

The Regular Meeting of the Alloway Township Committee of the Township of Alloway, County of Salem was held at 7:00 p.m. by noticing the South Jersey Times and the Elmer Times and posting on the Township Website, Post Office and Municipal Building Doors in compliance with Public Law 1975, Chapter 231. In accordance with the State of New Jersey COVID-19 Compliance Protocol, the meeting was held in-person with limited seating in the auditorium at the Municipal Building.

The meeting was called to order at 7:00pm by Mayor P. Ed McKelvey, followed by the flag salute.

Pastor Mike Eggenburg, Alloway Baptist Church, opened the meeting in prayer.

Roll Call - Present: Morgan, Patrick, McKelvey
Municipal Clerk, Charlet Cheeseman, was also in attendance

MINUTES

Minutes of the following meetings were reviewed by the Committee. Motion was made by Patrick, seconded by Morgan, to dispense with the reading of and approve the minutes.

September 13, 2021 - Finance

September 16, 2021 - Regular

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

BILLS

On motion by Patrick, seconded by Morgan, the attached bill list was approved by the Finance Committee on October 18, 2021 and was ordered paid.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

PUBLIC SESSION

Mayor McKelvey asked for a motion to open public session and anyone wishing to speak, state their name and where they reside, and briefly in three (3) minutes or less state your comments to the Township Committee.

On motion by Patrick, seconded by Morgan, public session was opened.

Vote: All in favor

Larry Lore, 104 Thomas Road, stated he is a long-time resident and there has never been a speed limit sign posted. He said there are young children on the street and believes speed limit signs would be beneficial and would slow people down. Mr. Lore told the Committee that the Alloway Lake is the biggest perk of living in Alloway and he thinks it should be open. He offered to help in any way in order to open it back up to the public. Discussion took place on the Public Lake Access.

Joe Quather, 61 E. Main Street, asked the status of recovering money for the demolition of the arson house. The Mayor stated there has been no recovery as of this point and he has been in contact with the prosecutor's office for updates. Mr. Quather asked to reconsider amending the Abandon Property Ordinance. He asked why commercial properties are exempt and why the Township Committee made this decision. Discussion about the topic took place.

Diana Eichfeld, 75 Remsterville Road, asked for the Township to consider her request from August in which she asked the Committee make Alloway a sanctuary town. She shared facts regarding the current state of the country i.e., mask and shot mandates. She expressed that if Alloway can be a sanctuary town for guns under the 2nd Amendment, she strongly requests the Committee to consider making Alloway a safe haven for people’s rights to choose. She concluded by stating we need to stand up for United States rights.

On motion by Patrick, seconded by Morgan, public session was closed.

Vote: All in favor

RESOLUTION NO. 21-86 ESTABLISHING A FAIR AND OPEN PROCESS FOR THE AWARDING OF PROFESSIONAL SERVICES CONTRACTS FOR THE TOWNSHIP OF ALLOWAY

Resolution No. 21-86 establishing a fair and open process for the awarding of professional services contracts for the Township of Alloway was adopted on motion by Patrick, seconded by Morgan.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

RESOLUTION NO. 21-87 CORRECTING BLOCK/LOT AND ACREAGE FOR THE CANCELLATION OF TAXES AUTHORIZED IN RESOLUTION NO. 21-74 FOR THE WIDOW OF A TOTAL DISABLED VETERAN (N.J.S.A 54-:4-3.3.30, ET SEQ.; N.J.A.C. 18:28-1.1, ET SEQ.) BLOCK 63, LOT 26.02 (GREEVER, ANDREA LYNNE)

Resolution No. 21-87, correcting block/lot and acreage for the cancellation of taxes authorized in Resolution No. 21-74 for the widow of a Total Disabled Veteran Block 63, Lot 26.02 (Greever, Andrea Lynne), was adopted on motion by Patrick, seconded by Morgan.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

RESOLUTION NO. 21-88 AUTHORIZING SALE OF TAX SALE CERTIFICATE ASSIGNED NO.17-00018 (B-72, L-7)

