

AGENDA

GLOUCESTER TOWNSHIP COUNCIL MEETING

AUGUST 23, 2010

PLEDGE ALLEGIANCE TO THE FLAG

COMMENCEMENT STATEMENT: Mr. Bianchini

ROLL CALL:

Mrs. Evans

Mr. Hutchison

Mr. Garbowski

Mr. Schmidt

Mrs. Gentek

Mr. Mercado

Mr. Bianchini

Mr. Carlamere, Solicitor

Mr. Cardis, Business Administrator

Mrs. Power, Principal Clerk, RMC

Mayor Mayer

Mr. Moffa, Public Works

Mr. Lechner, Community Development

Mrs. Varrell, Community Services

Chief Earle, Police

PRESENTATION: James Forte for all his years of service to Gloucester Township

PUBLIC PORTION: Public participation shall be for agenda items only. Anyone addressing Council may speak one time. Once all those wishing to address Council have had their turns, they may address Council a second time, only if it adds to what was said earlier, not repeating earlier statements.

BIDS: BROKER OF RECORD - HEALTH

ORDINANCES: SECOND READING AND PUBLIC HEARING

O-10-34 ORDINANCE AMENDING ORDINANCE O-09-11 FIXING THE
COMPENSATION OF OFFICERS AND EMPLOYEES OF THE
TOWNSHIP OF GLOUCESTER IN THE COUNTY OF
CAMDEN FOR 2010

ORDINANCES: FIRST READING

O-10-35 ORDINANCE ESTABLISHING BUS STOPS ALONG WOODBURY-
TURNERSVILLE ROAD AND AMENDING CHAPTER 81, SECTION
81-28 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER, ENTITLED
"BUS STOPS"

**RESOLUTIONS:
CONSENT AGENDA**

R-10:08-249 RESOLUTION AUTHORIZING REFUNDS FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT

R-10:08-250 RESOLUTION AUTHORIZING REFUNDS FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT

R-10:08-251 RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

R-10:08-252 RESOLUTION AUTHORIZING REFUNDING OF TAXES

R-10:08-253 RESOLUTION AUTHORIZING REFUNDS FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT

REGULAR AGENDA

R-10:08-254 RESOLUTION OF THE TOWNSHIPO COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$1,014,000 OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP OF GLOUCESTER; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

R-10:08-255 RESOLUTION ACCEPTING SECURITY OF PNC BANK AND AUTHORIZING EXECUTION OF AGREEMENT AND ACCEPTANCE OF LETTER OF CREDIT OF CANINE REALTY, LLC.

R-10:08-256 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDFEN COUNTY, NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT PURSUANT TO N.J.S.A. 40A:11-12-STATE CONTRACT

R-10:08-257 RESOLUTION AUTHORIZING THE SOLICITING OF RFP'S VIA THE GLOUCESTER TOWNSHIP WEBSITE FOR THIRD PARTY CONSTRUCTION SERVICES

R-10:08-258 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER GRANTING APPROVAL FOR THE SUBMISSION OF A GRANT APPLICATION AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR VARIOUS PROJECTS

MOTIONS:

RA1262 MAINSTAGE CENTER FOR THE ARTS October 3, 2010

MAYOR'S REPORT:

PUBLIC PORTION: Public participation, which shall be any item the public chooses to address to the Township Council. Anyone addressing Council may speak one time. Once all those wishing to address Council have had their turns, they may address Council a second time, only if it adds to what was said earlier, not repeating earlier statements.

POLLING OF DIRECTORS

POLLING OF COUNCIL

ADJOURNMENT

O-10-35

ORDINANCE ESTABLISHING BUS STOPS ALONG WOODBURY-TURNERSVILLE ROAD AND AMENDING CHAPTER 81, SECTION 81-28 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER, ENTITLED "BUS STOPS"

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden and State of New Jersey, as follows:

SECTION 1. Chapter 81, Section 81-28 of the Code of the Township of Gloucester, entitled, "Bus Stops" be and is hereby amended by adding the following bus stops:

<u>"Street</u>	<u>Hours</u>
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1. Along Woodbury-Turnersville Road (CR707)	All
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northbound, on the easterly side thereof at:

a. Collier Drive - far side

Beginning at the southerly curb line of Collier Drive and extending 120 feet northerly there from.

