

ORDINANCE NO. 2023-27

**AN ORDINANCE OF THE TOWNSHIP OF STAFFORD,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE EXECUTION OF A LEASE
AGREEMENT WITH THE COUNTY OF OCEAN FOR
USE OF BLOCK 25, LOT 39 AS A LEAF AND
VEGETATIVE WASTE COMPOSTING FACILITY.**

WHEREAS, it is the aim of the County to reduce the amount of solid waste generated in Ocean County through recycling programs, including the composting of leaves and vegetative waste, in order to decrease dependence on landfills while providing reliable, environmentally sound and economical form of waste management; and

WHEREAS, the County wishes to establish a leaf and vegetative composting facility in Southern Ocean County; and

WHEREAS, the Township owns property known and designated as Block 25, Lots 38 and 39 on the tax map of the Township of Stafford (hereinafter referred to as the “site”) which is suitable for use as a leaf and vegetative composting facility (hereinafter referred to as “Facility”); and

WHEREAS, the Township is willing to lease the site to the County for the sum of One Dollar (\$1.00) per year for such use; and

WHEREAS, the County is willing to operate the Facility on the site in conformance with all requirements of the New Jersey Department of Environmental Protection (hereinafter “NJDEP”) as more specifically set forth in N.J.A.C. 7:26-1.1 et seq.; and

WHEREAS, the County agrees to maintain security at the site by erecting a security fence around the site and by restricting access to the site; and

WHEREAS, the Township is willing to apply for and obtain the necessary State and local permits to operate the Facility at the site; and

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Rothstein, Mandell, Strohm,
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ATTORNEYS AT LAW

98 East Water Street
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WHEREAS, either party to the agreement may terminate the agreement at any time without cause after providing the other party with ninety (90) days written notification of said termination.

NOW, THEREFORE, BE IT ORDAINED, by the township body of the Township of Stafford, County of Ocean, State of New Jersey, as follows:

SECTION 1. That the governing body of the Township of Stafford hereby authorizes the Mayor and Municipal Clerk to execute and attest to, respectively, the Agreement, attached hereto and incorporated herein, between the Township of Stafford and the County of Ocean for the lease of Block 25, Lots 38 and 39 for use as a leaf and vegetative composting facility,

SECTION 2. This lease is authorized pursuant to the provisions of N.J.S.A. 40A:12-14(b).

SECTION 3. The County of Ocean shall be required to pay the sum of \$1.00 per year to the Township of Stafford.

SECTION 4. All ordinances or 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 to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

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SECTION 7. That a certified copy of this lease be kept on file and made available for inspection during normal business hours in the Municipal Clerk's office.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Mayor and Township Council on first reading at a meeting of the Township Council of the Township of Stafford held on the **25th** day of **July, 2023**, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the **22nd** day of **August, 2023** at 7:00 p.m., at the Township Council meeting room located at 260 East Bay Avenue, Manahawkin, New Jersey, 08050 at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.



**SUSAN M. FARRELL, RMC
TOWNSHIP CLERK
TOWNSHIP OF STAFFORD**

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Introduction: July 25, 2023

Motion to Introduce: <i>Esposito</i>	Second: <i>Otte</i>	Roll Call:	Esposito	<i>yes</i>
			Henken	<i>yes</i>
			Krier	<i>absent</i>
			Otte	<i>yes</i>
			Mower	<i>yes</i>
			Steadman	<i>yes</i>
			Myhre	<i>yes</i>

Adoption: August 22, 2023

Motion to Adopt: <i>Mower</i>	Second: <i>Krier</i>	Roll Call:	Esposito	<i>absent</i>
			Henken	<i>absent</i>
			Krier	<i>yes</i>
			Otte	<i>yes</i>
			Mower	<i>yes</i>
			Steadman	<i>yes</i>
			Myhre	<i>yes</i>

CERTIFICATION

I, **SUSAN M. FARRELL**, Municipal Clerk of the Township of Stafford, do hereby certify that the foregoing Ordinance was duly adopted on second reading and public comment by the Stafford Township Governing Body at their meeting held on the 22nd day of August 2023.

Susan M. Farrell

Susan M. Farrell, RMC
Municipal Clerk, Stafford Township
Ordinance No. 2023-27

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