GLOUCESTER TOWNSHIP COUNCIL MEETING

NOVEMBER 28, 2016

PLEDGE ALLEGIANCE TO THE FLAG

INVOCATION: Deacon Peter Shoemaker

COMMENCEMENT STATEMENT: Mr. Mercado

ROLL CALL:

Mr. Hutchison
Mr. Schmidt
Mrs. Stubbs
Mrs. Winters
Mr. Mignone
Mrs. Trotto
Mr. Mercado

Mr. Carlamere, Solicitor

Mr. Cardis, Business Administrator
Mrs. Power, Asst. Twp. Clerk, RMC

Mr. Lechner, Community Development
Chief Earle, Police

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.

WAIVE THE READING AND ACCEPT THE MINUTES
Regular Meeting - November 14, 2016

BIDS: **LAKEVIEW DRIVE BRIDGE GUIDE RAIL REPLACEMENT**

ORDINANCES: **FIRST READING**

O-16-16 ORDINANCE AMENDING CHAPTER 73, SECTION 73A ENTITLED, "STREET ADDRESS NUMBERING" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER FOR THE RE-DESIGNATION OF HILLCREST AVENUE (HILLTOP) TO HILLCREST LANE WITHIN THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, STATE OF NEW JERSEY

O-16-17 ORDINANCE CREATING CHAPTER 80 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED "CRANE REGULATIONS" WHICH WOULD REQUIRE A PERMIT TO OPERATE A CRANE IN THE TOWNSHIP OF GLOUCESTER

O-16-18 ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER AMENDING CHAPTER 67A, ARTICLE IV OF THE PROPERTY MAINTENANCE CODE

O-16-19 ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND RRA-COLONY PARTNERS, LLC FOR PREMISES BLOCK 8401, LOT 10 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A.40a:21-1 ET SEQ.) AND ORDINANCE NO. O-9-23

RESOLUTIONS:
CONSENT AGENDA

R-16:11-311 RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

R-16:11-312	RESOLUTION AUTHORIZING THE SOLICITING OF RFQ'S VIA THE GLOUCESTER TOWNSHIP WEBSITE FOR VARIOUS PROFESSIONAL SERVICES
R-16:11-313	RESOLUTION AUTHORIZING REFUNDS OF ENCROACHMENT DEPOSITS
R-16:11-314	RESOLUTION AUTHORIZING REFUNDS OF ENCROACHMENT DEPOSITS
R-16:11-315	RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY, AUTHORIZING THE RELEASE OF SECURITY (LETTER OF CREDIT) HELD BY "THE BANK OF GLOUCESTER COUNTY" NO. 95-141
R-16:11-316	RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR DAVID LEVY/ MARKETPLACE AT CHEWS LANDING/SOMERSET TIRE & BATTERY IN THE TOWNSHIP OF GLOUCESTER
R-16:11-317	RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR PARAMOUNT AT CHEWS LANDING LLC IN THE TOWNSHIP OF GLOUCESTER
R-16:11-318	RESOLUTION AUTHORIZING THE SOLICITING OF RFP'S/RFQ'S VIA GLOUCESTER TOWNSHIP WEBSITE FOR EXCESS WORKERS COMPENSATION
R-16:11-319	RESOLUTION AMENDING RESOLUTION R-16:11-302 ENTITLED "RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, AUTHORIZING AUCTION OF CONFISCATED VEHICLES THROUGH GovDeals. COM (http://govdeals.com)
R-16:11-320	RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, AUTHORIZING THE SIGNING OF AN EASEMENT TO ATLANTIC CITY ELECTRIC
R-16:11-321	RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF GLOUCESTER AND ROAD SAFETY SYSTEMS, LLC

GT E-GOV ACCESS

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

(If needed)
RESOLUTION TO EXCLUDE THE PUBLIC FROM DISCUSSION OF EXEMPTED SUBJECT MATTER AT A REGULAR OR SPECIAL SESSION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER PURSUANT TO N.J.S.A. 10:4-6 ET SEQ. OF THE OPEN PUBLIC MEETINGS ACT

ADJOURNMENT

TOWNSHIP OF GLOUCESTER
LAKE VIEW DRIVE BRIDGE GUIDE RAIL REPLACEMENT
BIDS RECEIVED NOVEMBER 23RD, 2016 @ 9:00AM

CONTRACTOR	AMOUNT	BID BOND
J. Fletcher Creamer & Son, Inc.	$ 72,555.00	√
Road Safety Systems, LLC	$ 48,997.50	√
M.L. Ruberton Construction & Safety, Inc.	$ 54,800.00	√

Respectfully Submitted,

Nancy Power
Assistant Clerk, RMC

O-16-16

ORDINANCE AMENDING CHAPTER 73, SECTION 73A ENTITLED, "STREET ADDRESS NUMBERING" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER FOR THE REDESIGNATION OF HILLCREST AVENUE (HILLTOP) TO HILLCREST LANE WITHIN THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 73-A of the Code of the Township of Gloucester be and is hereby amended as follows:

SECTION 1. That the following streets be redesignated as follows:

CURRENT STREET NAME	REDESIGNATED STREET NAME
Hillcrest Ave (Hilltop)	Hillcrest Lane
Intersecting at Old Black Horse Pike	Intersecting at Old Black Horse Pike

Pursuant to N.J.S.A. 40:67-1. et seq., said street and roadway in the Township of Gloucester, County of Camden be and is hereby designated.