Resolution No. 21-88, authorizing sale of tax sale certificate assigned No.17-00018 (Block 72, Lot 7), was adopted on motion by Patrick, seconded by Morgan.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

RESOLUTION NO. 21-89 AUTHORIZING SUBMISSION OF STRATEGIC PLAN FOR THE ALLOWAY MUNICIPAL ALLIANCE GRANT FY 2023 -- FISCAL GRANT CYCLE JULY 2020-JUNE 2025

Resolution No. 21-89, authorizing the submission of the strategic plan for the Alloway Municipal Alliance Grant FY 2023, was adopted on motion by Patrick, seconded by Morgan.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

RESOLUTION NO. 21-90 REQUESTING CONSIDERATION TO INSTALL 4-WAY STOP SIGNS TO THE SALEM COUNTY ENGINEER

Resolution No. 21-90, requesting the Salem County Engineer to consider installing 4-way Stop Signs at the intersection of County Roads #611 (Main Street) and #540 (Greenwich Street) located within the Township of Alloway, was adopted on motion by Patrick, seconded by Morgan.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

RESOLUTION NO. 21-91 REQUESTING CONSIDERATION TO INSTALL AN “AUTISTIC CHILD AWARENESS” SIGN TO THE SALEM COUNTY ENGINEER

Resolution No. 21-91, requesting the Salem County Engineer to consider installing an “Autistic Child Awareness” sign on county road #664 (Timberman Road) located within the Township of Alloway, was adopted on motion by Patrick, seconded by Morgan.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

RESOLUTION NO. 21-92 REQUESTING CONSIDERATION TO POST “NO LITTERING” AND “SPEED LIMIT” SIGNS TO THE SALEM COUNTY ENGINEER

Resolution No. 21-92, requesting the Salem County Engineer to consider posting “No Littering” and “Speed Limit” signs on county road #664 (Timberman Road) located within the Township of Alloway, was adopted on motion by Patrick, seconded by Morgan.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

RESOLUTION NO. 21-93 REQUESTING CONSIDERATION TO POST “TIME LIMIT PARKING” SIGNS TO THE SALEM COUNTY ENGINEER

Resolution No. 21-93, requesting the Salem County Engineer to consider posting “Time Limit Parking” signs on the corner of county road #540 (S. Greenwich Street), was adopted on motion by Patrick, seconded by Morgan.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

MOTION AUTHORIZING THE MUNICIPAL CLERK TO PROCEED WITH NOTICING THE BID FOR THE ALLOWAY LAKE PUBLIC ACCESS AREA SECURITY SYSTEM INSTALLATION

On motion by Patrick, seconded by Morgan, the authorization for the Municipal Clerk to proceed with noticing the bid for the Alloway Lake Public Access Area Security System Installation, as received and accepted by the Township Committee from the Board of Recreation Commissioners was approved.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

REVIEW AND DISCUSSION OF CALENDAR YEAR 2021
BEST PRACTICES INVENTORY

The Township Committee reviewed and acknowledged Calendar Year 2021 Best Practices Inventory Questionnaire as certified by the Chief Financial Officer and Chief Administrative Officer/Clerk on motion by Patrick, seconded by Morgan.

INTRODUCTION: ORDINANCE NO. 540

AN ORDINANCE AMENDING CHAPTER 58. DOGS AND ANIMAL NUISANCES
ARTICLE 1. LICENSING OF INDIVIDUAL DOGS

On motion by Patrick, seconded by Morgan, Ordinance No. 540 (copy attached) was introduced and given its first reading. On motion by Patrick, seconded by Morgan, the public hearing on the ordinance will be held November 18, 2021 at 7:00 p.m. and the Clerk was directed to publish the ordinance summary with notice of hearing.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

INTRODUCTION: ORDINANCE NO. 541

AN ORDINANCE AUTHORIZING SALE OF
UNDERSIZED VACANT REAL PROPERTY BLOCK 72, LOT 4

On motion by Patrick, seconded by Morgan, Ordinance No. 541 (copy attached) was introduced and given its first reading. On motion by Patrick, seconded by Morgan, the public hearing on the ordinance will be held November 18, 2021 at 7:00 p.m. and the Clerk was directed to publish the ordinance summary with notice of hearing.

