	TOTAL	\$ 331,713.45	7950-8001	

Entered on Minutes

Township Clerk Diana McCracken

Date

Approved:

Mayor Barbara Jo Crea

Deputy Mayor John Kehm

Raymond Gormley

Blaise Scibetta

Lisa Stevens

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
19d03055	03/19/19	06124	T & M ASSOCIATES, CORP.	SUSTAINABLE JERSEY GRANT APP	Open	1,952.00	0.00	
19d03056	03/19/19	06124	T & M ASSOCIATES, CORP.	DREDGE PERMIT LAGOON SURVEY	Open	37,842.00	0.00	
19d03057	03/19/19	06124	T & M ASSOCIATES, CORP.	MYSTIC ISLAND DREDGE PERMIT	Open	1,993.75	0.00	
19d03058	03/19/19	06124	T & M ASSOCIATES, CORP.	GENERAL PLANNING	Open	1,073.25	0.00	
19d03059	03/19/19	06124	T & M ASSOCIATES, CORP.	PRELIM GRADING PLAN REVIEW	Open	500.00	0.00	
19d03060	03/19/19	06124	T & M ASSOCIATES, CORP.	FINAL GRADING PLAN INSPECTION	Open	900.00	0.00	
19d03061	03/19/19	06124	T & M ASSOCIATES, CORP.	BULKHEADS	Open	360.00	0.00	
19d03062	03/19/19	06124	T & M ASSOCIATES, CORP.	IMPROVEMENTS TO MARYLAND ROAD	Open	11,462.75	0.00	
19d03063	03/19/19	06124	T & M ASSOCIATES, CORP.	TWIN LAKES BLVD DRAINAGE	Open	12,004.75	0.00	
19d03064	03/19/19	06124	T & M ASSOCIATES, CORP.	OSBORN ISLAND DREDGING	Open	4,027.50	0.00	
19d03065	03/19/19	06124	T & M ASSOCIATES, CORP.	SIDEWALKS/MATHISTOWN & CENTER	Open	2,272.00	0.00	
19d03066	03/19/19	06124	T & M ASSOCIATES, CORP.	VETERANS PARK	Open	2,289.50	0.00	
19d03067	03/19/19	07756	TAYLOR DESIGN GROUP, INC.	VETERANS PARK	Open	3,802.25	0.00	
19d03068	03/19/19	06149	REMINGTON & VERNICK ENGINEERS,	PINELAND BREWING B-250 L-1	Open	235.50	0.00	
19d03069	03/19/19	06149	REMINGTON & VERNICK ENGINEERS,	ANDWIN REALTY B-251 L-1.02	Open	235.50	0.00	
19d03070	03/19/19	06149	REMINGTON & VERNICK ENGINEERS,	FALLAVOLLITA B-325.44 L-41	Open	342.00	0.00	
19d03071	03/19/19	06149	REMINGTON & VERNICK ENGINEERS,	INGRAM B-313 L-13	Open	342.00	0.00	
19d03072	03/19/19	06149	REMINGTON & VERNICK ENGINEERS,	ENVIRO PRODUCTIONS B-79 L-3	Open	157.00	0.00	
19d03073	03/19/19	07958	RUMPF LAW, P.C.	ENVIRO PRODUCTIONS B-79 L-3	Open	935.55	0.00	
19d03074	03/19/19	07958	RUMPF LAW, P.C.	PROFESSIONAL SERVICES	Open	727.56	0.00	
19d03075	03/19/19	07756	TAYLOR DESIGN GROUP, INC.	ENVIRO PRODUCTIONS B-79 L-3	Open	596.25	0.00	
19d03076	03/19/19	00009280	ELRAC, Inc.	RENTAL/FEBRUARY 2019	Open	657.90	0.00	
19d03077	03/19/19	06478	NEW JERSEY NATURAL GAS CO.	MONTHLY BILLING	Open	3,869.18	0.00	
19d03078	03/19/19	07821	CONCAST	MONTHLY BILLING	Open	351.93	0.00	
19d03079	03/19/19	07631	GENERAL CODE PUBLISHERS	SUPPLEMENT PROJECT	Open	2,902.21	0.00	
19d03080	03/20/19	00009212	NEW JERSEY FUTURE	MARSH RESTORATION PROJECT	Open	1,655.00	0.00	
19d03081	03/20/19	00009288	MUNIHUB	PROFESSIONAL SERVICES	Open	500.00	0.00	
19d03082	03/20/19	06149	REMINGTON & VERNICK ENGINEERS,	BULKHEADS	Open	120.00	0.00	
19d03083	03/20/19	00009314	A T & T	MONTHLY BILLING	Open	30.00	0.00	
19d03084	03/21/19	00009436	4 SHORE INSTALLS, LCC	REHABCO PROJECT #LEH-18-04	Open	7,934.50	0.00	
19d03085	03/21/19	00009364	TELESYSTEM /BLOCK LINE SYSTEMS	MONTHLY BILLING	Open	1,989.63	0.00	
19d03086	03/21/19	05998	GEORGE GARBARAVAGE	ANIMAL CONTROL/MARCH 2019	Open	3,249.00	0.00	
19d03087	03/21/19	00008606	NEW JERSEY PRESS	ACCT # ASB-009600	Open	104.12	0.00	
19d03088	03/22/19	08103	A T & T	MONTHLY BILLING	Open	257.36	0.00	
19d03089	03/25/19	00009312	QBE SPECIALTY INSURANCE CO.	PROFESSIONAL SERVICES	Open	5,424.23	0.00	
19d03090	03/25/19	06149	REMINGTON & VERNICK ENGINEERS,	COURTER B-291 L-1	Open	76.00	0.00	
19d03091	03/25/19	06149	REMINGTON & VERNICK ENGINEERS,	COURTER B-291 L-1	Open	78.50	0.00	
19d03092	03/25/19	00008475	SEA SPRAY CLEANERS, LLC	MONTHLY BILLING	Open	490.60	0.00	
19d03093	03/25/19	00009001	CMRS-FP	POSTAGE	Open	5,000.00	0.00	
19d03094	03/26/19	06764	THOMAS THORNTON	TUITION REIMBURSEMENT	Open	156.00	0.00	
19d03095	03/26/19	02300	VERIZON	MONTHLY BILLING	Open	539.62	0.00	
19d03096	03/26/19	06489	FORT DEARBORN LIFE INS. CO.	MONTHLY BILLING/APRIL 2019	Open	781.20	0.00	
19d03097	03/26/19	06363	BLUE CROSS/BLUE SHIELD	MONTHLY BILLING/APRIL 2019	Open	11,617.62	0.00	
ES-00206	03/25/19	06124	T & M ASSOCIATES, CORP.	Escrow Bills	Open	4,869.25	0.00	
PB-00334	03/25/19	07756	TAYLOR DESIGN GROUP, INC.	Planning Board Escrow	Open	391.75	0.00	
Total Purchase Orders:		95	Total P.O. Line Items:	0	Total List Amount:	331,713.45	Total Void Amount:	0.00

