

Egg Harbor Township Committee Meeting
3515 Bargaintown Road
Egg Harbor Township NJ 08234
Wednesday, November 30, 2011 – 5:00 p.m.

Agenda

- I. **Call to Order**
- II. **Opening Statement Pursuant to the Open Public Meetings Act**
- III. **Roll Call:**
 - Joe Cafero
 - John Carman, Jr.
 - Paul Hodson
 - John Risley
 - James J. McCullough
- IV. **Taxi Driver Hearing - Hernandez**
- V. **Meeting with Township Engineer Mott**
 - A. Bank Street Vacation
 - B. Homewood Estates aka Harbor Oaks
 - C. Green Springs South and Green Springs North
 - D. 2011 Road Improvement Program Change Order 1
- VI. **New Business**
 - A. Donation of Block 3401, Lot 15
 - B. Land Use Amendments
 - 1. Non Conforming Uses
 - 2. NB Zone
 - C. Pinelands Affordable Housing Ordinance
- VII. **Other Business**

VIII. Closed Session

Number	Title
434	Authorizing the Township Committee to convene into a Closed Executive Session to discuss matters which may involve litigation and/or personnel
Motion	To approve Resolution 434
Roll Call Vote	Cafero Carman Hodson Risley McCullough

IX. Video Broadcast/Television Statement

X. Pledge of Allegiance

- XI. **Roll Call:** Joe Cafero
 John Carman, Jr.
 Paul Hodson
 John Risley
 James J. McCullough

XII. Presentation

Presentations to Theodore Rockelman, Donald Stauffer and Sharon Woolbert for 25 Years of Service to the Township of Egg Harbor

XIII. Ordinances – Public Hearings

Number	Title
32	Ordinance providing for the acceptance of a deed conveying real property, being Lot 4 in Block 3413 of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey
Purpose	To accept a deed for property donated by Shirley A. Allen
Public Comment	
Motion	Motion to close the public comment
Roll Call Vote	Cafero Carman Hodson Risley McCullough
Motion	To adopt Ordinance 32 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
33	An Ordinance declaring certain currently owned public properties to be no longer necessary for public purposes and authorizing and setting public auction with adjacent property owners having right of first refusal of said properties; which said auction shall be conducted on Friday, December 16, 2011, at 10:00 a.m. in the Township of Egg Harbor Municipal Building, Courtroom.
Purpose	Auction of unused properties no longer necessary for public purposes
Public Comment	
Motion	Motion to close the public comment
Roll Call Vote	Cafero Carman Hodson Risley McCullough
Motion	To adopt Ordinance 33 of 2011

Roll Call Vote	Cafero Carman Hodson Risley McCullough
34	An ordinance fixing the salaries of certain officials and employees of the Township of Egg Harbor for the year 2012 (CWA Bargaining Unit Employees and Non Contractual Employees)
Purpose	The purpose of this ordinance is to establish salaries for the 2012 calendar year.
Public Comment	
Motion	Motion to close the public comment
Roll Call Vote	Cafero Carman Hodson Risley McCullough
Motion	To adopt Ordinance 34 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
35	An ordinance fixing the salaries of certain officials and employees of the Township of Egg Harbor for the year 2012 (Government Workers Union Employees)
Purpose	The purpose of this ordinance is to establish salaries for the 2012 calendar year.
Public Comment	
Motion	Motion to close the public comment
Roll Call Vote	Cafero Carman Hodson Risley McCullough
Motion	To adopt Ordinance 35 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
36	An ordinance fixing the salaries of certain officials and employees of the Township of Egg Harbor for the year 2012 (PBA Employees)
Purpose	The purpose of this ordinance is to establish salaries for the 2012 calendar year.
Public Comment	
Motion	Motion to close the public comment
Roll Call Vote	Cafero Carman Hodson Risley McCullough
Motion	To adopt Ordinance 36 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough

XIV. Ordinances – Introduction

Number	Title
37	An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225, Section 225-44 (RG-1 Residential District), Section 225-45 (RG-2 Residential District), Section 225-46 (RG-3 Residential District), Section 225-47 (RF-4 Residential District), Section 225-48 (RG-5 Residential District) entitled Zoning to provide for affordable housing needs
Purpose	To provide for COAH units in the Pinelands Regional Growth Zone <i>Ordinance 37-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
Motion	Motion to introduce Ordinance 37 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
38	An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225 thereof, entitled Zoning
Purpose	To permit non-conforming improved lots to be further improved under certain

	circumstances <i>Ordinance 38-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
Motion	Motion to introduce Ordinance 38 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
39	An ordinance to amend the Code of the Township of Egg Harbor, Chapter 225 thereof entitled Zoning
Purpose	To permit shopping centers in Neighborhood Commercial District when the parcel of land is greater than three (3) acres in size <i>Ordinance 39-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
Motion	Motion to introduce Ordinance 39 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
40	An ordinance for the exchange of certain land owned by the Township of Egg Harbor and identified on the Egg Harbor Township Tax Map, in exchange with, to and for lands which are owned by Betty Simon Trustee, as set forth on the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey
Purpose	To exchange certain property which is no longer necessary for public purposes <i>Ordinance 40-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
Motion	Motion to introduce Ordinance 40 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
41	An ordinance to vacate a portion of Bank Street, described by metes and bounds and located in the Township of Egg Harbor, County of Atlantic and State of New Jersey
Purpose	To vacate Bank Street which is no longer necessary for public purposes <i>Ordinance 41-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
Motion	Motion to introduce Ordinance 41 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
42	An ordinance providing for the acceptance of a deed conveying real property, drainage basin at Oak Manor Subdivision, being Lot 30.06 in Block 3801, of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey
Purpose	To accept drainage basin at Oak Manor subdivision <i>Ordinance 42-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>

Motion	Motion to introduce Ordinance 42 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough
43	An ordinance providing for the acceptance of a deed conveying real property, being Lot 15 in Block 3401 of the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey
Purpose	To accept a deed for property donated by Peter T Tepedino <i>Ordinance 43-2011 to be published in <u>The Mainland Journal</u> on December 7, 2011, for further consideration at a Public Hearing to be held on December 21, 2011. Copies of this Ordinance are available without cost to any member of the general public from the Township Clerk's Office during regular business hours until the date of the public hearing.</i>
Motion	Motion to introduce Ordinance 43 of 2011
Roll Call Vote	Cafero Carman Hodson Risley McCullough

XV. General Public Discussion

XVI. Engineer's Report

XVII. Resolutions (Consent Calendar)

Number	Title
435	Resolution transferring monies from one appropriation to another
436	Resolution requesting that the Director of the Division of Local Government Services approve the insertion of an item of revenue from the State of New Jersey "Over the Limit Under Arrest" 2011 Grant (Chapter 159)
437	Resolution requesting approval of an item of revenue and appropriation pursuant to NJSA 40A:4-87 [Chapter 159] – Item of Revenue – Body Armor Grant
438	Resolution approving salary increases
439	Resolution amending Resolution 419 of 2011 entitled "Resolution Scheduling Special Meeting of the Township Committee for December 5, 2011 and December 6, 2011 at 5:00 p.m."
440	Resolution supporting the Over the Limit Under Arrest 2011 Year End Statewide Crackdown "Drive Sober or Get Pulled Over"
441	Resolution authorizing Mayor to execute Change Order 1 to the contract awarded to Arawak Paving Co., Inc. for Road Improvement Program
442	Resolution authorizing the renewal of VFIS Accident & Sickness Insurance for Volunteer Firefighters
443	Resolution authorizing execution of maintenance agreement with ITS Mailing Systems Inc for the Finance Department
444	Resolution authorizing execution of maintenance agreement with AFA Protective Systems Inc for fire alarm monitoring at Community Center
445	Resolution authorizing the cleaning up of the property located at 301 Quigley Place and authorizing a lien on the property
446	Resolution authorizing the cleaning up of the property located at 20 Weeping Willow Circle and authorizing a lien on the property
447	Resolution granting Egg Harbor Township Farmington Volunteer Fire Company Charitable Roadway Solicitation Application
448	Resolution authorizing acceptance of improvements of Oak Manor

449	Resolution accepting improvements associated with Homestead Estates aka Harbor Oaks
450	Resolution authorizing release of Green Springs South and Green Springs North Subdivision Bonds
451	Resolution authorizing release of Countryaire Subdivision Bond
452	Resolution authorizing refund of overpaid taxes (various)
453	Resolution authorizing refund of overpaid ambulance fees (various)
454	Resolution authorizing refunds from developers escrow accounts (various)
Motion	Motion to approve Consent Calendar Resolutions 435 through and including 454
Roll Call Vote	Cafero Carman Hodson Risley McCullough