SECTION 2. The appropriate officials of the Township of Gloucester be and are hereby authorized to modify or change any and all official records, maps and documents to reflect the said street name redesignation.

SECTION 3. Regulatory and warning signs shall be erected and maintained to affect the above redesignated street name change authorized by the Department of Transportation.

SECTION 4. All ordinances and provisions thereof inconsistent with the provisions the Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 5. 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 6. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: November 28, 2016

Adopted:

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

_____
MAYOR

O-16-17

ORDINANCE CREATING CHAPTER 80 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "CRANE REGULATIONS" WHICH WOULD REQUIRE A PERMIT TO OPERATE A CRANE IN THE TOWNSHIP OF GLOUCESTER

WHEREAS. The municipality recognizes that a consistent policy is necessary concerning the operation of cranes within the municipality which helps to preserve safety and prevent damage to personal property and real estate of properties located in the municipality; and

WHEREAS. There exists the need to create a standard by which care operators are governed in the municipality; and

WHEREAS. The licensing of crane operators is a matter of public safety; and

WHEREAS. Active cranes in the municipality operate in a dense environment, often in close proximity to residential units, office spaces and pedestrians, thus underscoring the need for professional crane operators who adhere to the highest standards of safety; and

WHEREAS. The Municipality wishes to enact legislation which will govern registration of cranes and use of cranes in the municipality.

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey creating Chapter 80 of the Code of the Township of Gloucester as follows:

SECTION 1. CHAPTER 80 "CRANE REGULATIONS"

80-1. Definitions

80-2 General Requirements

80-3. Registration of Cranes; Crane Inspection

804. Fee Schedule

80-5. Notification of Accident or Safety Issue - Required

80-6 Safety Equipment - Required

80-7 Administration; Enforcement

80-8 Unsafe Cranes

80-9. Violations and Penalties

ARTICLE I

80.1. Definitions

A. Board – means the Crane Operators License Advisory Board established pursuant to N.J.S.A. 45:26-3.

B. Certification – means certification from the National Commission for the Certification of Crane Operators or any other organization found by the Board to offer an equivalent testing and certification program meeting the requirements of the American Society of Mechanical Engineers ASME B30.5 and the accreditation requirements of the National Commission for Certifying Agencies.

C. Commissioner – means the Commissioner of Labor.

D. Crane – shall be defined in accordance with N.J.S.A. 45:26-1 through 45:26-17 (Licensure

Of Crane Operators Act), hereafter referred to as the Crane Operator Licensure Act and the 1926 OSHA Crane and Derricks in Constructions also known as OSHA Subpart CC.

E. Crane Operator – means individual engaged in the operation of a crane.

F. Crane Related Experience – means operating, inspecting, training and maintenance experience acceptable to the board.

G. Practical Examination – means an examination demonstrating the applicant's ability to safely operate a particular category or type of crane. Practical examinations shall be conducted for the following crane categories:

a. Lattice Boom Crawler Cranes (LBC)

b. Lattice Boom Truck Cranes (LBT)

c. Telescopic Boom Cranes (TLL, Swing Cab) and (TSS, Fixed Cab)

d. Tower cranes and Overhead cranes

2. General Requirements.

A. Five (5) days before any crane operator, contractor or other person or company initiates the use of a crane within the municipality a permit shall be obtained. In emergent situations the building inspector may waive this requirement in his or her own discretion if the operator meets the balance of requirements of this Ordinance.

B. The permit will be maintained with the Municipality as well as with the crane operator at all times; a copy of the permit shall be produced on the work site when requested.

C. The following must be provided to the Municipality in order to be granted a permit:

1. Copy of crane operator certificate from one of the following Organizations:

a. National Commission for the Certification of Crane Operators (NCCCO)

b. Operating Engineers Certification Program (OECP)

c. Crane Institute of America Certification

2. New Jersey Crane License

3. Current Medical Examiner's Card;

4. A copy of the most recent and current proof of inspection; (Crane owner)

5. Insurance required as follows:

a. Bodily Injury:

i. For any one (1) person in the amount of $500,000.00

ii. For any occurrence in the amount of $1,000,000.00

b. Property Damage:

i. For any one (1) accident in the amount of $500,000.00

ii. For any aggregate of occurrences in the amount of $2,000,000.

6. Proof that Crane Operator submits to a random drug testing program.

7. Proof of Completion of Signal Person Qualification or Certification course.

8. Upon receipt of a properly completed application and compliance with the requirements of this section, the building (construction) department shall issue or deny the requested permit within five (5) business days. If the application is denied the reasons for the denial are furnished to the application in writing.

3. Registration of Cranes; Crane Inspection

A. Licensure of crane operators, pursuant to N.J.S.A. 45:26-7. No person shall engage in the operation of a crane, offer himself for employment as a crane operator or otherwise act, attempt to act, present or represent himself as a crane operator unless licensed as such under the provisions of this act.

B. A crane operator's license shall be valid only in conjunction with a current certification and only in the specialty or specialties for which the crane operator is certified. The specialties are lattice boom crawler crane (LBC), lattice boom truck crane (LBT), telescopic boom cranes (TLL, Swing Cabs) & (TSS, Fixed Cab), Tower cranes and Overhead cranes.