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total
Fund Description	Fund						
	9-01	120,568.34	0.00	120,568.34	0.00	0.00	0.00
	9-21	7,934.50	0.00	7,934.50	0.00	0.00	0.00
	9-26	0.00	0.00	0.00	0.00	0.00	5,261.00
Year Total:		128,502.84	0.00	128,502.84	0.00	0.00	5,261.00
	C-04	179,953.56	0.00	179,953.56	0.00	0.00	0.00
	G-02	13,117.75	0.00	13,117.75	0.00	0.00	0.00
	T-13	4,878.30	0.00	4,878.30	0.00	0.00	0.00
Total of All Funds:		326,452.45	0.00	326,452.45	0.00	0.00	5,261.00

Project Description	Project No.	Rcvd Total	Held Total	Project Total
AZ Tuckerton, LLC / Auto Zone	522068285	391.75	0.00	391.75
FOUR SEASONS @ HARBOUR BAY	88725	213.50	0.00	213.50
FOUR SEASONS @ HARBOUR BAY	88728	351.50	0.00	351.50
FOUR SEASONS @ HARBOUR BAY	88730	1,208.75	0.00	1,208.75
FOUR SEASONS @ HARBOUR BAY	88732	476.00	0.00	476.00
Oak Lane at LEH - inspection	88889	79.50	0.00	79.50
G.B. LTD - AtlantiCare	88948	238.50	0.00	238.50
Auto Zone Inspection Fees	88951	1,893.50	0.00	1,893.50
Mathis Const. - 164 Stage Road	88952	136.00	0.00	136.00
11 Patricia Lane	88958	272.00	0.00	272.00
Total of All Projects:		<u>5,261.00</u>	<u>0.00</u>	<u>5,261.00</u>