XVIII. Resolution (Bill List)

Number	Title
455	Authorizing payment of all bills pursuant to Exhibit A
Motion	Motion to adopt Resolution 455
Roll Call Vote	Cafero Carman Hodson Risley McCullough

XIX. Reports

Township Committee:

Administrator:

XX. Approvals

Motion	To approve the Regular Meeting Minutes of the Egg Harbor Township Committee meeting of November 9, 2011
Vote	
Motion	To approve the Closed Executive Session Meeting Minutes of the Egg Harbor Township Committee meeting of November 9, 2011, pursuant to Resolution 416
Roll Call Vote	Cafero Carman Hodson Risley McCullough

XXI. Adjournment

Motion

Vote

Egg Harbor Township

Ordinance No. 32

2011

ORDINANCE PROVIDING FOR THE ACCEPTANCE OF A DEED CONVEYING REAL PROPERTY, BEING LOT 4 IN BLOCK 3413 OF THE OFFICIAL TAX MAP IN THE TOWNSHIP OF EGG HARBOR, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

BE IT ORDAINED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

Section 1: The Township of Egg Harbor is hereby authorized to accept as a donation without consideration, conveyance of Lot 4 in Block 3413 of the Official Tax Map of the Township of Egg Harbor, and as more particularly described on the attached **Exhibit A**, Deed from grantor, Shirley A. Allen.

Section 2: All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

Section 3: Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

Section 4: This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR, IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, HELD OCTOBER 26, 2011, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE TOWNSHIP HALL, IN SAID TOWNSHIP ON NOVEMBER 30, 2011.

Dated: October 26, 2011

Eileen Tedesco, RMC
Township Clerk

Attachment: Deed

Egg Harbor Township

Ordinance No. 33
2011

AN ORDINANCE DECLARING CERTAIN CURRENTLY OWNED PUBLIC PROPERTIES TO BE NO LONGER NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING AND SETTING PUBLIC AUCTION WITH ADJACENT PROPERTY OWNERS HAVING RIGHT OF FIRST REFUSAL OF SAID PROPERTIES; WHICH SAID AUCTION SHALL BE CONDUCTED ON FRIDAY, DECEMBER 16, 2011, AT 10:00 A.M. IN THE TOWNSHIP OF EGG HARBOR MUNICIPAL BUILDING, COURTROOM.

WHEREAS, the Township of Egg Harbor has recently conducted an inventory of real estate owned by it; some of which are undersized lots which do not comply with the zoning ordinance and would not permit the construction of single-family residences and which do not contain any capital improvements; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes a municipality to sell by public sale, real property which it determines is no longer necessary for public municipal purposes, when the sale is to the owner of the real property contiguous to the real property being sold and does not meet Township zoning criteria;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

SECTION 1: SALE TERMS AND PROVISIONS

1. The parcels of real property described on the attached **Exhibit A**, incorporated herein, is declared by the Township Committee not necessary for public municipal purposes and that the best interest of the public shall be served in selling said property by public sale to the highest bidder at or above the minimum price set forth on **Exhibit A**; with the Township Committee reserving the right to accept or reject or otherwise remove the property from sale; on December 16, 2011, in *the Courtroom* at the Egg Harbor Township Municipal Building, at *10:00 a.m.*, prevailing time.

2. As to any undersized lots listed in **Exhibit A**, they shall be first offered to the adjoining property owner at the minimum price appearing in **Exhibit A**. If there be more than one adjacent owner, then the property shall be sold to the highest bidder among adjoining property owners. If no adjoining property owner bids on the property, then it shall be open to full public bidding.

3. A deposit of 10 percent of the minimum price for real property must be paid in cash or by certified bank check by the successful bidder at the time of the public sale; said time and place set forth herein. This deposit shall be made subject to return in the event of rejection of said bid. The balance, together with the costs of sale and legal expenses must be deposited in full by either cash or certified bank check within 12 days after the date of sale at the office of the Township Clerk.

4. These costs of sale described in paragraph 3 above, shall include, but are not limited to, legal expenses, title search fees, insurance fees, appraisal fees, survey fees, recording fees, and any such other costs of sale; but this shall not obligate the Township to incur these expenses or provide these services. The successful bidder shall be responsible for any and all such costs. The Township reserves the right upon completion of the sale to accept or reject the highest bid made at the public sale; which acceptance or rejection shall be made no longer than the second regular meeting of the Township Committee following the sale.

5. Upon acceptance of a bid and payment of all costs and expenses related thereto, the Township of Egg Harbor shall issue a Bargain and Sale Deed; without covenants; to the successful and accepted bidder. The deed shall contain restrictive covenants that said premises shall not be used for a landfill, trailer park, sand pit, gravel pit, a piggery or for the business of raising pigs. Should the said lot or lots to be conveyed be undersized and do not conform to zoning lot size requirements, then they are to be conveyed subject to a further covenant in the deed restricting use of the lot or lots for building purposes until such time as the purchaser causes the lot or lots to conform to current zoning, either through an appropriate variance action, or by meeting lot size requirements by joining a sufficient number of parcels of real property to conform to the lot size requirements as well as to any and all other zoning requirements.

6. The lots or parcels shall be subject to all restrictions, covenants, easements, rights of way, exceptions, liens; whether any or all are known or unknown and whether or not of record. No representations, covenants, promises, or warranties are made by the Township of Egg Harbor as to title, and responsibility for determining clear and marketable title rests solely with the bidder who shall govern themselves accordingly. The property in question shall otherwise be sold subject to all existing Federal, State, County and Municipal laws, including, but not limited to, current zoning, health, and planning laws; rules and regulations. No representations are made as to the qualification of any lot or parcel for issuance of a construction permit, well permit, septic system approval, approval under the Pinelands Act or Coastal Area Facilities Review Act, or to any and all other such approvals by any governmental agency for development of the property.

7. Settlement between the Township of Egg Harbor and the successful bidder shall take place on or before December 29, 2011. The Township shall be solely obligated to tender a Bargain and Sale Deed; without covenants; with restrictions stated herein; and a certified copy of the sale ordinance.

8. The sale authorized by this Ordinance shall be contingent upon and subject to the right of first refusal granted, pursuant to New Jersey statutes to contiguous real property owners to the subject real property for auction sale; said right to be exercised in accordance with Paragraph 2 herein.

9. Bids may be made by an individual, corporation, or governmental entity; with any or all acting on their own behalf. Bids may be also submitted by a prospective purchaser's attorney, real estate agent or broker or other authorized representative; although no commission shall be payable by the Township of Egg

Harbor to any real estate broker or other authorized representative of a purchaser in connection with any sale or property by the Township.

10. The Township Committee shall also have a period of time to reconsider said ordinance not later than 30 days after the final passage and advertisement of said ordinance. This shall include the right to terminate any auction sale, revoke a property from the auction sale list, and any monies paid by a bidder through to that time will be refunded if the Township Committee does exercise its right to not accept bids or otherwise remove a property from the public sale auction list.

11. The Township Clerk is hereby directed to file with the Director of the Division of Local Government Services in the Department of Community Affairs for the State of New Jersey, the required sworn affidavit verifying the publication of advertisements required by statute applicable to this Ordinance and the sale of municipal public property.

SECTION 2: REPEALER

All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3: SEPARABILITY

Should any section, clause, sentence, phrase, or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect upon final passage, adoption, and publication, in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD OCTOBER 26, 2011, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE TOWNSHIP HALL, IN SAID TOWNSHIP ON NOVEMBER 30, 2011, AT 6:00 P.M.

Dated: October 26, 2011

Eileen M. Tedesco, RMC
Township Clerk

Attachment

Egg Harbor Township

Ordinance No. 33

2011

AN ORDINANCE DECLARING CERTAIN CURRENTLY OWNED PUBLIC PROPERTIES TO BE NO LONGER NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING AND SETTING PUBLIC AUCTION WITH ADJACENT PROPERTY OWNERS HAVING RIGHT OF FIRST REFUSAL OF SAID PROPERTIES; WHICH SAID AUCTION SHALL BE CONDUCTED ON FRIDAY, DECEMBER 16, 2011, AT 10:00 A.M. IN THE TOWNSHIP OF EGG HARBOR MUNICIPAL BUILDING, COURTROOM.

Introduction: October 26, 2011

1st Publication: November 2, 2011

Adoption: November 30, 2011

2nd Publication: December 1, 2011

3rd Publication: December 8, 2011

Sale Date: December 16, 2011

Confirming Resolution: December 21, 2011

Settlement by: December 29, 2011

Egg Harbor Township

Ordinance No. 33

2011

AN ORDINANCE DECLARING CERTAIN CURRENTLY OWNED PUBLIC PROPERTIES TO BE NO LONGER NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING AND SETTING PUBLIC AUCTION WITH ADJACENT PROPERTY OWNERS HAVING RIGHT OF FIRST REFUSAL OF SAID PROPERTIES; WHICH SAID AUCTION SHALL BE CONDUCTED ON FRIDAY, DECEMBER 16, 2011, AT 10:00 A.M. IN THE TOWNSHIP OF EGG HARBOR MUNICIPAL BUILDING, COURTROOM.