Roll call vote: Morgan-yes, Patrick-yes, McKelvey-yes Motion carried

COMMITTEE REPORTS

Committeeman Morgan reported as follows:

- < Agricultural Advisory Board: Meeting is next month, the board is always looking for farms to preserve.
- < Planning Board: Meeting was Cancelled
- < JIF: Meeting is Monday
- < Volunteers needed for positions on the Township’s Ambulance Squad

Deputy Mayor Patrick reported as follows:

- < B.R.C: Setting up time frame for security system at the Public Lake Access and it’s moving along very well, but the opening will be set back about a month. He thanked Joe Quather for his assistance. It’s very much appreciated.
- < Public Works: Finishing up the end of the year mowing, checking on the sewer pits, and setting up the equipment for winter.
- < Steering Committee: November 11, 2021 Veterans Day Ceremony at 11am, Christmas Lights Contest judging December 9, 2021, Christmas Tree Lighting Ceremony December 11, 2021 5:30pm. Halloween Committee hosting a Vendor Fair November 13th.

MAYOR'S REPORT

Mayor McKelvey shared that he parked near the property that has had complaints of roosters/animal disturbances recently. During those times, he did not hear anything. He stated was in contact with the County Engineer's office about getting a 4-way stop in town and having a traffic study done. The Committee received pricing on the traffic study. He said it needs to be justified. After speaking with the County Administrator, he believes the county is in agreement with the 4-way stop. They also discussed repainting the yellow curbs, as well as, signage for parking time limits, so fire trucks/buses can fit around the corner if vehicles are parked along the road. Discussion took place on the issues. Mayor McKelvey announced that upon request, the residents can ask for the speed trailer to be set up on a specific road.

ANNOUNCEMENTS

Mayor McKelvey made the following announcements:

- < Lake Lowering: October 13-October 27, 2021
- < Annual Halloween Parade: October 30 @ 7pm; Rain Date is October 31, 2021 @ 6pm
- < Trick or Treat: No Official Time is Set; However, for the Safety of the Residents,
Lights in Town will be Lit between 6pm-8pm
- <November 11, 2021: Municipal Offices Closed (Veterans Day)
- <November 11, 2021: 11am Veterans Day Service in the Municipal Building

At this time, a member of the public asked a question pertaining to the Public Lake Access. Discussion ensued between the public and the Township Committee about reopening the lake access and trucks damaging Remsterville Road.

ADJOURNMENT

There being no further business to come before the Committee, on motion by Patrick, seconded by Morgan, meeting was adjourned at 7:38 p.m.

Vote: All in favor

Mayor McKelvey thanked the public for attending the meeting.