SECTION 2. All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 4. This Ordinance shall take effect after final passage and publication as required by law and upon approval by the Commissioner of Transportation.

Introduced: August 23, 2010

Adopted:

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

MAYOR

RESOLUTIONS:

R-10:08-249

RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following refunds be and are hereby authorized:

#4323-091032M
Thomas J. Stollsteimer
714 Jarvis Road
Erial, NJ 08081
Balance from unexpended escrow: \$275.25

Adopted: August 23, 2010

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

R-10:08-250

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following refunds be and are hereby authorized:

#3170GRADING
Eda Giusti
15 Patriot Court
Sicklerville, NJ 08081
Balance from unexpended escrow: \$212.50

#4711GRADING
Kristen Bush
2 Albert Road
Glendora, NJ 08029
Balance from unexpended escrow: \$500.00

#4992-102023C
Ronald D. Hyatt
239 Almonesson Road
Blackwood, NJ 08012
Balance from unexpended escrow: \$150.00

Adopted: July 12, 2010

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

R-10:08-251

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED BY THE Township Council of the Township of Gloucester, in the County of Camden, that the following bills are approved by the Township Council in accordance with the provisions of Ordinance 0-82-16 and certified by the Chief Financial Officer that the claims are proper obligation of the township, that adequate funds are available to honor these claims in the account indicated and the claim should be paid:

CURRENT ACCOUNT

Per attached computer readout of the claims presented in the amount of \$6,369,181.36

CAPITAL ACCOUNT

Per attached computer read out of the claims presented in the amount of \$ 482,073.06

TRUST ACCOUNT ENGINEERING ESCROW

Per attached computer readout of the claims presented in the amount of \$ 245,293.96

ANIMAL TRUST FUND

Per attached computer readout of the claims presented in the amount of \$ 15,846.42

TRUST AGENCY

11-00453	A cut Above Tree Services Manual Check 9438	4,700.00
11-00385	Iuliucci Landscaping Manual Check 9439	750.00
11-00426	V.J. Landscaping Manual Check 9440	1,400.00
11-00448	Mr. Chuck Haughton Manual Check 9437	450.00

CAPITAL

11-00756	Camden Soil Conservation Dist. Manual Check 7129	1,125.00
11-00394	Magnatag Manual Check 7128	1,605.06
11-00395	NJ Division of Motor Vehicles Manual Check 7126	120.00

CURRENT

G05781	Delta Dental of NJ Manual Check 50685	16,317.56
11-00675	Italian Village	

	Manual Check 50686	300.00
11-00661	Tri State Door Installation Manual Check 50684	3,455.00
11-00571	GT Mainstage Ctr for the Arts Manual Check 50683	5,000.00

G057869	Aetna Manual Check 50680	25,423.11
G05780	IDA Manual Check 50679	93,275.11
G060110	Twp. Of Gloucester Tax Office Manual Check 50682	7,000.00
11-0553	Saftron Corp. Manual Check 50681	1,032.22
11-00498	Camden County Treasurer Manual Check 50676	7,870,169.87
11-00013	Dimension Data North America Manual Check 50447	1,492.75
11-00081	David Carlamere Manual Check 50673	4,728.75
11-00408	Gerald Menei Manual Check 50672	560.00
G057871	Delta Dental of NJ Manual Check 50670	16,391.74
G060114	AmeriHealth Administrators Manual Check 50669	504.85
G068480	NJ Labor Law Poster Service Manual Check 50671	144.75
11-00360	Treasurer, State of NJ Manual Check 50668	368.00
11-00046	Plastic Card Systems, Inc. Manual Check 50457	435.86
11-00016	KML Technology Manual Check 50451	17,332.03
11-00402	Prudential Manual Check 50667	265.67
11-00563	Fred Pryor Seminars Manual Check 50687	199.00
11-00664	Fred Pryor Seminars Manual Check 50687	316.00
11-00575	Fred Pryor Seminars Manual Check 50687	199.00

PRESIDENT OF COUNCIL

Adopted: August 23, 2010
 ATTEST:

TOWNSHIP CLERK

R-10:08-252

RESOLUTION AUTHORIZING REFUNDING OF TAXES

BE IT RESOLVED by the Township Council of the Township of Gloucester to authorize the refunding of the following credit balances:

BLOCK	LOT	NAME AND ADDRESS	YEAR	AMOUNT	REASON
11207	16	Joanne Amilcare	2010	300.00	Flex Deduction
8006	36	Donna Barrett	2010	300.00	Flex Deduction
17301	30	James Bigley	2010	300.00	Flex Deduction
18608	4	Chris Crabtree	2010	300.00	Flex Deduction
18203	23	Geri Garofalo	2010	300.00	Flex Deduction
14901	27	Kim Gore	2010	300.00	Flex Deduction
15001	5	Emmy Keating	2010	300.00	Flex Deduction
12102	34	Gene Martinez	2010	300.00	Flex Deduction
13606	18	Donna Jones	2010	300.00	Flex Deduction
7001	2	Patricia O'Leary 244 Woodland Ave. Blackwood, NJ 08012	2010	300.00	Flex Deduction
10004	17	Carol Pickell	2010	300.00	Flex Deduction
4401	45	Nancy Power	2010	300.00	Flex Deduction
14902	9	John Zane	2010	300.00	Flex Deduction
8205	13	Harold Einhorn 80 Brookline Dr. Laurel Springs, NJ 08021	2010	1,763.36	Duplicate Payment
14802	43	Richard Merachnik 4 Pennsgrove Ct. Sicklerville, NJ 08081	2010	644.12	Overpayment
15703	136	Tamara Hagood 1 Heath Ct. Sicklerville, NJ 08081	2010	460.87	Overpayment
18702	2	Nicholas Venuto 8 Hidden Dr. Blackwood, NJ 08012	2010	363.60	Overpayment

Adopted: August 23, 2010

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK

R-10:08-253

**RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT
OF COMMUNITY DEVELOPMENT**

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following refunds be and are hereby authorized:

#3051GRADING
Jerome & Theresa Bark
107 W. Batten Avenue
Hilltop, NJ 08012
Balance from unexpended escrow: \$277.50

Adopted: August 23, 2010

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

R-10:08-254

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$1,014,000 OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP OF GLOUCESTER; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

BACKGROUND

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, inter alia, municipalities to adopt ordinances authorizing special emergency appropriations for a complete program of revaluation of real property in the Township ("Revaluation Project"); and

WHEREAS, the Township Council has duly and finally adopted ordinance O.08-19 appropriating the sum of \$1,690,000 to pay the costs associated with the Revaluation Project; and

WHEREAS, Section 55 of the Local Budget Law, N.J.S.A. 40A:2-55, authorizes the

Township to issue special emergency notes to finance the costs of the Revaluation Project; and

WHEREAS, the Township has heretofore issued its special emergency notes in the principal amount of \$1,352,000 to finance a portion of the cost of the Revaluation Project ("Prior Notes"); and

WHEREAS, the Prior Notes mature on September 7, 2010; and

WHEREAS, it is the desire of the Township to issue its special emergency notes in the principal amount of up to \$1,014,000, as further described in Exhibit "A", the proceeds of which, together with other available funds in the amount of \$338,000, will be used to repay the Prior Notes at maturity; and

WHEREAS, pursuant to the Local Budget Law and the ordinance, it is the intent of the Township Council to hereby authorize, approve and direct the issuance and sale of such special emergency notes, to ratify and confirm certain actions heretofore taken by or on behalf of the Township, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, the issuance of special emergency notes of the Township, to be designated, substantially, "Township of Gloucester, County of Camden, New Jersey, Special Emergency Notes of 2010, Series A" ("Notes"), in an aggregate principal amount of up to \$1,014,000, is hereby authorized, approved, ratified and confirmed.

Section 2. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 3. At the next meeting of the Township Council after the sale of the Notes, the

Chief Financial Officer is hereby authorized and directed to report, in writing, to the Township Council, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 4. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, N.J.S.A. 40A:4-55(b).

Section 5. The Notes shall be issued in bearer form in denominations of \$100,000 or greater. The Notes shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Township affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Township Clerk or Deputy Township Clerk.