Exhibit A

Block	Lots	Name of Street	Minimum Bid
1120	3	107 Cypress Avenue	\$11,000
5907	2	Amsterdam Avenue	\$5,000
7107	129	Robert Best and Bevis Mill Roads	\$3,000
8417	1	Morris Avenue	\$1,500

Egg Harbor Township

Ordinance No. 34
2011

AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF EGG HARBOR FOR THE YEAR 2012

WHEREAS, pursuant to N.J.S.A. 40A:9-165, the setting of such salaries shall be by promulgation of Township Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey as follows:

SECTION 1: *Salaries.* That the salaries and compensation of certain officials and employees of Egg Harbor Township hereinafter named shall, commencing January 1, 2012, be and the same are hereby fixed and determined to be base salaries as follows and shall be payable in bi-weekly payments:

A. CWA Bargaining Unit Employees

The chart annexed hereto as Exhibit A, incorporated herein and made a part hereof, contains the salary figures for those personnel covered under the CWA Collective Bargaining Agreement as follows:

Category A: Public Works Director
Category B: Construction Official and Tax Collector
Category C: Fire Official
Category D: Court Administrator and Recreation Director
Category E: Tax Assessor
Category F: Land Use Administrator

B. Noncontractual

Municipal Administrator.....	5,000 – 5,982
Municipal Court Judge.....	2,400 – 3,150
Township Clerk.....	2,450 – 3,060
Chief Financial Officer	2,500 – 3,200
Deputy Administrator.....	2,000 – 3,000
Manager of Information Technology	2,200 – 2,800
Deputy Finance Officer	1,920 – 2,500
Deputy Township Clerk	1,750 – 2,573
Deputy Tax Collector.....	1,750 – 2,438
Public Works Division Manager	1,750 – 2,438
Communications Supervisor.....	1,750 – 2,438
Police Records Supervisor	1,750 – 2,438
Deputy Court Administrator	1,700 – 2,438
Director of Ambulance Services.....	1,800 – 2,050
Building Subcode Official	1,750 – 2,117

Assistant Manager of Information Technology	1,600 – 2,039
Information Technology Specialist	1,600 – 2,039
Administrative Secretary	1,300 – 1,887
Secretary to Township Committee	1,300 – 1,887
Secretary to Chief of Police	1,300 – 1,887
Assistant to Secretary to Chief of Police	1,140 – 1,583
Police Chief	4,727 – 5399
Police Captain	4,126 - 4,695
Mayor	\$708.81
Deputy Mayor	\$689.66
Township Committee	\$689.66
Police Officer – Class II	\$15.00-19 per hour
Life Guard/Instructor (per hour).....	\$7.15 - \$20 per hour
Part-time Employees (per hour).....	\$7.15 - \$20 per hour
Part-Time Emergency Medical Technicians (EMT's)	\$12.00 - \$18 per hour
Hourly differential of \$2 per hour to be paid for the following hours worked if not assigned to a minimum eight (8) hour shift:	
Overnight Shift (11:00 p.m. until 7:00 a.m.)	
Weekend Shift (7:00 a.m. Saturday until 7:00 a.m. Monday)	

SECTION 2: All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3: Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This Ordinance shall take effect on January 1, 2012.

Notice is hereby given that the foregoing ordinance was introduced at a meeting of the Township Committee of Egg Harbor Township, in the County of Atlantic, State of New Jersey, held November 9, 2011, and will be further considered for final passage after a public hearing thereon at a regular meeting of said Township Committee to be held in the Township Hall, in said Township on November 30, 2011 at 6:00 p.m.

Dated: November 9, 2011

Eileen M. Tedesco, RMC
Township Clerk

Attachment

Egg Harbor Township

Ordinance No. 35
2011

AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS AND EMPLOYEES (GOVERNMENT WORKERS UNION) OF THE TOWNSHIP OF EGG HARBOR FOR THE YEAR 2012

WHEREAS, pursuant to N.J.S.A. 40A:9-165, the setting of such salaries shall be by promulgation of Township Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey as follows:

SECTION 1: *Salaries.* That the salaries and compensation of certain officials and employees of Egg Harbor Township hereinafter named shall, commencing January 1, 2012, be and the same are hereby fixed and determined to be base salaries as follows and shall be payable in bi-weekly payments:

GWU Bargaining Unit Employees

The chart annexed hereto as Exhibit A, incorporated herein and made a part hereof, contains The salary figures for those personnel covered under the GWU Collective Bargaining Agreement as follows:

Category A:	Assistant to Director of Recreation (existing)
Category B:	Heavy Equipment Operator, Grounds Foreman, Mechanic
Category C:	Truck Driver
Category D:	Laborer
Category E:	Communications' Officer
Category F:	Clerk I
Category G:	Clerk II
Category H:	Zoning Officer, Assistant to Director of Recreation (future)

SECTION 2: All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3: Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This Ordinance shall take effect on January 1, 2012.

Notice is hereby given that the foregoing ordinance was introduced at a meeting of the Township Committee of Egg Harbor Township, in the County of Atlantic, State of New Jersey, held November 9, 2011, and will be

further considered for final passage after a public hearing thereon at a regular meeting of said Township Committee to be held in the Township Hall, in said Township on November 30, 2011 at 6:00 p.m.

Dated: November 9, 2011

Eileen M. Tedesco, RMC
Township Clerk

Attachment

Egg Harbor Township

Ordinance No. 36
2011

AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS AND EMPLOYEES (POLICEMEN'S BENEVOLENT ASSOCIATION) OF THE TOWNSHIP OF EGG HARBOR FOR THE YEAR 2012

WHEREAS, pursuant to N.J.S.A. 40A:9-165, the setting of such salaries shall be by promulgation of Township Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey as follows:

SECTION 1: *Salaries.* That the salaries and compensation of certain officials and employees of Egg Harbor Township hereinafter named shall, commencing January 1, 2012, be and the same are hereby fixed and determined to be base salaries as follows and shall be payable in bi-weekly payments:

PBA

	January 1	July 1
Lieutenant.....	4,042.84	4,133.79
Sergeant.....	3,684.52	3,767.43
Patrolman		
10 th Year and up.....	3,358.77	3,434.37
9 th Year.....	3,151.57	3,218.70
8 th Year.....	2,944.41	3,003.14
7 th Year.....	2,737.24	2,787.59
6 th Year.....	2,530.08	2,572.03
5 th Year.....	2,322.91	2,356.48
4 th Year.....	2,115.75	2,140.92
3 rd Year.....	1,908.58	1,925.36
2 nd Year.....	1,701.42	1,709.81
1 st Year.....	1,494.25	1,494.25

SECTION 2: All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3: Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This Ordinance shall take effect on January 1, 2012.

Notice is hereby given that the foregoing ordinance was introduced at a meeting of the Township Committee of Egg Harbor Township, in the County of Atlantic, State of New Jersey, held November 9, 2011, and will be

further considered for final passage after a public hearing thereon at a regular meeting of said Township Committee to be held in the Township Hall, in said Township on November 30, 2011 at 6:00 p.m.

Dated: November 9, 2011

Eileen M. Tedesco, RMC
Township Clerk

Attachment

Egg Harbor Township

Ordinance No. 37

2011

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF EGG HARBOR, CHAPTER 225, SECTION 225-44 (RG-1 RESIDENTIAL DISTRICT), SECTION 225-45 (RG-2 RESIDENTIAL DISTRICT), SECTION 225-46 (RG-3 RESIDENTIAL DISTRICT), SECTION 225-47 (RG-4 RESIDENTIAL DISTRICT), SECTION 225-48 (RG-5 RESIDENTIAL DISTRICT) ENTITLED ZONING TO PROVIDE FOR AFFORDABLE HOUSING NEEDS

Summary

The Township of Egg Harbor uses its zoning code to meet affordable housing needs by requiring residential development in the Pinelands portion of the Township to provide affordable housing. This ordinance requires all residential development within the RG-1, RG-2, RG-3, RG-4 and RG-5 zoning districts to provide for affordable housing.

Ordinance

It is the specific purpose and intent of this section to require residential development in the Pinelands portion of the Township to provide affordable housing as required in P.L. 2008, Chapter 46.

SECTION 1. Applicability

A. This subsection of the land use regulations of Egg Harbor Township sets forth mechanisms by which developers shall provide for affordable housing based on residential development taking place within the Pinelands Portion of Egg Harbor Township.