C. To be eligible for a license as crane operator in the Municipality, an applicant shall fulfill the following requirements:

a. Be at least 18 years of age.

b. Receive certification from the National Commission for the Certification of Crane Operators or any other organization found by the board to offer an equivalent testing and certification program meeting the requirements of the American Society of Mechanical Engineers ASME B30.5 and the accreditation requirements of the National Commission for Certifying Agencies.

c. Have at least 1,000 hours of crane-related experience; and

d. Maintain a current medical examiner's certification card.

D. The crane operator must reside in the State of New Jersey. The crane operator should reside in the Municipality. If not, they should reside in the same County as the Municipality is located.

4. Fee Schedule

The permit fee for each crane shall be $100.00. Each permit is valid for sixty (60) days and may be extended and or renewed provided that compliance with the requirements of this Ordinance continues to be met. Fee for an extended or renewal permit is $50.00.

5. Notification of Accident or Safety Issue – Required.

The owner of the building shall immediately notify the Municipality of every accident causing personal injury or damage to property involving a construction crane covered by this chapter and shall afford a qualified authority for investigating such accident. It shall be unlawful to use such device until after an examination by a qualified authority has been made and approval of the equipment for continued use is granted. A full and complete report shall be filed with the Municipality.

6. Safety Equipment – Required

A. All crane equipment shall be kept is safe working condition at all times by the owner and licensee.

B. If any safety or operational aid used or required to be used in connection with the operation of a crane is not working properly, the person operating such crane shall immediately shut down the crane until such time that the required safety or operational aid is repaired or replaced and the crane is restored to property working order.

C. Any and all safety requirements promulgated by the Board, Commissioner or Municipality must be adhered to at all times.

D. Every crane shall be thoroughly inspected by a competent designated or authorized agent of the owner or lessee if such mobile crane, tower crane or derrick at intervals not exceeding one. Such inspection shall include but not be limited to all blocks, shackles, sheaves, wire rope, connectors and various devices on the master boom, controls and breaking mechanisms.

E. A written, dated and signed record of each such inspection shall be completed by the competent designated employee or authorized agent who made the inspection. The most recent record of such inspection shall be posted inside the cab of such crane and shall be filed with the municipality. Attached to such record of inspection Shall be a written designation naming the competent designated employee or authorized agent. Such attached designation shall be signed by the owner or lessee of such.

F. Every crane shall be inspected before being erected or operated for the first time on any job.

G. Adjustments and repairs to cranes shall be made only by competent designated persons.

7. Administration; Enforcement

A. The Township Council of the Township of Gloucester may from time to time amend the provisions of this Ordinance.

8. Unsafe Cranes

A. Any crane which is or hereafter becomes unsafe or otherwise dangerous to human life or public safety shall be taken down and or removed.

B. The crane owner and or operator from the job site shall file with the Township of Gloucester a report on the unsafe crane. The report shall state the nature of the unsafe condition.

C. If an unsafe condition is found, the owner, agent or operator of a crane shall provide a written notice that describes the unsafe condition and specifies the required repairs or improvements to be made to abate the unsafe condition.

D. Such order shall be deemed properly served if a copy is delivered to the owner personally or sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If a certified or registered letter is returned showing that the letter has not been delivered, a copy shall be posed in a conspicuous place in or on the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person

responsible for the crane shall constitute service of notice upon the owner.

E. To the extent that repairs, alterations or additions are made during the restoration of such equipment, such repairs, alterations or additions shall comply with all applicable codes.

F. Any person who refuses or neglects to comply with the requirements of an order to abate an unsafe condition shall be in violation of this Ordinance.

9. Violations; Penalties

A. Any person who operates a crane without meeting the requirements of this ordinance or any rule or regulation promulgated there under shall be subject to a fine of not less than $1,000.00 and no more than $10,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

B. Any person or company who employs an unlicensed person to operate a crane shall be subject to fine of not less than $2,000.00 nor more than $20,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

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 immediately after final passage and publication as required by law.

Introduced: November 28, 2016

Adopted:

_____

PRESIDENT OF COUNCIL

ATTEST:

_____

TOWNSHIP CLERK

_____

MAYOR

O-16-18

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER AMENDING CHAPTER 67A, ARTICLE IV OF THE PROPERTY MAINTENANCE

WHEREAS, the Township Council of the Township of Gloucester hereby find that there is a need to regulate and control business and individuals that offer such services to residential and commercial property owners in order to prevent fraud, crime, and unethical and dishonest business practices for the general protection, health, and welfare of the residents of the Township of Gloucester.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey, that Chapter 67A, Article IV of the Township Code shall be amended to include the following subsections:

Section 1.

PURPOSE

It is the intent of the Township Council of the Township of Gloucester to regulate the appearance of the vacant and fire damaged structures within the Township of Gloucester in order to minimize the negative impact that vacant and fire damaged homes and structures have on the image of a neighborhood and/or our community as a whole.

Section 2

Registration Certificates

Any business or individual that offers services to a residential or commercial property owner, for the purpose of securing a vacant or fire damaged building or structure, shall be deemed a CANVASSER or SOLICITOR as recognized under Chapter 58, Article 1, of the Code of the Township of Gloucester. The application required under this Section shall be provided by the Township Clerk. Registration Certificate shall be valid for one year.