Respectfully submitted,

Charlet Cheeseman, Municipal Clerk

Range of Checking Accts: First to Last Range of Check Dates: 10/16/21 to 11/12/21
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CAPITAL					
10448	10/21/21	J0046 J. WILHELM ROOFING CO., INC.	43,950.00		1279
10449	10/21/21	P0420 PIERSON MATERIALS CORP	912.74	10/31/21	1279
Checking Account Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	2	0	44,862.74	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	<u>2</u>	<u>0</u>	<u>44,862.74</u>	<u>0.00</u>
CURRENT					
22207	10/21/21	A0176 ALLOWAY TOWNSHIP BOE	368,553.00		1281
22208	10/21/21	A0439 ATCO INTERNATIONAL	122.25		1281
22209	10/21/21	A925 Association of NJ Recyclers	125.00		1281
22210	10/21/21	C0057 CAMFEL PRODUCTIONS	590.00		1281
22211	10/21/21	C0241 CHERRY VALLEY TRACTOR	73.00		1281
22212	10/21/21	C0290 CUB SCOUTS PACK 5	400.00		1281
22213	10/21/21	C0376 COMCAST CABLE	436.82		1281
22214	10/21/21	ATL001 ATLANTIC CITY ELECTRIC	3,964.24		1281
22215	10/21/21	C0412 CONSTELLATION ENERGY, INC.	283.93		1281
22216	10/21/21	C0531 CROUCH & COMPANY	195.00		1281
22217	10/21/21	E0081 EDMUNDS & ASSOCIATES INC	41.50		1281
22218	10/21/21	F0200 FRALINGER ENGINEERING PA	142.00		1281
22219	10/21/21	G0091 GENERAL CODE PUBLISHERS CORP	1,195.00		1281
22220	10/21/21	G94082 GIRL SCOUT TROOP #94082	400.00		1281
22221	10/21/21	N0204 NJ DIV OF CODES & STANDARDS	558.64		1281
22222	10/21/21	N0247 SPRINT	66.29		1281
22223	10/21/21	N0262 Niki A Arbittier	120.00		1281
22224	10/21/21	NJ021005 NJ ADVANCE MEDIA	161.01		1281
22225	10/21/21	P0065 PURCHASE POWER	370.99		1281
22226	10/21/21	P0496 POSITIVE PROMOTIONS	458.59		1281
22227	10/21/21	R0116 RED OAK DISPOSAL SERVICE	5,070.00		1281
22228	10/21/21	R0165 RIGGINS OIL INC	2,048.17		1281
22229	10/21/21	S0051 SALEM COUNTY NATURE CLUB	400.00		1281
22230	10/21/21	S0076 SALEM COUNTY CLERK'S OFFICE	8.00		1281
22231	10/21/21	S0086 SCIA/SWD	6,243.80		1281
22232	10/21/21	S0125 SALEM COUNTY TREASURER	14,350.21		1281
22233	10/21/21	S0126 SALEM COUNTY TREASURER	870,027.17		1281
22234	10/21/21	S0370 I S SMICK LUMBER	56.02		1281
22235	10/21/21	S0405 SOUTH JERSEY AGRICULTURAL	210.00		1281
22236	10/21/21	S0523 STAPLES ADVANTAGE	137.24		1281
22237	10/21/21	S0539 STATE OF NEW JERSEY	116.69		1281
22238	10/21/21	T0270 TREASURER, STATE OF NEW JERSEY	50.00		1281
22239	10/21/21	T0276 TRI COUNTY TERMITE & PEST	75.00		1281
22240	10/21/21	W0170 WILLIAMS AUTO PARTS	336.02		1281
22241	10/21/21	X0200 XEROGRAPHIC DOCUMENT SOLUTIONS	80.72		1281
22242	10/21/21	X0300 XTe] COMMUNICATIONS, INC	1,272.33		1281
22243	10/21/21	Z0050 Zo]l Data Systems	60.00		1281

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT					
			Continued		
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
Checks:			1,278,798.63	0.00	
Direct Deposit:			0.00	0.00	
Total:			<u>1,278,798.63</u>	<u>0.00</u>	
DOG TRUST FUND					
1630	10/21/21	F0230 FRA TECHNOLOGIES, INC	675.00	10/31/21	1278
1631	10/21/21	N0205 NJ DEPT OF HEALTH&SENIOR SERV	1.20	10/31/21	1278
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
Checks:			676.20	0.00	
Direct Deposit:			0.00	0.00	
Total:			<u>676.20</u>	<u>0.00</u>	
SEWER SEWER FUND					
2831	10/21/21	ATL001 ATLANTIC CITY ELECTRIC	1,294.53	10/31/21	1280
2832	10/21/21	E0081 EDMUNDS & ASSOCIATES INC	41.50	10/31/21	1280
2833	10/21/21	00050 ONE CALL CONCEPTS, INC.	14.30	10/31/21	1280
2834	10/21/21	W0170 WILLIAMS AUTO PARTS	189.00	10/31/21	1280
Checking Account Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
Checks:			1,539.33	0.00	
Direct Deposit:			0.00	0.00	
Total:			<u>1,539.33</u>	<u>0.00</u>	
Report Totals			<u>Amount Paid</u>	<u>Amount Void</u>	
Checks:			1,325,876.90	0.00	
Direct Deposit:			0.00	0.00	
Total:			<u>1,325,876.90</u>	<u>0.00</u>	