Section 6. The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the Township without limitation as to rate or amount.

Section 7. The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 8. The Township hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 9. The Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as

such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 10. The Township hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2010 to December 31, 2010, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$30,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 10, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Township: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 11. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Administrator, Chief Financial Officer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 12. The Mayor, Administrator, Chief Financial Officer and Township Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Administrator, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 13. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 14. This Resolution shall take effect immediately upon adoption this 23rd day

of August, 2010.

Adopted: August 23, 2010

ATTEST:

President of Council

Township Clerk

Exhibit "A"

Ordinance Number	Amount of Notes Authorized	Notes Outstanding	Available Funds	Notes to be Issued
O.08-19	\$1,690,000	\$1,352,000	\$338,000	\$1,014,000
Total	\$1,690,000	\$1,352,000	\$338,000	\$1,014,000

**R-10:08-255 RESOLUTION ACCEPTING SECURITY OF PNC BANK AND
 AUTHORIZING EXECUTION OF AGREEMENT AND
 ACCEPTANCE OF LETTER OF CREDIT OF
CANINE
 REALTY, LLC**

BE IT RESOLVED by the Township Council of the Township of Gloucester, County of Camden, that the Agreement and Letter of Credit of \$250,000.00 be and is hereby accepted and filed to guarantee performance of completion of project improvements required to be performed by Canine Realty, LLC under Job No. #4237 as set forth in the Engineer's Estimate of Quantities and Costs, dated November 16, 2009 which is made part hereof as Attachment "A".

BE IT FURTHER RESOLVED by the Township Council for the Township of Gloucester, County of Camden, that the original Letter of Credit shall be submitted and certified prior to the issuance of the Building permit and shall also be made a part hereof as Attachment "B".

Adopted: August 23, 2010

President of Council

ATTEST:

Township Clerk

R-10:08-256

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW
JERSEY AUTHORIZING THE AWARD OF A CONTRACT
PURSUANT TO N.J.S.A. 40A:11-12 – STATE**

CONTRACT

WHEREAS, Township Council of the Township of Gloucester has determined the necessity to purchase a gazebo for Harwan Park, and

WHEREAS, N.J.S.A. 40A:11-12, of the laws of the State of New Jersey permits a contract for purchase to be awarded without prior advertising when said purchase is pursuant to an existing State Contract for supplies, materials or equipment provided that a State Contract number is provided and available for the material, supplies or equipment to be purchased, and

WHEREAS, Township Council has determined that it is in the best interest of the Township of Gloucester to award the purchase pursuant to the State Contract.

NOW, THEREFORE, it is herein resolved that a contract for the purchase of a gazebo for Harwan Park, be and is hereby awarded to General Recreation pursuant to State Contract Number A59057.

Adopted: August 23, 2010

President of Council

ATTEST:

Township Clerk

R-10:08-257

**RESOLUTION AUTHORIZING THE SOLICITING OF RFP'S VIA
THE GLOUCESTER TOWNSHIP WEBSITE FOR THIRD PARTY
CONSTRUCTION SERVICES**

WHEREAS, the Township of Gloucester is in need of Third Party Construction Services, and

WHEREAS, the Township Council of the Township of Gloucester hereby

authorizes the Township Administrator to go out for RFP's for Third Party Construction \ Services.

Adopted: August 23, 2010

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK

R-10:08-258 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER GRANTING APPROVAL FOR THE SUBMISSION OF A GRANT APPLICATION AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR VARIOUS PROJECTS

WHEREAS, the Township Council of the Township of Gloucester has requested a grant with the New Jersey Department of Transportation for Davistown Road Repaving – Phase IV Gloucester Township Bicycle Path - Phase X, and

NOW, THEREFORE, BE IT RESOLVED that the Gloucester Township Council formally approves the grant application for the above stated projects.

BE IT FURTHER RESOLVED the Mayor and Township Clerk are hereby authorized to submit an electronic grant applications identified as Davistown Road Repaving - Phase IV, Gloucester Township Bicycle Path - Phase X, to the New Jersey Department of Transportation on behalf of the Township of Gloucester.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Gloucester and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Adopted: August 23, 2010

President of Council

ATTEST:

Township Clerk, RMC