Section 3

Proof of Insurance and Fees

In addition to the Registration Certificate requirements set forth, businesses or individuals governed by this section shall also provide to the Township Clerk, at the time of registration, with proof of commercial general liability insurance providing for a minimum of $1,000,000 of insurance coverage. The applicant shall pay an annual Registration certificate fee of $25.00

Section 4

Insurance of Registration Certificate

Each business or individual, upon being so registered, shall be issued a Registration Certificate by the Township Clerk, upon which shall be affixed one photograph of the applicant and the signature of the Township Clerk or the Clerk's authorized representative.

Section 5

Possession of Certificate is Required

Each representative of a business or individual governed by this Section shall carry the original Registration Certificate at all times when providing services within the Township and shall exhibit same to any fire or police officer upon request.

Section 6

Regulations

(A) The following regulations apply to all structures that are being secured (boarded – up) by property owners, lien holders, insurance company or governmental agencies: Any boards or other materials that are used to secure windows, doors, or other openings in any

structure shall be painted white and shall have applied to them a light gray grid as shown on the attached sketch.

(B) No person subject to the terms of this Section shall enter or attempt to enter the building or structure of any resident or commercial owner, or approach any such property owners, while the fire department is operating on the incident scene, with established fire lines in place as per NJSA 40A:14:54.1., and until the fire scene has been released by the officer in charge of the fire scene.

(C) No person subject to the terms of this Section shall enter or attempt to enter the building or structure of any resident or commercial owner, or approach any such property owners, without the Registration Certificate in his/her possession.

(D) No person subject to the terms of this Section shall conduct himself/herself in such a manner as to harass or annoy any person while soliciting within the Township of Gloucester.

(E) No person subject to the terms of this Section shall interfere with, hinder, or obstruct any member of the Gloucester Township Fire Departments, Gloucester Township Police Department, Gloucester Township Emergency Medical Services, or any other Emergency Service Personnel from performing their duties in accordance with the general protection, health, and welfare of the residents of the Township of Gloucester.

(F) Any boards or other materials that are used to secure windows, doors, or other openings in any structure shall be painted white and shall have applied to them a light gray grid as shown on the attached sketch. *Copy of the sketch is on file in the office of the Township Clerk.*

Section 6

Violations and Penalties

(A) Any person who shall violate any provision of this article shall, upon conviction thereof, be subject to one or more of the following: a fine not exceeding $1,000 or imprisonment in the county jail for a term not exceeding 90 days; or a period of community service not exceeding 90 days, in the discretion of the Municipal Court Judge. Each day that such violation shall continue after due notice has been served shall be deemed a separate offense.

(B) Any violation of this Section shall further result in the revocation of a Registration Certificate for the period of one (1) year, whereupon the issuance of a new Registration Certificate shall be governed by the procedures and requirements set forth within this Section.

ATTEST:

_____
President of Council

Introduced: November 28, 2016
Adopted:

_____
Township Clerk

_____
Mayor

O-16-19

ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND RRA-COLONY PARTNERS, LLC FOR PREMISES BLOCK 8401, LOT 10 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A.40A:21-1 ET SEQ.) AND ORDINANCE NO. O-9-23

WHEREAS, C. 441, P.L. 1991, N.J.S.A. 40A:21-1, enables "qualified municipalities" to exempt from local property taxes certain industrial and commercial improvements and projects; and

WHEREAS, the Township of Gloucester is a qualified municipality authorized to enter into Tax Abatement Agreements with taxpayers for "projects" defined under said Act; and

WHEREAS, pursuant to said Act and authorization, the Township of Gloucester has duly adopted Ord. No. O-9-23 entitled, "Ordinance Providing for Tax Exemption and Abatement for Commercial and Industrial improvements and projects pursuant to N.J.S.A. 40A:21-1 et seq."; and

WHEREAS, a tax abatement application for a "project" pursuant to the aforesaid Act and Ordinance was filed by RRA-Colony Partners, LLC for premises known as Block 8401, Lot 10 on the Official Tax Map of the Township of Gloucester.

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

SECTION 1. The Tax Abatement Application of for a "project" for premises known as Block 8401, Lot 10 on the Tax Map of the Township of Gloucester pursuant to C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 et seq.) and Ordinance No. O-9-23 be and is hereby approved for tax abatement in accordance with said application and the terms and provisions of an Agreement for Tax Abatement, a copy of which is attached hereto and made a part of this Ordinance.

SECTION 2. The Mayor and Township Clerk of the Township of Gloucester be and are hereby authorized to execute and deliver on behalf of the Township of Gloucester the Tax Abatement Agreement between the Township of Gloucester and RRA-Colony Partners, LLC for premises designated as Block 8401, Lot 10 on the Official Tax Map of the Township of Gloucester, a copy of said Agreement is attached hereto and made a part thereof.

SECTION 3. 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 4. If any section, subsection, 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 this ordinance.

SECTION 5. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: November 28, 2016
Adopted:

_____
PRESIDENT OF COUNCIL

_____
TOWNSHIP CLERK

_____
MAYOR

INDUSTRIAL OR COMMERCIAL TAX ABATEMENT AGREEMENT

Project: Senior Apartments
1601 Chews Landing Road
Laurel Springs, NJ 08021

Taxpayer: Michael Brown
400 Oaks Corporate Center
Oaks, PA 19456

Tax Map: Block 8401, Lot 10

This Agreement made this 29th day of November, 2016 by and between: The Township of Gloucester, a Municipal Corporation of the State of New Jersey, (hereinafter referred to as "Township"), located at 1261 Chews Landing-Clementon Road at Hider lane, P.O. Box 8, Blackwood, New Jersey 08012, Camden County, and RRA-Colony Partners, LLC, property located at 1601 Chews Landing Road, Laurel Springs, NJ 08021 (hereinafter referred to as "Taxpayer").