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	1,276,550.04	0.00	0.00	1,276,550.04
	1-07	1,539.33	0.00	0.00	1,539.33
DOG TRUST FUND	1-14	676.20	0.00	0.00	676.20
Year Total:		<u>1,278,765.57</u>	<u>0.00</u>	<u>0.00</u>	<u>1,278,765.57</u>
CAPITAL FUND	C-04	44,862.74	0.00	0.00	44,862.74
STATE AND FEDERAL GRANT BUDGET	G-02	2,248.59	0.00	0.00	2,248.59
Total of All Funds:		<u><u>1,325,876.90</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>1,325,876.90</u></u>

**ALLOWAY TOWNSHIP
ORDINANCE NO. 540**

**AN ORDINANCE AMENDING CHAPTER 58. DOGS AND ANIMAL NUISANCES
ARTICLE 1. LICENSING OF INDIVIDUAL DOGS**

WHEREAS, it is the desire of the Alloway Township Committee to amend Chapter 58, entitled “Dogs and Animal Nuisances” Article 1. “Licensing of Individual Dogs” in its entirety as follows.

§ 58-3. License expiration; license fees and late fees.

A. License fee.

(1) Each person who shall own, possess, keep or harbor any dog or dogs shall obtain an annual license for each dog and shall have the same registered and numbered with the Township Clerk/Dog Registrar and, for such license, shall pay the sum as provided in **Chapter §58-3 (3), Fees**, as a license fee for each and every dog which fee shall include a registration fee, as is required by state law (N.J.S.A. 4:19-15.12). The Township Clerk/Dog Registrar is hereby further authorized to collect all such further sums that may be imposed as a condition upon the obtaining of a dog license by the New Jersey state statues, includes but not limited to surcharges for the New Jersey Pilot Clinic Fund and New Jersey Pet Population Control Projects. The Alloway Township Committee sets the fees accordingly and are provided in **Chapter §58-3 (3), Fees**.

(2) The fees shall be due on or before March 31 of each year. Said license shall be valid for the year issued and shall expire March 31 in the calendar year next following issuance. Any owner who fails to pay the license fees herein required on or before the last day of March in each year shall, in addition thereto, pay a late charge in addition to the annual license fee in an amount as provided in **Chapter §58-3 (3), Fees**. The Township Clerk/Dog Registrar may issue substitute tags upon a request from the owner or member of the owner’s household, sufficient to satisfy the Township Clerk of the loss of the original.

(3) The following is the schedule of fees with respect to this Chapter of the Code of the Township of Alloway. The fees are effective January 1, 2022:

Dog License (includes registration tag fee)	
Altered Dog	\$18.00
Unaltered Dog	\$21.00
Late Fee, Per Dog	\$25.00
Loss of Original Tag-Substitute Tag	3.00
Potentially Dangerous Dog	\$700.00

**ALLOWAY TOWNSHIP
ORDINANCE NO. 540**

§ 58-7. Licensed dogs brought in from outside Township.

Any person who shall bring or cause to be brought into the Township of Alloway any dog licensed in a state other than New Jersey for the current licensing year and shall keep the same in said Township for a period of more than 90 days shall immediately apply for a license and registration tag for such dog and be deemed to be the owner of the animal or animals so harbored or possessed. The late fee does not apply in this situation.

§ 58-8. Unlicensed dogs brought in from outside Township.

Any person who shall bring or cause to be brought into the Township of Alloway any unlicensed dog and shall keep the same in said Township for a period of more than 10 days shall immediately apply for a license and registration tag for such dog and deemed to be the owner of the animal or animals so harbored or possessed. The late fee does not apply in this situation.

WHEREAS, the Township Committee agreed to remove § 58-9 entitled “Time Limit for application”.

WHEREAS, § 58-10. Violations and penalties is amended as follows.