RESOLUTION NO. 2019 - 102

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CONVENING OF AN EXECUTIVE SESSION IN ACCORDANCE WITH THE OPEN PUBLIC MEETING ACT

WHEREAS, section two of the Open Public Meeting Act P.L. of 1975, permits the exclusion of the public in certain circumstances; and

WHEREAS, the governing body is of the opinion that circumstances presently exist to permit the exclusion of the public from certain discussions of the governing body.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Little Egg Harbor, in the County of Ocean, State of New Jersey as follows:

1. That the public be excluded from discussion of an action or actions upon the following matters:
 - Contracts related to projects with the Township
2. It is anticipated that some of these matters may be made public within 60 days and others will be made public at the conclusion of the matter.
3. This resolution shall become effective immediately.

CERTIFICATION

I, **DIANA K. MCCRACKEN**, Township Clerk of the Township of Little Egg Harbor, do hereby certify that the foregoing resolution was duly adopted by the Township Committee at a meeting held on the **28th** day of **March, 2019**.

DIANA K. MCCRACKEN, RMC
Township Clerk

ORDINANCE NO. 2019 - 06

**AN ORDINANCE OF THE TOWNSHIP OF LITTLE
EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW
JERSEY, AUTHORIZING THE INCREASE OF FINAL
APPROPRIATIONS TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS FOR CY 2019
AND TO ESTABLISH A CAP BANK PURSUANT TO
N.J.S.A. 40A:4-45.14**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 *et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Little Egg Harbor in the County of Ocean finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$189,974.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Little Egg Harbor shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$664,910.01, and that the CY2019 municipal budget for the Township of Little Egg Harbor be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 14th day of **March, 2019**, and will be considered for a second and final passage at a meeting of the Township Committee to be held on the 28th day of **March, 2019**, at 7:00 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.


DIANA K. MCCRACKEN, RMC, Clerk
Township Clerk of Little Egg Harbor

March 14, 2019

MOTION TO INTRODUCE: *Scibetta* **SECOND:** *Stevens*

Scibetta: *yes* Stevens: *yes* Gormley: *yes* Kehm: *yes* Crea: *Absent*

March 28, 2019

MOTION TO ADOPT: **SECOND:**

Scibetta: _____ Stevens: _____ Gormley: _____ Kehm: _____ Crea: _____

Ordinance No. 2019 - 06

ORDINANCE NO. 2019-07

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE MECHANICAL MAINTENANCE DREDGING OF ROSE CREEK AND SEVERAL MAN-MADE LAGOONS ON THE EASTERLY SIDE OF RADIO ROAD IN THE MYSTIC ISLAND SECTION OF THE TOWNSHIP AND RELATED EXPENSES SO AS TO PROVIDE NAVIGABLE ACCESS TO GREAT BAY FROM THE SEVERAL LAGOONS, BENEFITTING PROPERTIES ABUTTING SAID LAGOONS, AND APPROPRIATING \$4,500,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$4,500,000 IN BONDS OR NOTES OF THE TOWNSHIP OF LITTLE EGG HARBOR TO FINANCE THE SAME, AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LITTLE EGG HARBOR, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Little Egg Harbor, in the County of Ocean, New Jersey (the "Township") as a local improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$4,500,000. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations in accordance with N.J.S.A. 40A:2-7(d).

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$4,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or

notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds or notes are to be issued is the mechanical maintenance dredging of approximately 34,500 cubic yards of bottom sediments from Rose Creek and several man-made lagoons on the easterly side of Radio Road in the Mystic Island section of the Township, so as to provide navigable access to Great Bay from the several lagoons, benefitting properties abutting said lagoons, located along East Brig Drive, Radio Road, East Anchor Drive, East Boat Drive, East Dory Drive, East Sail Drive, North Ensign Drive, North Spinnaker Drive, North Burgee Drive, South Ensign Drive, South Spinnaker Drive and South Burgee Drive within the Township, including the storage, dewatering, transportation and disposal of dredged material, and also including all work and materials, equipment, labor and appurtenances necessary therefor or incidental thereto. The affected properties, listed by block and lot as designated on the Official Tax Map of the Township, include, but are not limited to, the following:

- Block 320: Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 19 and 25.01;
- Block 321: Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25;
- Block 322: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13.01, 13.02, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32;
- Block 323: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42;
- Block 324: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24;
- Block 326.18: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20.04, 22, 23, 24 and 25;