WHEREAS, the Township of Gloucester adopted general Ordinance No. O-9-23 pursuant to N.J.S.A. 40A:21-1 et seq. authorizing agreements providing for tax abatement of local real property taxes on commercial and industrial "projects" in order to provide gainful employment within the Township, to assist in the economic development of the Township, and to expand commerce within the Township and ultimately maintain and increase the tax base of the Township; and

WHEREAS, Taxpayer has applied for a tax abatement of real property taxes for the industrial or commercial "project" constructed or to be constructed on Block 8401, Lot 10, on the Tax Map of the Township of Gloucester; and

WHEREAS, Township Council of the Township of Gloucester authorize this Agreement between Township and taxpayer for tax abatement for the particular "project" on premises Block 8401, Lot 10.

WITNESS: it is hereby agreed between the parties as follows:

1. Taxes on the land and on any improvements not the subject of tax abatement shall remain at all times at one-hundred percent (100%) assessment.

2. The construction or proposed construction in the application set forth as the "project" in accordance with the definition under N.J.S.A. 40A:21-9 shall be afforded an abatement of real property taxes as hereinafter provided.

3. The "project" as set forth in the application shall be completed as evidenced by issuance of a certificate of occupancy.

4. The taxes on the "project" as approved shall be abated on a tax Phase-In basis and in lieu of full property taxes, taxpayer shall pay to the Township an amount equal to a percentage

of taxes otherwise due according to the following schedule:

(1) In the first full calendar year after completion, no payment in lieu of taxes otherwise due;

(2) In the second calendar year, an amount not less than 30% of taxes otherwise due;

(3) In the third calendar year, an amount not less than 50% of taxes otherwise due;

(4) In the fourth calendar year, an amount not less than 70% of taxes otherwise due;

(5) In the fifth calendar year, an amount not less than 90% of taxes otherwise due.

The payments in lieu of taxes as required under the schedule shall be paid quarterly, together with and on the same date as the taxes on the land. In default of any payment of taxes or payments in lieu of taxes otherwise due under this Agreement for a period of 30 days, the township shall have the right to declare this Agreement cancelled and null and void.

It is agreed, notwithstanding any provision to the contrary, all payments in lieu of taxes otherwise due to the Township shall be paid on the quarterly due dates and if not paid by such date, the amount unpaid shall bear the highest rate of interest permitted in the case of unpaid taxes or tax lien on the land until the same is paid.

5. The "project" for which tax abatement is provided herein shall be subject to all applicable federal, state, county and local laws, regulations and ordinances on pollution control, workers safety, discrimination in employment, zoning, planning and building code requirements. Failure to comply with the foregoing shall be deemed a breach of the Agreement and the Agreement may be terminated in accordance with the procedure set forth in paragraph No. 6 of this Agreement.

6. This Agreement shall be governed by the terms of the Gloucester Township Ordinance granting tax abatement and N.J.S.A. 40A:21-1 et seq. If at any time prior to termination of this Agreement taxpayer ceases to operate or disposes of the property, or fails to meet the conditions for qualifying for abatement, then the tax which would have otherwise been payable for each year shall become due and payable from such property owner as if no abatement had been granted. Procedurally, the governing body shall notify the property owner and Tax Collector forthwith and the Tax Collector shall within 15 days thereof notify the owner of the property of the amount of taxes due.

The Taxpayer shall have the obligation to notify the Tax Assessor immediately upon the sale of the premises, a new lease agreement, or a change in any of the conditions upon which tax

abatement was granted in order that the Tax Assessor may determine whether, in fact, the Taxpayer is entitled to continue to receive the tax abatement. However, if the property is sold and it is determined by the Tax Assessor that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property for abatement, no tax shall be due, the abatement shall continue and this Agreement shall remain in effect.

7. The parties agree that should this Agreement or enabling Ordinance be declared invalid for any reason by a court of law or by any individual, body or agency of the State of New Jersey having jurisdiction there over, the full taxes on said property shall be due and owing as if no tax abatement was in effect.

8. This Agreement shall be in effect for a period of not more than five (5) years starting with the date of the completion of the "project".

IN WITNESS WHEREOF, the parties have caused these presence to be executed the day and year first above written.

TOWNSHIP OF GLOUCESTER

ATTEST: (Township Seal)

By:_____

MAYOR, DAVID R. MAYER

_____

TOWNSHIP CLERK

By:_____

Michael L. Brown

ATTEST: (Corporate Seal)

_____

WITNESS

R-16:11-311

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	$ 217,002.28
CAPITAL ACCOUNT Per attached computer read out of the claims presented in the amount of	$ 683,752.16
DEVELOPERS ESCROW Per attached computer readout of the claims presented in the amount of	$ 21,999.00
TRUST Per attached computer readout of the claims presented in the amount of	$ 52,834.43
ANIMAL TRUST Per attached computer readout of the claims presented in the amount of	$ 521.82
MANUAL CHECKS Per attached computer readout of the claims presented in the amount of	$ 544.40

Adopted: **November 28, 2016**

_____
PRESIDENT COUNCIL

ATTEST:

_____

TOWNSHIP CLERK

R-16:11-312

RESOLUTION AUTHORIZING THE SOLICITING OF RFQ'S VIA THE GLOUCESTER TOWNSHIP WEBSITE FOR VARIOUS PROFESSIONAL SERVICES

WHEREAS, the laws of the State of New Jersey pursuant to Public Contracts and Pay-to-Play legislation authorizes request for qualifications for various professional services; and

NOW, THEREFORE, BE IT RESOLVED that the Soliciting of RFQ'S via the Gloucester Township Website is hereby authorized, in accordance with the respective specifications provided through the office of the Business Administrator for the following position:

ENVIRONMENTAL ENGINEER

Adopted: November 28, 2016

_____
COUNCIL PRESIDENT

ATTEST:

_____
TOWNSHIP CLERK

R-16:11-313

RESOLUTION AUTHORIZING REFUNDS OF ENCROACHMENT DEPOSITS

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following encroachment deposits be and are hereby authorized to be refunded:

Wayne Ross
56 Oak Lane
Lindenwold, NJ 08021

APPLICATION: #208183
PERMIT: #10719
AMOUNT: $125.00

ADOPTED: November 28, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

R-16:11-314

RESOLUTION AUTHORIZING REFUNDS OF ENCROACHMENT DEPOSITS

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following encroachment deposits be and are hereby authorized to be refunded:

Jim Fraser
31 Blue Jay Drive
Blackwood, NJ 08012

APPLICATION: #208181

PERMIT: #10717

AMOUNT: $125.00

ADOPTED: November 28, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

R-16:11-315

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY, AUTHORIZING THE RELEASE OF SECURITY (LETTER OF CREDIT) HELD BY "THE BANK OF GLOUCESTER COUNTY" NO. 95-141

WHEREAS. The Developer, Mapri, a General Partnership located at 501 Route 38, Cherry Hill, New Jersey 08022 has provided the Township of Gloucester with a security, by way of Letter of Credit from The Bank of Gloucester County, and

WHEREAS. The Township Engineer and Township Director of the Department of Community Development have agreed the security may be released, together with the release of any posted Maintenance Bond.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the security Letter of Credit # 95-141 in the amount of $355,000.00, of The Bank of Gloucester County together with any posted Maintenance Security be and is hereby Released.

Adopted: November 28, 2016

ATTEST:

_____
President of Council

_____
Township Clerk

THE BANK™
of Gloucester County
1100 Old Broadway, P.O. Box 852, Woodbury, NJ 08096

Irrevocable Letter of Credit No 95-141
Transaction Date: April 15, 1995

Beneficiary:
Township of Gloucester
Municipal Building
1261 Chews Landing-Clementon Road
Laurel Springs, NJ 08021

Dear Sirs:

We hereby establish our irrevocable Letter of Credit in the Beneficiary's favor for the account of Mapri, a general partnership, (501 Rte. 38, Cherry Hill, New Jersey 08002) for U.S. Dollars $335,000.00 available by the Beneficiary's Draft(s) drawn on us at sight.

Drafts submitted must be accompanied by the following:

1. Certified copy of the resolution of the Gloucester Township council: (A) declaring a default in the installation or completion of the improvements for the development known as Pine Run Industrial Park and designated as job #31425 required pursuant to the Gloucester Township Land Development Ordinance, the final approval granted by resolution of planning board, the final plans, and the estimate of quantities and costs of the Township Engineers; (B) Setting forth the authorized agent of the Township of Gloucester to receive payment upon presentation of the draft and (c) The sum or amount in which the draft is to be drawn as set forth in the report or Letter of the Township Engineer.

2. The report or letter issued by the Gloucester Township Engineer setting forth the improvements not properly installed or timely completed, together with the estimated cost of proper installation and completion of same.

Partial Drawings: Permitted

Drafts must be presented to the drawee on or before April 15, 1997.

Mapri
April 18, 1995
2.

It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for an additional 12 month period from the present or any future expiration date hereof, unless at least 120 days prior to any such date we shall notify you by certified letter that we elect not to consider this Letter of Credit renewed for any such additional period. It we elect not to renew this Letter of Credit you may draw hereunder by presentation or your sight draft only.

All drafts must be marked "Drawn under The Bank of Gloucester County, Letter of Credit No 95-141 and accompanied by the original Letter of Credit instrument.

We hereby engage with you that all drafts drawn and presented in compliance with the terms of this Letter of Credit that such Draft(s) will be duly honored upon presentation to the drawee.

This credit is subject to the uniform customs and practice for documentary credits (1983 Revision), International Chamber of Commerce, publication 400.

Sincerely,
The Bank of Gloucester County

Stephen F. Levitt
Vice President

SFL/mfs

R-16:11-316

RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR DAVID LEVY/MARKETPLACE AT CHEWS LANDING/ SOMERSET TIRE & BATTERY IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, the developer of Marketplace at Chews Landing, LLC (Somerset Tire & Battery) has supplied the Township of Gloucester with securities covering this development, within the Township of Gloucester, and

WHEREAS, the Engineer has inspected this project and has given his report to the Township Council of the Township of Gloucester, and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the securities in the amount of $35,100.00 in the name of David M. Levy be released upon the posting of an approved maintenance bond in the amount of $4,387.50.