Any person, firm, partnership, corporation, association or organization of any kind who shall neglect or refuse to cause such dog or dogs to be licensed in the manner herein provided before the first day of April in each year shall be guilty of a violation of this article shall be liable to a penalty of not less than \$5 nor more than \$500 for each offense committed or may be imprisoned in the Salem County Jail for a period not exceeding 10 days in the case of a first conviction and, in the case of a conviction for a second, subsequent, or continuing violation, for a period not exceeding 90 days, or both such fine and imprisonment.

WHEREAS, the Governing Body agreed to add the following 3 sections to Article 1.

§ 58-xx. Animal Control Officer: term and duties.

The Township Committee of the Township of Alloway shall appoint a Certified Animal Control Officer to hold office for a term of one year pursuant to N.J.S.A 4:19-15. 16b. The appointed Animal Control Officer shall be responsible for animal control within the jurisdiction of Alloway Township and in addition to the implied duties hereby conferred, will carry out the provisions of this article. The Animal Control Officer shall transport all dogs impounded under this article to a depository approved by the Township Committee.

§ 58-xx. Interference with enforcement officers.

Any person who shall in any way hinder or interfere with the Animal Control Officers performance of the duties under the provisions of this article or who shall refuse to give information to the Animal Control Officer shall be deemed to have violated the provisions of this article.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 540**

§ 58-xx Disposition of revenues.

License fees and other moneys collected or received under the provisions of this article, shall be forwarded to the Municipal Treasurer and placed in a special account separate from any of the other accounts of the Township. Such account shall only be used for purposes pertaining to the dog program.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Governing Body of the municipality of Alloway Township in the County of Salem and State of New Jersey, that the above revisions be made to Article 1 in Chapter 58.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by any Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

All Ordinances or parts which are inconsistent with the provisions of this Amendment to an Ordinance are hereby repealed to the extent of such inconsistency.

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

Charlet Cheeseman, Municipal Clerk

P. Ed. McKelvey, Mayor

NOTICE

NOTICE is hereby given that the foregoing ordinance was introduced and passed on first reading at the Regular Meeting of the Township Committee of the Township of Alloway, in the County of Salem and State of New Jersey on the 21st day of October, 2021 and will be considered for final passage and adoption at a Regular Meeting to be held on the 18th day of November, 2021 at 7:00 p.m. at the Alloway Township Municipal Building, 49 South Greenwich Street, Alloway, NJ, at which time any person interested therein will be given an opportunity to be heard.

Charlet Cheeseman, RMC, Municipal Clerk

**ALLOWAY TOWNSHIP
ORDINANCE NO. 541**

**AN ORDINANCE AUTHORIZING SALE OF UNDERSIZED
VACANT REAL PROPERTY BLOCK 72, LOT 4**

WHEREAS, the Township of Alloway owns an undersized parcel of vacant real property on Sims Drive, designated as Tax Map Block 72, Lot 4 (“Lot 4”); and

WHEREAS, Lot 4 consists 0.21 acres of woods with no improvements, and is located in Alloway Township’s LR zoning district; and

WHEREAS, Lot 4 is less than one-eighth of the 2-acre minimum lot size required for development in the LR zoning district; and

WHEREAS, Ronda V. Hoglen and Jeffrey T. Hoglen (“the Hoglens”) are the owners of real property located at 20 Sims Drive, designated as Tax Map Block 72, Lot 8, which is the site of their single-family residence; and

WHEREAS, the Hoglens are the only owners of real property contiguous to Lot 4, and have expressed interest in purchasing Lot 4 from the Township; and

WHEREAS, the New Jersey Local Lands and Buildings Law, at *N.J.S.A. 40A:12-13(b)(5)*, provides that a New Jersey municipality may sell real property not needed for public use at private sale by ordinance to the owner of real property contiguous to the real property being sold, provided that:

1. the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon;
2. any such sale shall be for not less than the fair market value of the real property; and
3. fair market value may be determined by negotiation between the municipality and the owner of the contiguous real property when:
 - a. there is only one owner with real property contiguous to the property being sold;
 - b. the real property is less than an eighth of the minimum size required for development under the municipal zoning ordinance, and;
 - c. the real property is without any capital improvement thereon; and