- Block 326.24: Lots 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81 and 82;
- Block 326.25: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68 and 69;
- Block 326.26: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 29.01, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and 53;
- Block 326.31: Lots 1.03, 1.04, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67 and 68;
- Block 326.32: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51; and
- Block 326.33: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 and 45.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial

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officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. Notice is hereby given to the owners of all lots and parcels of real estate benefited by the improvement described in Section 3 hereof and affected by the improvement described therein that the Township of Little Egg Harbor intends to make and to levy special assessments against all such lots and parcels of real estate in an aggregate amount of not exceeding \$4,500,000 and for not to exceed annual installments over 10 years. Accordingly, the estimated maximum amount of special assessments shall not exceed \$4,500,000 and shall be

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paid in not to exceed 10 annual installments. Such special assessments shall be made and levied in the manner provided by law and shall be as nearly as possible in proportion to and not in excess of the peculiar benefit, advantage or increase in value that the respective lots and parcels of real estate shall be deemed to receive by reason of the improvement, said assessment to be computed by the Township on the basis of an equal share per tax lot.

Section 7. The owner of any land upon which an assessment for the local improvement shall have been made may pay such assessment in the number of equal yearly installments determined herein with legal interest on the unpaid balance of the assessment. The first of such installments shall be due and payable two months after the confirmation of the assessment, and each subsequent annual installment and interest shall be payable in each successive year at such time as the governing body shall determine by resolution, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or any balance of installments with accrued interest thereon at one time. In case any such installment shall remain unpaid for thirty (30) days after the time it shall become due and payable, it shall draw interest at the same rate imposed upon the arrearage of taxes in the Township and shall be collected in the same manner as provided by law for other past-due assessments. Such assessment shall remain a lien upon the land described herein until the assessment, with all installments and accrued interest thereon, shall be paid and satisfied. Notwithstanding anything herein to the contrary, the Township shall have the right to waive default as may be permitted by law.

Section 8. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a local improvement, the cost of which shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,500,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$400,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Township intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this ordinance. The Township expects that the maximum principal amount of bonds or notes that will be issued to finance the cost of the improvements or purposes described in Section 2 of this bond ordinance is \$4,500,000. If the Township incurs any such costs prior to the issuance of the bonds or notes, the Township intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

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(f) The Township hereby determines that it anticipates that it will contribute \$0 (zero) to the payment of the cost of the local improvement described in Section 3 hereof. The cost of the local improvement shall be paid by special assessments which shall be levied on property specially benefitted thereby, in accordance with law. However, if the amount of the special assessments as finally confirmed is less than \$4,500,000, the Township will contribute the difference to the cost of the improvement.

(g) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

Section 9. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are received and so used.

Section 10. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance.

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The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. After passage upon first reading of this bond ordinance, the Township Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least ten days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Township Clerk is further directed to mail a copy of the ordinance together with notice of the introduction thereof to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, so far as the same may be ascertained, directed to his last known post-office address. The Township Clerk is further directed to comply with all provisions of N.J.S.A. 40:49-2, 40:49-6 and 40A:2-17(b) regarding postings, publications, mailing and the provision of copies of this bond ordinance.

Section 12. After final adoption of this bond ordinance by the Township Committee, the Township Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 13. The Township Committee of the Township hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under

the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 14. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 15. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 12 hereof and the Local Bond Law.

NOTICE OF PENDING BOND ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing bond ordinance was duly introduced and passed upon first reading at a regular meeting of the Township Committee of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, held on March 28, 2019. Further notice is hereby given that said bond ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Township Committee to be held at the Municipal Building, 665 Radio Road, Little Egg Harbor Township, New Jersey on April 25, 2019 at 7:00 p.m., and during the week prior to and up to and including the date of such meeting, copies of said bond ordinance will be made available at the Township Clerk's office in the Municipal Building to the members of the general public who shall request the same. The purpose of the ordinance is to authorize the mechanical maintenance dredging of approximately 34,500 cubic yards of bottom sediments from Rose Creek and several man-made lagoons on the easterly side of Radio Road in the Mystic Island section of the Township, including the storage, dewatering, transportation and disposal of dredged material, and also including all work and materials, equipment, labor and appurtenances necessary therefor or incidental thereto, and to provide for the special assessment of the cost thereof on the properties benefited thereby.