B. Residential Development. Except as exempted in subsection §2, all residential development in the Pinelands portion of the Township that results in the construction of new market-rate dwelling units shall be subject to the provisions of this ordinance.

SECTION 2. Exemptions

A. Residential Development that has received preliminary or final approval before the effective date of this ordinance shall not be required to comply with this ordinance unless the approvals expire, or approvals related to the development are amended to reflect a substantial change to the general terms and conditions on which preliminary approval was granted, including but not limited to use; layout of streets, curbs and sidewalks; lot size; yard dimensions and off-tract improvements; and, in the case of a site plan, any conditions peculiar to site plan approval.

B. Residential developments that have been zoned to produce an affordable housing set-aside or that include only very low, low and moderate income housing units shall be exempt from the growth share obligations of this Article.

C. Development by Egg Harbor Township or any of its instrumentalities.

SECTION 3. Definitions

The following terms, as used in this ordinance, shall have the following meanings:

(a) "Act" means the Fair Housing Act of 1985, P.L. 1985, c.222 (N.J.S.A. 52:27D-301 et seq.).

(b) "Affordable" means a sales price or rent within the means of a low or moderate income household as defined in N.J.A.C. 5:94-7.

(c) "Affordable housing development" means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

(d) "DCA" means the New Jersey Department of Community Affairs.

(e) "Developer" means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

(f) "Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

(g) "Housing unit" means a house, apartment, room or group of rooms occupied or intended to be occupied by a household living independently of other households. The term shall also mean and include a unit occupied or intended to be occupied by a household in an alternative living arrangement.

(h) "Judgment of compliance" means a determination issued by the Superior Court approving a municipality's plan to satisfy its fair share obligation.

(i) "Low income housing" means housing affordable according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 50 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

(j) "Very Low income housing" means housing affordable according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to 30 percent or less of the median gross household income for households of the same size within the housing region in which the housing is located.

(k) "Moderate income housing" means housing affordable according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to more than 50 percent but less than 80 percent of the median gross household income for households of the same size within the housing region in which the housing is located.

(l) "Order of repose" means the protection a municipality has from builder's remedy lawsuits for a period of time from the entry of a judgment of compliance from the Superior Court. A judgment of compliance most usually results in an order of repose.

(m) "Set-aside" means the percentage of housing units devoted to very low, low and moderate income households within an inclusionary development.

SECTION 4. Residential Provisions

A. All residential development in the RG-1, RG-2, RG-3, RG-4 and RG-5 zone districts that result in the construction of new residential housing units shall set-aside 20% of the new units for low and moderate income households and set-aside 13% of the low and moderate income units for very low income households.

(1) On-site affordable housing construction. Any developer of residential housing in the RG-1, RG-2, RG-3, RG-4 and RG-5 zone districts proposing new residential development shall construct, on its site, a 20 percent affordable housing set aside for low and moderate income households and a 13% set-aside of the low and moderate income units for very low income households.

As an example, if a residential developer seeks to construct two (2) units, one (1) of the units may be sold at market rate, and one (1) unit must be designated as "affordable" under the rules and policies of DCA and the provisions of the Uniform Housing Affordability Controls (UHAC) regulations for very low income households.

As an example, if a residential developer seeks to construct five (5) units, four (4) of the units may be sold at market rate, and one (1) unit must be designated as "affordable" under the rules and policies of DCA and the provisions of the Uniform Housing Affordability Controls (UHAC) regulations for very low income households.

As an example, if a residential developer seeks to construct twenty (20) units, sixteen (16) of the units may be sold at market rate, and three (3) units must be designated as "affordable" for low and moderate income households and one (1) unit must be designated as "affordable" under the rules and policies of DCA and the provisions of the Uniform Housing Affordability Controls (UHAC) regulations for very low income households.

As an example, if a residential developer seeks to construct one-hundred (100) units, eighty (80) of the units may be sold at market rate, and seventeen (17) units must be designated as "affordable" for low and moderate income households and three (3) units must be designated as "affordable" under the rules and policies of DCAH and the provisions of the Uniform Housing Affordability Controls (UHAC) regulations for very low income households.

(2) Compensatory Bonus Residential development in the RG-1, RG-2, RG-3, RG-4 and RG-5 Zones shall receive a compensatory bonus for providing affordable housing. An increase in density for the zones as follows:

<u>Zoning District</u>	<u>Base Density</u>	<u>Bonus Density</u>
RG-1	1.0 du/ acre	1.5 du/acre
RG-2	2.0 du/acre	3.0 du/acre
RG-3	3.0 du/acre	4.5 du/acre
RG-4	4.0 du/acre	6 du/acre
RG-5	5.0 du/acre	7.5 du/acre

(3) Pinelands Development Credit Requirements. Pinelands Development Credits shall be required for 25% of all units in the RG-1, RG-2, RG-3, RG-4 and RG-5 Zones, excluding those units which are made affordable for low and moderate income households in accordance with the rules and policies of DCA. One-quarter of a Pinelands Development Credit (i.e., one right) shall be purchased and redeemed for every four non-income restricted units, rounded up to the next highest increment of

a quarter Pinelands Development Credit. These Pinelands Development Credits requirements shall apply whether or not a developer seeks to utilize the compensatory bonus density provided in (2) above.

(4) Examples of the Affordable Housing, Bonus Density and Pinelands Development Credit Requirements.

As an example, if a residential developer seeks to develop on ten (10) acres in the RG-1 Zone the following would apply:

Base number of units permitted = 10 units

Number of units permitted with bonus = 15 units

Number of affordable units required = 3 units

Pinelands Development Credits Required =

Number of units (15) – Number of Affordable Units (3) = 12 market rate units

Total number of units (15) – Number of Affordable Units (3) = 12 market rate units

25% of 12 market rate units = 3 units or 0.75 PDCs

As an example, if a residential developer seeks to develop on ten (10) acres in the RG-2 Zone the following would apply:

Base number of units permitted = 20 units

Number of units permitted with bonus= 30 units

Number of affordable units required = 6 units

Pinelands Development Credits Required =

Number of units (30) – Number of Affordable Units (6) = 24 market rate units

Total number of units (30) – Number of Affordable Units (6) = 24 market rate units

25% of 24 market rate units = 6 units or 1.50 PDCs

As an example, if a residential developer seeks to develop on ten (10) acres in the RG-3 Zone the following would apply:

Base number of units permitted = 30 units

Number of units permitted with bonus= 45 units

Number of affordable units required = 9 units

Pinelands Development Credits Required =

Number of units (45) – Number of Affordable Units (9) = 36 market rate units

Total number of units (45) – Number of Affordable Units (9) = 36 market rate units

25% of 36 market rate units = 9 units or 2.25 PDCs

SECTION 5. General Provisions for Constructing Affordable Units.

A. All affordable units constructed as a result of residential development shall be non age-restricted, unless otherwise approved by the Egg Harbor Township Planning Board or Zoning Board of Adjustment.

B. Affordable housing units being constructed on-site shall be in conformance with DCA's third round rules at N.J.A.C. 5:97-1 et seq. and the Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq., including, but not limited to, requirements regarding phasing schedule, controls on affordability, low/moderate income split, heating source, maximum rent and/or sales prices, affordability average, bedroom distribution, and affirmative marketing. Upon the Township's adoption of an ordinance concerning the construction of affordable units, Developer shall comply with such ordinance.

C. To the greatest extent possible, affordable housing units being provided shall be disbursed throughout the developments and shall be located within buildings designed to be architecturally indistinguishable from the market-rate units otherwise being constructed within the development. To that end, the scale, massing, roof pitch and architectural detailing (such as the selection of exterior materials, doors, windows, etc.) of the buildings containing the affordable housing units shall be similar to and compatible with that of the market-rate units.

SECTION 6. Other regulations are as follows:

A. Every residential development applicant shall be required to submit a proposed Affordable Housing Production Plan (AHPP) at the time the application is made. The AHPP shall be a condition of the "completeness" determination. Each AHPP shall be the subject of review for consistency with DCA's Rules, the Fair Housing Act, this Ordinance and such other rules and regulations as may be applicable. This review shall be conducted by the Township Planner or by such other person or entity as shall be designated to administer the Township's affordable housing matters.

B. The AHPP shall provide, at a minimum, the following items:

- (1) Calculation of the affordable housing obligation resulting from the construction of residential units to be sold at market rate;
- (2) Description of how the obligation shall be satisfied
- (3) Site plan and floor plan, the location of all market and affordable units;
- (4) The following information must be provided for each affordable unit:
 - (a) What income level the unit will be available to: moderate income, low income or very low income;
 - (b) Whether the unit will be for-sale or for-rent;
 - (c) Number of bedrooms;

C. The AHPP shall be approved by the Board hearing the development application . The Board shall consider the impacts of the proposal relative to its consistency with Township's Housing Element and Fair Share Plan, this ordinance, and the applicable DCA regulations.