WHEREAS, on November 20, 2020 and July 29, 2021, the Hoglens offered to purchase Lot 4 from the Township for \$540; and

WHEREAS, on September 16, 2021, the Alloway Township Solicitor informed the Hoglens’ attorney that the Alloway Township Tax Assessor has determined the fair market value of Lot 4 to be \$3,000, and that the Township would sell Lot 4 to the Hoglens for that price; and

WHEREAS, the Hoglens, through their attorney, informed the Alloway Township Solicitor that they would purchase Lot 4 for \$3,000;

**ALLOWAY TOWNSHIP
ORDINANCE NO. 541**

NOW THEREFORE, BE IT ORDAINED, by the Township of Alloway, in the County of Salem, State of New Jersey, as follows:

- A. The following parcel of real property, which is not needed for public use, is hereby authorized to be sold:

Block 72, Lot 4 (Sims Drive) to Ronda V. Hoglen and Jeffrey T. Hoglen for \$3,000

- B. The Alloway Township Clerk is hereby directed, within five (5) days following the adoption of this ordinance, to post the following notice on the bulletin board or other conspicuous space at the Alloway Township Municipal/Senior Citizen's Complex, 49 South Greenwich Street, Alloway, New Jersey 08001, and to cause the notice to be published once in the *South Jersey Times* newspaper:

PUBLIC NOTICE
SALE OF ALLOWAY TOWNSHIP LAND PARCEL
(UNDERSIZED)

Please take notice that on November 18, 2021, the Township Committee of Alloway Township, in Salem County, New Jersey, adopted Ordinance No. 541 by which the Township authorized the sale of an undersized Township-owned parcel of vacant land (0.21 acres located on Sims Drive and designated as Block 72, Lot 4) to adjoining owners Ronda V. Hoglen and Jeffrey T. Hoglen for \$3,000. Offers for this parcel may be made to the Alloway Township Committee, at the Alloway Township Municipal/Senior Citizen's Complex, 49 South Greenwich Street, Alloway, New Jersey 08001, for a period of 20 days following the date this notice is published in the *South Jersey Times* newspaper, at not less than the aforesaid price, by any prospective purchaser, real estate broker, or other authorized representative. The Alloway Township Committee may reconsider the aforesaid Ordinance not later than 30 days after its enactment, and advertise the aforesaid real property for public sale pursuant to subsection *N.J.S.A.* 40A:12-13(a).

- C. The Alloway Township Clerk is hereby directed to obtain an affidavit of publication of the aforesaid notice from the *South Jersey Times* newspaper and, within five (5) days after receipt of same, file a copy of the affidavit of publication with:

Jacquelyn Suarez, Director
Division of Local Government Services
Department of Community Affairs
101 S. Broad Street
P.O. Box 803
Trenton, NJ 08625-0803

- D. On or after the 31st day following the adoption of this ordinance, and following the Alloway Township Clerk's receipt of the \$3,000 purchase price, the Mayor (or Deputy Mayor) and Clerk of Alloway Township are hereby authorized to execute and deliver a deed prepared or approved by the Alloway Township Solicitor to transfer ownership of Lot 4 from Alloway Township to the Hoglens.
- E. The Hoglens will be responsible for recording the deed, and for paying any realty transfer fee that may be applicable to the sale.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 541**

- F. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.
- G. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.
- H. This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

NOTICE

Notice is hereby given that the foregoing proposed Ordinance No. 541 was introduced and passed on first reading by the Township Committee of the Township of Alloway, County of Salem, State of New Jersey, at a regular meeting held on October 21, 2021. A second reading and public hearing on the foregoing Ordinance will be conducted by the Township Committee at a regular meeting to be held on November 18, 2021 at 7:00 p.m., at the Alloway Township Municipal/Senior Citizen's Complex, 49 South Greenwich Street, Alloway, New Jersey 08001, after which the Ordinance will be considered for final passage

ATTEST:

Charlet Cheeseman, Municipal Clerk

P. Ed McKelvey, Mayor