Diana McCracken, Township Clerk

ORDINANCE NO. 2019-08

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, IN THE COUNTY OF OCEAN, NEW JERSEY PROVIDING FOR ADDITIONAL SITE WORK AND RECREATIONAL IMPROVEMENTS TO VETERANS PARK IN THE TOWNSHIP AND APPROPRIATING \$240,000 THEREFOR FROM THE TOWNSHIP'S OPEN SPACE TRUST FUND

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF LITTLE EGG HARBOR, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The sum of \$240,000 is hereby appropriated from the Township of Little Egg Harbor, in the County of Ocean, New Jersey (the "Township") Open Space Trust Fund for additional site work and recreational improvements to Veterans Park located in the Township.

Section 2. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 3. This ordinance shall take effect as provided by law.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing ordinance was duly introduced and passed upon first reading at a regular meeting of the Committee of the Township of Little Egg Harbor, in the County of Ocean, New Jersey, held on _____, 2019. Further notice is hereby given that said ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Committee to be held in the Township Hall, 665 Radio Road, in said Township on _____, 2019 at ___ o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Township Clerk's office to the members of the general public who shall request the same. The purpose of the ordinance is to appropriate \$240,000 from the Township's Open Space Trust Fund for additional site work and recreational improvements to Veterans Park located in the Township.

Township Clerk

ORDINANCE NO. 2019 – 09

AN ORDINANCE OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 15 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF LITTLE EGG HARBOR, ENTITLED “LAND USE AND DEVELOPMENT”

BE IT ORDAINED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, entitled “Land Use and Development” so as to amend §4.28 (PV Pinelands Village Zone) so as to delete the section in its entirety and replace as follows:

A. Permitted uses shall be as follows:

- 1) Residential dwellings, if served by an on-site septic wastewater system.
- 2) All uses permitted in the Forest Area Zone, subject to the standards and requirements contained therein, provided that:
 - a) A public service infrastructure necessary to support the use is available or can be provided without any development in the Preservation Area Zone, Forest Area, or Forest Area Cluster Zone.
 - b) The character and magnitude of the use is compatible with existing structures and uses in the village.
- 3) Signs.
- 4) Accessory uses.
- 5) Family day-care homes.
- 6) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, and community residences for persons with head injuries, as defined in N.J.S.A. 40:55D-66.2. The requirements for such residences shall be the same as for single-family dwelling units within this zone.

B. Area, yard and building requirements. Development of residential dwellings and all other uses served by an on-site wastewater system shall be as follows:

- 1) The minimum lot area shall be a 3.2 acre lot, if served by a conventional on-site septic waste water system or a 1.0 acre (43,560 square feet) lot, if served by a septic system in accordance with Subsection 15-4.30.
- 2) The minimum lot width shall be 150 feet.

- 3) The minimum front yard setback shall be 50 feet.
 - 4) The minimum side yard setback shall be 20 feet.
 - 5) The minimum rear yard setback shall be 40 feet.
 - 6) The maximum building height shall be 35 feet.
 - 7) The minimum accessory use setback shall be 20 feet.
- C. Permitted conditional uses. (Reserved)
- D. Existing lots of record. Any existing lots of record in the PV Zone rendered nonconforming due to amendments to this chapter resulting from the adoption of this ordinance (#2019-09) shall be exempt only from lot width requirements of the zone; provided, however, that such exemption shall not apply to any subdivision of properties that become nonconforming due to amendments to this chapter, and such subdivisions shall be subject to the area, yard and building requirements of the respective zone.
- E. Permitted Modifications. An existing detached single-family dwelling, as of the date of adoption of this ordinance (#2019-09), which is a nonconforming structure, based on existing front, side or rear yard setback, may be enlarged, provided that such enlargement conforms with all minimum yard standards of the PV zone district and does not further increase any nonconforming setback.
- F. When a variance of the density or lot area requirements set forth in Paragraphs A. or B. above for a residential or principal nonresidential use in the PV Zone is granted by the Township, Pinelands Development Credits shall be used for all dwelling units or lots in excess of that permitted without the variance.

SECTION 2. The Township Code of the Township of Little Egg Harbor is hereby amended and supplemented so as to amend Chapter 15, so as to renumber existing §15-17.6 entitled "Certification of improvements, maintenance guarantee" so that it shall be renumbered as §15-17.8.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent

jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Little Egg Harbor held on the 28th day of March, 2019, and will be considered for second and final passage at a meeting of the Township Committee to be held on the 11th day of April, 2019, at 7:00 p.m. at the Municipal Building located at 665 Radio Road, Little Egg Harbor, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

DIANA K. MCCRACKEN, RMC, Clerk
Township of Little Egg Harbor