D. Compliance with DCA's Rules and with the approved AHPP shall be a condition of the Board's resolution of approval and may be covered by appropriate performance and maintenance guarantees as with any other required improvement.

E. It shall be the developer's responsibility, at its sole cost and expense, to contract with a DCA-approved and Township-designated experienced entity for the initial and ongoing administration of the controls on affordability so as to ensure full DCA compliance. The designated administrative entity shall, by February 1st of each year, and as otherwise required by DCA throughout the year, file with the Township Clerk of the Township of Egg Harbor such certifications, reports and/or monitoring forms as may be required by DCA to verify the continuing compliance of each affordable unit with DCA's Rules.

SECTION 7. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 8. If any section, sentence, or any other part of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 9. This Ordinance shall take effect upon final passage, adoption, and publication, in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD NOVEMBER 30, 2011, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE TOWNSHIP HALL, IN SAID TOWNSHIP ON DECEMBER 21, 2011, AT 6:00 P.M.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Ordinance No. 38

2011

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF EGG HARBOR, CHAPTER 225 THEREOF, ENTITLED
"ZONING"

BE IT ORDAINED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey, as follows:

SECTION 1: Chapter 225-80C of the Township Code is hereby deleted in its entirety.

SECTION 2: Chapter 225 of the Township Code, Section 225-80 entitled "Continuance" is hereby amended by adding new section 225-80C (1), (2), (3) and (4) and 225-80D to read as follows:

- C. Nonconforming improved lot. When an improved lot in a residential zone exists as a separate isolated lot under separate ownership and does not adjoin any vacant land or vacant lot of the same owner, and which said improved lot is nonconforming due to lot area, lot width or building setback, any existing residential building or structure on the lot may be further improved, provided that:
- (1) The number of dwelling units shall not be increased even if such increased number of dwelling units are allowed in a zone, unless approved by the Board of Adjustment.
 - (2) Any existing nonconforming setbacks from streets, side lot lines or rear lot lines shall not be made more nonconforming including any vertical additional of any type.
 - (3) Any existing and proposed improvement on the nonconforming improved lot shall not exceed the percentage of Maximum Impervious Coverage set forth in schedule of minimum area, yard and building requirements.
 - (4) Any existing and proposed improvement on the nonconforming improved lot shall conform to all other zone standards, including off-street parking.
- D. No nonconforming lot shall be made more nonconforming through subdivision, resubdivision or any such other action. Where two (2) or more contiguous, nonconforming lots are in common ownership, these lots shall be considered combined for the purposes of meeting the requirements of this chapter. Such combined lots shall not be subdivided or resubdivided except in conformance with this chapter.

SECTION 3: All Ordinances and 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 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 upon final passage, adoption and publication in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD NOVEMBER 30, 2011, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN TOWNSHIP HALL IN SAID TOWNSHIP ON DECEMBER 21, 2011 AT 6:00 P.M.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Ordinance No. 39

2011

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF EGG HARBOR, CHAPTER 225 THEREOF, ENTITLED
"ZONING"

BE IT ORDAINED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey, as follows:

SECTION 1: Chapter 225 of the Township Code, Section 225-3 entitled "Definitions" is hereby amended by revising the definition of Shopping Center to read as follows:

SHOPPING CENTER – A unified development of not less than five (5) stores, commercial uses, together with areas for internal circulation, parking and other accessory uses consisting of one (1) or more lots under the same or separate ownership.

SECTION 2: Chapter 225 of the Township Code, Section 225-3 entitled "Definitions" is hereby amended by adding definitions as follows:

COMMERCIAL USE – A use involving the sales of goods or services carried out for profit.

SUPERMARKET – A retail establishment primarily selling food as well as other convenience and household goods.

SECTION 3: Chapter 225 of the Township Code, Section 225-35 entitled "NB Neighborhood Commercial District" is hereby amended by revising 225-35A (1) and (4) to read as follows:

- (1) Restaurants, including drive-in and quick-food restaurants.
- (4) Food markets and supermarkets, delicatessens, bakeries; liquor stores.

SECTION 4: Chapter 225 of the Township Code, Section 225-35 entitled "NB Neighborhood Commercial District" is hereby amended by adding 225-35D (2) to read as follows:

- (2) Shopping Centers subject to a minimum lot area requirements of three (3) acres.

SECTION 5: All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 6: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held 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 7: This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD NOVEMBER 30, 2011, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN TOWNSHIP HALL IN SAID TOWNSHIP ON DECEMBER 21, 2011 AT 6:00 P.M.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Ordinance No. 40

2011

AN ORDINANCE FOR THE EXCHANGE OF CERTAIN LAND OWNED BY THE TOWNSHIP OF EGG HARBOR AND IDENTIFIED ON THE EGG HARBOR TOWNSHIP TAX MAP, IN EXCHANGE WITH, TO AND FOR LANDS WHICH ARE OWNED BY BETTY SIMON TRUSTEE, AS SET FORTH ON THE OFFICIAL TAX MAP IN THE TOWNSHIP OF EGG HARBOR, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY.

WHEREAS, the following property is owned by the Township of Egg Harbor and has been requested by Betty Simon Trustee in exchange for land owned by Betty Simon Trustee and listed below:

Block/Lot	Property Location
9801/11	Northfield-Margate Boulevard

WHEREAS, the following property is owned by Betty Simon Trustee and has been requested by the Township of Egg Harbor in exchange for land owned by the Township of Egg Harbor listed above:

Block/Lot	Property Location
1923/4	Linden Avenue
1930/7	Riddle Avenue

WHEREAS, the acquisition of the Owners' properties by the Township is more advantageous to the Township than the property being conveyed; and

WHEREAS, the property owned by the Township of Egg Harbor is not needed for public purposes or uses at the present time, and not used for public highways or places, or for other lands or rights of interest therein desired for public use; and

WHEREAS, the Township Committee of the Township of Egg Harbor feels that it would be in the best interest of the Township and its citizens to effectuate this transfer and exchange;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

SECTION 1. The parcel of real property as set forth on the Egg Harbor Township Tax Map and as listed in the preambles hereinabove, all of which real property was acquired by the Township, is hereby granted, exchanged and transferred to Owner, same to be accomplished by bargain and sale deed, pursuant to N.J.S.A. 40A:12-16.

SECTION 2. Owner shall, in exchange with the Township of Egg Harbor for the real property owned by them and described herein, grant, exchange, and transfer to the Township of Egg Harbor all those properties listed and as set forth on the Egg Harbor Township Tax Map. The real property to be transferred to the Township of Egg Harbor shall be conveyed by bargain and sale deed which shall convey marketable title, insurable by a local, reputable title insurance company and shall be free and clear of all liens and encumbrances including municipal liens and assessments and the liability for assessments for improvements constructed through to the date of the passage of title. Title shall be conveyed subject to all easements and restrictions of records so long as the same does not affect marketable title.

SECTION 3. Settlement shall take place within sixty (60) days after the date of final passage of this Ordinance and its enactment into law as provided by statute.

SECTION 4. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held 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 6. This Ordinance shall take effect upon final passage, adoption, and publication, in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD NOVEMBER 30, 2011, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN TOWNSHIP HALL IN SAID TOWNSHIP ON DECEMBER 21, 2011 AT 6:00 P.M.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Ordinance No. 41
2011

AN ORDINANCE TO VACATE A PORTION OF BANK STREET, DESCRIBED BY METES AND BOUNDS AND LOCATED IN THE TOWNSHIP OF EGG HARBOR, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

BE IT ORDAINED, by the Township Committee for the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

SECTION 1: A portion of Bank Street and all rights-of-ways thereto except those specifically excluded as set forth herein below, be and the same are hereby vacated and all public rights therein are extinguished, all of which is more particularly described on the attached **Exhibit A** which is incorporated herein as though set forth herein at length and on file in the Township Clerk's Office, Township Hall.

SECTION 2: The public rights arising from any dedication of the portion of the said street above mentioned and indicated on maps filed in the Office of the Township Clerk and described above, so vacated as aforesaid, be and the same is hereby released and extinguished.

SECTION 3: By virtue of N.J.S.A. 40:67-1, as amended, vacation of any street, highway, lane, alley, square, place or park, et cetera, as defined in N.J.S.A. 40:67-1, shall be subject to the express reservation and exception from the vacation of all rights and privileges possessed by public utilities, as defined in N.J.S.A. 40:2-13 and by any cable television company as defined in the "Cable Television Act," P.L. 1972, c. 186, (C. 48:5A-1, et seq), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated pursuant to this Ordinance.