Adopted: November 28, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

REMINGTON & VERNICK ENGINEERS AND AFFILIATES

Professional Excellence Since 1901

PRINCIPALS
Edward Vernick, PE, CME, President
Craig F. Remington, PLS, PP, Vice President
Michael D. Vena, PE, PP, CME *(deceased 2006)*
Edward J. Walberg, PE, PP, CME, CFM
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME
Kim Wendell Bibbs, PE, CME
Marc DeBlasio, PE, PP, CME, CPWM, CEP
Alan Dittenhofer, PE, PP, CME
Leonard A. Faiola, PE, PP, CME
Christopher J. Fazio, PE, CME
Terence Vogt, PE, PP, CME
Dennis K. Yoder, PE, PP, CME

SENIOR ASSOCIATES
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John J. Cantwell, PE, PP, CME
Richard B. Czekanski, PE, CME, BCEE
Annina Hogan, PE, RA, CME, CPWM, LEED-AP
Kenneth C. Ressler, PE, CME
Frank J. Seney, Jr., PE, PP, CME, NBIS
Gregory J. Sullivan, PE, PP, CME, CEA

PLEASE REPLY TO THE NOTED OFFICE

Remington & Vernick Engineers
232 Kings Highway East
Haddonfield, NJ 08033
(856) 795-9595

51 Haddonfield Road, Suite 260
Cherry Hill, NJ 08002
(856) 795-9595

Remington, Vernick & Vena Engineers
9 Allen Street
Toms River, NJ 08753
(732) 286-9220

3 Jocama Boulevard, Suite 300-400
Old Bridge, NJ 08857
(732) 955-8000

Remington, Vernick & Walberg Engineers
845 North Main Street
Pleasantville, NJ 08232
(609) 645-7110

4907 New Jersey Avenue
Wildwood City, NJ 08260
(609) 522-5150

Melford Plaza I, Suite 400
16701 Melford Boulevard
Bowie, MD 20715
(240) 544-5382

Remington, Vernick & Beach Engineers
922 Fayette Street
Conshohocken, PA 19428
(610) 940-1050

1000 Church Hill Road, Suite 220
Pittsburgh, PA 15205
(412) 263-2200

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
(302) 266-0212

Remington, Vernick & Arango Engineers
The Presidential Center, Lincoln Building
Suite 600, 101 Route 130,
Cinnaminson, NJ 08077
(856) 303-1245

One Harmon Plaza, Suite 210
Secaucus, NJ 07094
(201) 624-2137

November 15, 2016

Ms. Rosemary DiJosie, Township Clerk
Gloucester Township
P.O. Box 8
Blackwood, NJ 08012

Re: Gloucester Township
Marketplace at Chews Landing, LLC
(Somerset Tire & Battery)
1236 Chews Landing Road
Block 20601, Lots 2 & 3
Twp. #131028INCUCPFS, Escrow #8028
Site Improvement Performance Guarantee Release
Our File # 0415P1149.I

Dear Ms. DiJosie:

At the request of the applicant, our office has conducted an inspection of the site improvements for the above-referenced project. Based upon our investigation, we recommend the release of the Performance Guarantee established in the amount of $31,590.00 and the Cash Guarantee in the amount of $3,510.00. Prior to this release, we also recommend the activation of the Maintenance Guarantee in the amount of $4,387.50, representing 15% of the Construction Cost for the items covered by the Performance Guarantee. This amount is to be held for a period of two (2) years.

The release of the Performance Guarantee is contingent upon the payment of all-outstanding Remington & Vernick Engineers' Vouchers. If you should have any questions, please contact Steven D. Fini, Regional Field Supervisor, at 856-795-9595.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.

Lenny Cinaglia, MBA
Assistant Department Head & Chief Inspector

John J. Cantwell, P.E., P.P., C.M.E.

LC:JJC:sdf
cc: Mayor David Mayer
Thomas C. Cardis, Administrator
Kenneth Lechner, Township Planner
Kevin Bucceroni, Public Works
Mr. Ken Freid, Paramount Realty Services, Inc., 1195 Route 70, Suite 2000, Lakewood, NJ 08701

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R-16:11-317

RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR PARAMOUNT AT CHEWS LANDING LLC IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, the developer of Marketplace at Chews Landing (Additional Landscape Improvements) has supplied the Township of Gloucester with securities covering this development, within the Township of Gloucester, and

WHEREAS, the Engineer has inspected this project and has given his report to the Township Council of the Township of Gloucester, and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the securities in the amount of $41,856.00 in the name of Paramount at Chews Landing LLC be released upon the posting of an approved maintenance bond in the amount of $6,278.40.

Adopted: November 28, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

REMINGTON
& VERNICK
ENGINEERS
AND AFFILIATES

Professional Excellence Since 1901

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Cherry Hill, NJ 08002
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ie Presidential Center, Lincoln Building
Suite 600, 101 Route 130,
Cinnaminson, NJ 08077
(856) 303-1245

One Harmon Plaza, Suite 210
Secaucus, NJ 07094
(201) 624-2137

November 15, 2016

Ms. Rosemary DiJosie
Township Clerk
Gloucester Township
P.O. Box 8
Blackwood, NJ 08012

Re: Gloucester Township
Marketplace at Chews Landing, LLC
(Additional Landscape Improvements)
1236 Chews Landing Road
Block 20601, Lots 2 & 3
Twp. #131028INCUCPFS
Escrow #8028
Additional Landscape Performance Guarantee Release
Our File # 0415PI149.I

Dear Ms. DiJosie:

At the request of the applicant, our office has conducted an inspection of the additional landscaping improvements for the above-referenced project. Based upon our investigation, we recommend the release of the Cash Guarantee established in the amount of **$41,856.00**. Prior to this release, we also recommend the activation of the Maintenance Guarantee in the amount of **$6,278.40**, representing 15% of the items covered by the Cash Guarantee. This amount is to be held for a period of two (2) years.