SECTION 4: The Township Clerk shall immediately, upon final passage and publication of this Ordinance, make and file in the Office of the Clerk of the County of Atlantic a copy of this Ordinance, together with a copy of the proof of publication thereof, duly certified by her, under the corporate seal of the Township of Egg Harbor, for recording as required by law.

SECTION 5: All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 6: Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7: This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, NEW JERSEY, HELD NOVEMBER 30, 2011 AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE TOWNSHIP HALL, IN SAID TOWNSHIP ON DECEMBER 21, 2011 AT 6:00 P.M.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Ordinance No. 42

2011

AN ORDINANCE PROVIDING FOR THE ACCEPTANCE OF A DEED CONVEYING REAL PROPERTY, DRAINAGE BASIN AT OAK MANOR SUBDIVISION, BEING LOT 30.06 IN BLOCK 3801, OF THE OFFICIAL TAX MAP IN THE TOWNSHIP OF EGG HARBOR, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

BE IT ORDAINED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

SECTION 1. The Township of Egg Harbor is herewith authorized to accept conveyance of a deed for the drainage basin at Oak Manor Subdivision, located on Lot 30.06 in Block 3801, of the Official Tax Map of the Township of Egg Harbor, and as more particularly described on the attached Exhibit A, Deed between K. Hovnanian at Egg Harbor Township II, LLC and the Township of Egg Harbor. Exhibit A shall be on file in the Township Clerk's Office, Township Hall, Egg Harbor Township.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3. If any section, sentence, or any other part of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect upon final passage, adoption, and publication, in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD NOVEMBER 30, 2011, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE TOWNSHIP HALL, IN SAID TOWNSHIP ON DECEMBER 21, 2011, AT 6:00 P.M.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Attachment: Exhibit A

Egg Harbor Township

Ordinance No. 43

2011

ORDINANCE PROVIDING FOR THE ACCEPTANCE OF A DEED CONVEYING REAL PROPERTY, BEING LOT 15 IN BLOCK 3401 OF THE OFFICIAL TAX MAP IN THE TOWNSHIP OF EGG HARBOR, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

BE IT ORDAINED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

SECTION 1: The Township of Egg Harbor is hereby authorized to accept as a donation without consideration, conveyance of Lot 15 in Block 3401, of the Official Tax Map of the Township of Egg Harbor, and as more particularly described on the attached **Exhibit A**, Deed from grantor, Peter T. Tepedino.

SECTION 2: All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3: Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR, IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, HELD NOVEMBER 30, 2011, AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE TOWNSHIP HALL, IN SAID TOWNSHIP ON DECEMBER 21, 2011 AT 6:00 P.M..

Dated: November 30, 2011

Eileen Tedesco, RMC
Township Clerk

Attachment: Deed

Egg Harbor Township

Resolution No. 434

2011

**RESOLUTION TO CONVENE INTO A CLOSED EXECUTIVE SESSION
TO DISCUSS MATTERS WHICH MAY INVOLVE LITIGATION AND/OR PERSONNEL**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss matters involving Personnel and/or Litigation as follows:

Personnel	Anticipated Disclosure
Litigation	Anticipated Disclosure

WHEREAS, minutes will be kept and once the matter(s) involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that the public be excluded from this meeting.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 435

2011

RESOLUTION TRANSFERRING MONIES FROM ONE APPROPRIATION TO ANOTHER

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of appropriations during the last two months of the fiscal year; and

WHEREAS, the Chief Financial Officer has submitted the recommendation to the Township Committee concerning the transfer of the funds in the 2011 budget between certain appropriations as itemized on the attached Exhibit A, which said Exhibit is hereby incorporated into this paragraph as part of this Resolution as if fully set forth herein; and

WHEREAS, the Township Committee has reviewed, accepted, and approved the transfer of funds as set forth in Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that the transfer of the funds in the 2011 budget be and the same are hereby authorized as set forth on the annexed Exhibit A.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Attachment

Egg Harbor Township

Resolution No. 436

2011

RESOLUTION REQUESTING THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES APPROVE THE INSERTION OF AN ITEM OF REVENUE FROM THE STATE OF NEW JERSEY "OVER THE LIMIT UNDER ARREST" 2011 GRANT (CHAPTER 159)

WHEREAS, N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948), as amended, provides that the Director of the Division of Local Government Services, Department of Community Affairs, may approve the insertion of any special item of revenue into the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Municipal Budget; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey, does hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of this year in the sum of \$4,400, which item is now available as a revenue from the State of New Jersey, for the "Over the Limit Under Arrest" grant, which funds are to be used by the Police Department;

BE IT FURTHER RESOLVED, that a like sum of \$4,400 be and the same is hereby appropriated under the caption of Over the Limit Under Arrest budget line item.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 437

2011

RESOLUTION REQUESTING APPROVAL OF AN ITEM OF REVENUE AND APPROPRIATION PURSUANT TO NJSA 40A:4-87
[CHAPTER 159] – ITEM OF REVENUE – BODY ARMOR GRANT

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Egg Harbor, County of Atlantic, and State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the amount of \$7,487.01, which is now available from the Body Armor Grant; and

BE IT FURTHER RESOLVED, that a like sum of \$7,487.01 be and the same is hereby appropriated under the caption of *Body Armor Grant Fund* budget line item.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 438

2011

RESOLUTION APPROVING SALARY INCREASES

BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that, *effective January 1, 2012*, the following increases in salary are herewith provided:

EMPLOYEE	POSITION	BI-WEEKLY RATE
Peter J. Miller	Township Administrator	\$5,685.00
Michael Morris	Police Chief	\$5,097.00
James Druding	Police Captain	\$4,379.00
Christopher Ruef	Police Captain	\$4,379.00
Robert Switzer	Municipal Court Judge	\$3,140.00
Eileen Tedesco	Township Clerk	\$3,032.00
Olga A. Perez	Deputy Township Clerk	\$2,573.00
Jennifer McIver	Chief Financial Officer	\$3,027.00
Steve Newsome	Manager of Information Technology	\$2,579.00
Michael Rubba	Communications Supervisor	\$2,438.00
Irene Garramone	Deputy Court Administrator	\$2,438.00
Yanell Garcia	Deputy Court Administrator	\$2,210.00
Sam Gioconda	Public Works Division Manager	\$2,195.00
Herb Sprague	Public Works Division Manager	\$2,438.00
Paul Suhr	Public Works Division Manager	\$2,308.00
Keith Foster	Public Works Division Manager	\$2,098.00
Catharine England	Deputy Tax Collector	\$2,438.00
Linda Cusac	Director of Ambulance Services	\$1,986.00
John Conti	Building Subcode Official	\$2,117.00
Scott Lacy	Information Technology Specialist	\$1,994.00
Clark Evenson	Assistant Manager of Information Technology	\$1,764.00
Janice Hughes	Secretary to Township Committee	\$1,880.00
Antoinette Jackson	Secretary to Chief of Police	\$1,880.00
Jennifer Rocco	Administrative Secretary	\$1,834.00
Brandy Blevin	Assistant to Secretary to Chief of Police	\$1,473.00

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 439

2011

RESOLUTION AMENDING RESOLUTION 419 OF 2011 ENTITLED "RESOLUTION SCHEDULING SPECIAL MEETING OF THE TOWNSHIP COMMITTEE FOR DECEMBER 5, 2011 & DECEMBER 6, 2011 AT 5:00 P.M."

WHEREAS, Resolution 419 of 2011 scheduled special meetings of the Township Committee of the Township of Egg Harbor for December 5, 2011 and December 6, 2011 at 5:00 p.m. for the purpose of conducting interviews with Police Officer candidates; and

WHEREAS, the Township Committee of the Township of Egg Harbor wishes to reschedule their special meetings to December 5, 2011 and December 7, 2011 at 5:00 p.m. for the purpose of conducting interviews with Police Officer candidates;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that special meetings of the Township Committee of the Township of Egg Harbor originally scheduled for Monday, December 5, 2011 at 5:00 p.m. and Tuesday, December 6, 2011 at 5:00 p.m. are rescheduled for Monday, December 5, 2011, at 5:00 p.m. & Wednesday, December 7, 2011, at 5:00 p.m. in the Municipal Building for the purpose of conducting interviews with Police Officer candidates.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 440

2011

**RESOLUTION SUPPORTING THE OVER THE LIMIT UNDER ARREST 2011 YEAR END STATEWIDE CRACKDOWN
“DRIVE SOBER OR GET PULLED OVER”**

WHEREAS, impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 25% of motor vehicle fatalities in New Jersey are alcohol related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the Over the Limit Under Arrest 2011 Year End Statewide Crackdown; and

WHEREAS, the project will improve increased impaired driving enforcement from December 5, 2011 through January 2, 2012; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey, declares its support for the Over the Limit Under Arrest 2011 Year End Statewide Crackdown from December 5, 2011 through January 2, 2012 and pledges to increase awareness of the dangers of drinking and driving.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 441

2011

**RESOLUTION AUTHORIZING MAYOR TO EXECUTE CHANGE ORDER 1 TO THE CONTRACT AWARDED TO
ARAWAK PAVING CO., INC. FOR ROAD IMPROVEMENT PROGRAM**

WHEREAS, a contract was entered into on October 13, 2011 with Arawak Paving Co., Inc.; and

WHEREAS, a request has been submitted to the Township for the execution of Change Order 1, a copy of which is attached hereto and made a part hereof, to increase the original contract sum in the following manner:

Original Contract Sum	\$722,000.00
Change Order 1	\$ 65,000.00
Revised Contract Sum	\$787,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that the Mayor is hereby authorized to execute Change Order 1.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

attachment

Egg Harbor Township

Resolution No. 442

2011

**RESOLUTION AUTHORIZING THE RENEWAL OF
VFIS ACCIDENT & SICKNESS INSURANCE FOR VOLUNTEER FIREFIGHTERS**

BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey hereby give authorization for the renewal of accident & sickness insurance for the Egg Harbor Township Volunteer Firefighters:

VOLUNTEER FIREFIGHTERS

VFIS

P.O. Box 2726

York, PA 17405

Amount: \$25,522.00

Policy Period: 12/1/09-12/1/12

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 443

2011

**RESOLUTION AUTHORIZING EXECUTION OF MAINTENANCE AGREEMENT WITH
ITS MAILING SYSTEMS INC. FOR THE FINANCE DEPARTMENT**

BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that the Mayor is hereby authorized to execute a maintenance agreement as follows:

Company	Purpose	Total Cost	Agreement Period
ITS Mailing Systems, Inc. 1020 E. Main Street Norristown, PA 19401	Maintenance coverage for IJ70B Mail Machine	\$925.75	11/16/11-11/16/12

BE IT FURTHER RESOLVED, that the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein at length.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 444
2011

**RESOLUTION AUTHORIZING EXECUTION OF MAINTENANCE AGREEMENT
WITH AFA PROTECTIVE SYSTEMS, INC. FOR FIRE ALARM MONITORING AT COMMUNITY CENTER**

BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that the Mayor is hereby authorized to execute a maintenance agreement as follows:

Company	Item	Total Cost	Agreement Period
AFA Protective Systems, Inc. 155 Michael Drive Syosset, NY 11791	Maintenance Agreement for monitoring of fire alarm at the Community Center	\$1,050.00	11/1/11-10/31/12

BE IT FURTHER RESOLVED, that the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein at length.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 445

2011

**RESOLUTION AUTHORIZING THE CLEANING UP OF THE PROPERTY LOCATED AT
301 QUIGLEY PLACE AND AUTHORIZING A LIEN ON THE PROPERTY**

WHEREAS, the property owner of Block 1114, Lot 19, known as 301 Quigley Place, has violated the Township Property Maintenance Code; and

WHEREAS, the property owner of 301 Quigley Place allowed filth, garbage, trash refuse and debris to accumulate on their property causing a public health issue and a violation of the Property Maintenance Code; and

WHEREAS, the property owner violated Section 173-19 of the Township Code;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

1. The Director of Public Works is authorized to clean up the property of 301 Quigley Place; and
2. The Director of Public Works is directed to maintain a record of man hours spent, supplies purchased and the cost thereof; and
3. The Director of Public Works is directed to provide to the Tax Collector with a certification of total costs associated with the cleaning up of this premises;
4. The Tax Collector is directed to attach a lien on the property for the costs associated and as certified by the Director of Public Works in up of the property in accordance with the Township's Property Maintenance Code.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 446

2011

**RESOLUTION AUTHORIZING THE CUTTING OF GRASS AND CLEANING UP THE PROPERTY LOCATED AT 20 WEEPING
WILLOW CIRCLE AND AUTHORIZING A LIEN ON THE PROPERTY**

WHEREAS, the Construction Official of the Township of Egg Harbor has notified the property owner for property known as Block 5426, Lot 11, 20 Weeping Willow Circle of violating the Township Property Maintenance Code; and

WHEREAS, pursuant to Chapter 173 of the Township Code entitled "Property Maintenance", notice was served on Block 5426, Lot 11 of the violations and the need to abate them; and

WHEREAS, the property owner has failed to comply with said notices;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

1. The Director of Public Works is authorized to cut the grass and clean up the property of 20 Weeping Willow Circle; and
2. The Director of Public Works is directed to maintain a record of man hours spent, supplies purchased and the cost thereof; and
3. The Director of Public Works is directed to provide to the Tax Collector with a certification of total costs associated with the cutting of grass and cleaning up of this premises;
4. The Tax Collector is directed to attach a lien on the property for the costs associated and as certified by the Director of Public Works in cutting of grass and cleaning up of the property in accordance with the Township's Property Maintenance Code.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 447
2011

RESOLUTION GRANTING EGG HARBOR TOWNSHIP FARMINGTON VOLUNTEER FIRE COMPANY CHARITABLE ROADWAY SOLICITATION APPLICATION

WHEREAS, the Egg Harbor Township Farmington Volunteer Fire Company has filed a Charitable Roadway Solicitation application with the Township Clerk pursuant to Section 195-15A of the Code of the Township of Egg Harbor for the purpose of soliciting contributions at the intersection of Delilah Road and Fire Road on the following days:

Dates	Rain Dates	Time
December 2 & 3, 2011	December 9 & 10, 2011	9 a.m. to 4 p.m.

WHEREAS, said application has been reviewed and approved for granting by the Chief of Police of the Township of Egg Harbor; and

WHEREAS, said application has received approval from the Atlantic County Board of Chosen Freeholders;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey hereby grants the Egg Harbor Township Farmington Volunteer Fire Company its requested Charitable Roadway Solicitation application in order to solicit contributions at the intersection of Delilah Road and Fire Road.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 448

2011

RESOLUTION AUTHORIZING ACCEPTANCE OF IMPROVEMENTS OF OAK MANOR

WHEREAS, a subdivision bond was issued by Westchester Fire Insurance Company to the Township of Egg Harbor on behalf of Oak Manor in the sum as indicated on the attached Exhibit A; and

WHEREAS, there is a cash surety on deposit with the Township, which amount is indicated on the attached Exhibit A; and

WHEREAS, the applicant has requested the Township to accept the improvements of Oak Manor, communicating this request to the offices of the Township Engineer; and

WHEREAS, the Township Engineer, upon an on-site inspection, has determined that all the improvements have been completed and are eligible to be released from the bond;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that the improvements for property known as Oak Manor are hereby accepted conditioned upon the developer submitting a maintenance bond in the amount of \$70,691.78 for a period of two years; and

BE IT FURTHER RESOLVED, that the Performance Bond issued by Westchester Fire Insurance Company in the sum as indicated on the attached Exhibit A for Oak Manor is hereby released; and

BE IT FURTHER RESOLVED, that the cash surety on deposit with the Township in the sum as indicated on the attached Exhibit A is hereby released;

BE IT FURTHER RESOLVED, that the Township Treasurer and other appropriate officials be and they are hereby authorized to sign the check(s) to accomplish the authorized refund(s).

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 448

2011

RESOLUTION AUTHORIZING ACCEPTANCE OF IMPROVEMENTS OF OAK MANOR

EXHIBIT A

Performance \$ to Release	Performance Bond Number	10% Cash Surety to be refunded	Refunds Issued to
\$152,694.23	K07007668	\$16,966.03	K. Hovnanian Shore Acquisitions, LLC 110 Fieldcrest Avenue Edison, New Jersey 08837

Egg Harbor Township

Resolution No. 449

2011

RESOLUTION ACCEPTING IMPROVEMENTS ASSOCIATED WITH HOMESTEAD ESTATES A/K/A HARBOR OAKS

WHEREAS, there was posted a letter of credit, number 2002008, in the sum of \$132,319.01 issued by Sun National Bank on behalf of Michael and Marcia Gelman for Homestead Estates, a/k/a Harbor Oaks; and

WHEREAS, there is a cash surety on deposit with the Township in the amount of \$21,355.46; and

WHEREAS, the applicant has requested the Township to accept the improvements of Homestead Estates, communicating this request to the offices of the Township Engineer; and

WHEREAS, the project is complete and has been inspected by the Township Engineer; and