The release of the Performance Guarantee is contingent upon the payment of all-outstanding Remington & Vernick Engineers' Vouchers. If you should have any questions, please contact Steven D. Fini, Regional Field Supervisor, at 856-795-9595.

Sincerely,
REMINGTON & VERNICK ENGINEERS, INC.

Lenny Cinaglia, MBA
Assistant Department Head & Chief Inspector

John J. Cantwell, P.E., P.P., C.M.E.

LC:JJC:sdf
cc: Mayor David Mayer
Thomas C. Cardis, Administrator
Kenneth Lechner, Township Planner
Kevin Bucceroni, Public Works
Ken Freid, Paramount Realty Services, Inc., 1195 Route 70, Suite 2000, Lakewood, NJ 08701

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R-16:11-318

RESOLUTION AUTHORIZING THE SOLICITING OF RFP'S/RFQ'S VIA THE GLOUCESTER TOWNSHIP WEBSITE FOR EXCESS WORKERS COMPENSATION

WHEREAS: the laws of the State of New Jersey pursuant to Public Contracts and Pay-To-Play legislation authorized request for Qualifications/Proposals for professional services, and

WHEREAS: the State Statutes require that items exceeding $40,000.00 be properly solicited and permits via the Gloucester Township Website and RFP'S/RFQ'S received.

NOW, THEREFORE, BE IT RESOLVED: that the soliciting of RFP'S/RFQ'S via the Gloucester Township Website is hereby authorized, in accordance with the respective specifications for the following items:

THIRD PARTY SELF-FUNDED EXCESS WORKERS COMPENSATION

Adopted: November 28, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

R-16:11-319 **RESOLUTION AMENDING RESOLUTION R-16:11-302 ENTITLED "RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, AUTHORIZING AUCTION OF CONFISCATED VEHICLES THROUGH GovDeals.COM (http://www.govdeals.com)"**

WHEREAS, the Gloucester Township Council of the Township of Gloucester adopted Resolution R-16:11-302 on November 14, 2016 authorizing an auction of confiscated vehicles through GovDeals. Com and inadvertently put the wrong date of the auction on the resolution, and

WHEREAS, the Gloucester Township Police Department is in possession of confiscated vehicles which are no longer needed for public use by the Township of Gloucester; and

WHEREAS, these surplus vehicles are listed below as:

YEAR	MAKE	MODEL	VIN#	MILEAGE
2000	Mitsubishi	Diamante	6MMAP67P8YT002438	141,447
2001	Ford	Excursion	1FMNU43S01EA48368	244,379
2002	Cadillac	Deville	iG6KD54Y92U155705	125,408
2004	Infinity	G35	JNKCV54EX4M811190	113,033

WHEREAS, the eBay.com auction for these vehicles will be held in the month of December; and

WHEREAS, a notice to bidders will be posted in a local newspaper and on the Township Website and the auction will be not less than 7 days or more than 14 days after the publication and posting; and

WHEREAS, this auction is being conducted pursuant to N.J.S.A. 40A:11-36 and Local Finance Notice 2008-9

NOW, THEREFORE, BE IT RESOLVED that all items be sold to the highest bidder, and the terms of the sale shall be sold as is and where is, without warranty or guarantee of any kind, upon payment of the full price in cash or certified check, subject to all lawfully advertised terms and restrictions.

BE IT FURTHER RESOLVED that the proper township officials be, and they are hereby authorized and directed to perform all acts and to execute, on behalf of this body, all documents required by statute or this resolution to effectuate said sale to be held in the amended month of December.

Adopted: November 28, 2016

_____
President of Council

ATTEST:

_____
Township Clerk

R-16:11-320

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, AUTHORIZING THE SIGNING OF AN EASEMENT TO ATLANTIC CITYELECTRIC

WHEREAS. Atlantic City Electric has determined the need for a right of easement along the Township designated right of way known as Mill Road; and

WHEREAS. The Township Council of the Township of Gloucester is in agreement to grant an easement to Atlantic City Electric for the installation of a telephone pole and related equipment and lines in the location of the right of way known as Mill Road.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Gloucester of the County of Camden Mayor of Township of Gloucester or Business Administrator is hereby authorized sign an agreement to grant a right of easement to Atlantic City in the location of Mill Road.

BE IT FURTHER RESOLVED, that the form of easement agreement shall be first reviewed and approved by the Township Attorney and Township Engineer prior to the signing and grant of the easement to Atlantic City Electric,

Adopted: November 28, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

R-16:11-321

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF GLOUCESTER AND ROAD SAFETY SYSTEMS, LLC

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, determined that there is a need for the Lake View Drive Bridge Guide Rail Replacement

WHEREAS, sufficient funds have been provided, and

WHEREAS, the Township Council received bids or quotes

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the proper Township Officials are hereby authorized to enter into an agreement with Road Safety Systems, LLC for Lake View Drive Bridge Guide Rail Replacement in the amount of $ 48,997.50 which was the lowest bid or quote received.

Adopted: November 28, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK, RMC