WHEREAS, the Engineer has recommended that inasmuch as all the project requirements have been met, the subdivision bond may be released conditioned upon the developer submitting a maintenance bond in the amount of \$43,392.77 for a period of two years;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that the improvements known as Homestead Estates, are hereby accepted conditioned upon the developer submitting a maintenance bond in the amount of \$43,392.77 for a period of two years; and

BE IT FURTHER RESOLVED that letter of credit no. 2002008 issued by Sun National bank on behalf of Michael and Marcia Gelman, in the amount of \$132,319.01 is hereby authorized to be released and the cash surety in the amount of \$21,355.46 is authorized to be refunded to Harbor Custom Homes, Inc. 149 Steelmanville Road, Egg Harbor Township, NJ 08234; and

BE IT FURTHER RESOLVED that the Township Treasurer and other appropriate officials be and they are herewith authorized to sign the check to accomplish the refund authorized.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 450

2011

RESOLUTION AUTHORIZING RELEASE OF
GREEN SPRINGS SOUTH AND GREEN SPRINGS NORTH SUBDIVISION BONDS

WHEREAS, Bond Safeguard Insurance Company issued Performance Bond #5016691 on behalf of HJ & J Land Company, LLC in the amount of \$1,058,976.72 for the construction of Green Springs South subdivision; and

WHEREAS, Bond Safeguard Insurance Company issued Performance Bond #5016692 on behalf of HJ & J Land Company, LLC in the amount of \$394,011.00 for the construction of Green Springs North subdivision; and

WHEREAS, HJ & J Company, LLC has deferred the installation of the subdivisions due to the current economic crisis and is requesting the Township release the performance bonds they have on file for Green Springs South & Green Springs North subdivisions;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that Performance Bond No. 5016691 in the amount of \$1,058,976.72 & Performance Bond No. 5016692 in the amount of \$394,011.00 issued to the Township of Egg Harbor by Bond Safeguard Insurance Company on behalf of HJ & J Land Company, LLC are hereby authorized to be released.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 451

2011

RESOLUTION AUTHORIZING RELEASE OF COUNTRYAIRE SUBDIVISION BOND

WHEREAS, a subdivision bond was issued by First Indemnity of America Insurance Company to the Township of Egg Harbor on behalf of Foxmoor at Egg Harbor Corporation, in the amount of \$204,822 for the construction, installation and completeness of Countryaire subdivision; and

WHEREAS, on or about November 30, 2009, the Township of Egg Harbor commenced a lawsuit against Foxmoor at Hampton Court Corporation (Docket No. ATL-L-4617-09); and

WHEREAS, as part of a Stipulation of Settlement and Dismissal Order the Township of Egg Harbor is required to release Bond No. S05887 in the amount of \$204,822;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that Subdivision Bond No. S05887 in the amount of \$204,822 & Subdivision issued to the Township of Egg Harbor by First Indemnity of America Insurance Company on behalf of Foxmoor at Egg Harbor Corporation is hereby authorized to be released.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 452

2011

RESOLUTION AUTHORIZING REFUND OF OVERPAID TAXES

BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that refunds for overpaid taxes pursuant to the attached are hereby authorized; and

BE IT FURTHER RESOLVED, that the Township Treasurer and other appropriate officials be and they are herewith authorized to sign the checks to accomplish the refunds authorized.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Attachment: Exhibit A

BLOCK/LOT	NAME/ADDRESS	REASON	YEAR	AMOUNT	CHECK #
5813/25.24	CoreLogic Real Estate Tax Service P.O Box 961250 Fort Worth, TX76161-9887	Overpayment 4th Quarter	2011	\$250.00	
1707/6 1707/8 2814/5	BACTax Service P.O Box 5012 Woodland Hills, CA91365-5012	Overpayment 4th Quarter	2011	\$4,119.29	
5401/50	QBE First 210 Interstate North Parkway Suite 400 Atlanta, GA 30339	Overpayment 4th Quarter	2011	\$1,602.02	
3312/21	Wells Fargo Real Estate Tax Svc, LLC Attn: Financial Support Unit Region #1 1 Home Campus MACX2302-040 Des Moines, IA 50328-0001	Tax Appeal 4th Quarter	2011	\$452.81	
6323/14.05 5218/16 2741/1.05	BACTax Service P.O Box 5012 Woodland Hills, CA91365-5012	Overpayment 4th Quarter	2011	\$2,713.25	
1609/42	Fox Chase Bank Attn: Suzanne Williams POBox 1250 Blue Bell, PA 19422-9805	Overpayment 4th Quarter	2011	\$1,189.29	
801/5	Atlantic City Electric 5100 Harding Highway #100 Mays Landing, NJ 08330	Overpayment 4th Quarter	2011	\$10,426.23	
2802/1.13 5202/5	Wells Fargo Real Estate Tax Svc, LLC Attn: Financial Support Unit Region #1 1 Home Campus MACX2302-040 Des Moines, IA 50328-0001	Overpayment 4th Quarter	2011	\$2,648.55	
2726/14	MetLife Home Loans 4000 Horizon Way Irving, TX75063	Overpayment 4th Quarter	2011	\$1,352.54	
1304/7 5401/54.05 7109/2	Lereta Attn: Central Refunds 1123 Park View Drive Covina, CA91724	Overpayment 4th Quarter	2011	\$2,860.25	
4305/4 C0065	CoreLogic Real Estate Tax Service P.O Box 961250 Fort Worth, TX76161-9887	Overpayment 4th Quarter	2011	\$351.48	
1125/10	Nathan Lowenbraun 513 Ketch Lane Longboat Key Sarasota, FL34228	Overpayment 4th Quarter	2011	\$1,037.55	

BLOCK/LOT	NAME/ADDRESS	REASON	YEAR	AMOUNT	CHECK #
9501/1 C004L	Seaview Harbor Condominium POBox 612 Longport, NJ 08403	Overpayment 4th Quarter	2011	\$163.60	
Various	CoreLogic Real Estate Tax Service P.O Box 961250 Fort Worth, TX76161-9887	Overpayment 4th Quarter	2011	\$21,495.36	
Various	CoreLogic Real Estate Tax Service P.O Box 961250 Fort Worth, TX76161-9887	Overpayment 4th Quarter	2011	\$265.17	
5433/14	BACTax Service P.O Box 5012 Woodland Hills, CA91365-5012	Overpayment 4th Quarter	2011	\$2,643.09	
2107/2	Cleave E. Bethea, Sr. 7918 Battlefield Park Road Richmond, VA23231-6909	Overpayment 4th Quarter	2011	\$334.14	
			TOTAL	\$53,904.62	

Egg Harbor Township

Resolution No. 453

2011

RESOLUTION AUTHORIZING REFUND OF OVERPAID AMBULANCE FEES

BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that refunds on the attached Exhibit A for overpaid ambulance fees are hereby authorized to be made; and

BE IT FURTHER RESOLVED, that the Township Treasurer and other appropriate officials be and they are herewith authorized to sign the checks to accomplish the refunds authorized.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

Egg Harbor Township

Resolution No. 453

2011

RESOLUTION AUTHORIZING REFUND OF OVERPAID AMBULANCE FEES

ISSUE REFUND TO	CALL NUMBER	DATE OF SERVICE	AMOUNT
Jeffery Pollack 47 Stoney Creek Drive Egg Harbor Township, NJ 08234	11-2557	8/3/2011	\$200.00
William Hofmeister 908 Alcorn Drive Egg Harbor Township, NJ 08234	11-1171	4/14/11	\$50.00
Evelyn Ruiz 2518 Ridge Avenue Egg Harbor Township, NJ 08234	10-3748A	10/30/10	\$152.98

Egg Harbor Township

Resolution No. 454

2011

RESOLUTION AUTHORIZING REFUNDS FROM DEVELOPERS ESCROW ACCOUNTS (VARIOUS)

BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that refunds for developers, whose projects have been completed, are hereby authorized to be issued to those developers listed on the annexed Exhibit A; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer and other appropriate Township officials be and they are herewith authorized to sign the checks to accomplish the refunds.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk

attachment: Exhibit A

Egg Harbor Township

Resolution No. 454

2011

EXHIBIT A

Project	Block	Lot	Developer	Address	City	State	Zip	Refund
169-15	102	2	T-Mobile NE USA	400 Street Road	Bensalem	PA	19020	1133.75
174-83	5205	49	Metro PCS Pennsylvania LLC	510 Virginia Dr	Fort Washington	PA	19034	1118.25
175-13	5101	167	South State Inc	P O Box 68	Bridgeton	NJ	08302	814.75

Egg Harbor Township

Resolution No. 455

2011

RESOLUTION AUTHORIZING PAYMENT OF ALL BILLS

BE IT RESOLVED by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that all bills as enumerated on the annexed Exhibit A are hereby authorized to be paid.

Dated: November 30, 2011

Eileen M. Tedesco, RMC
Township Clerk