

**GLOUCESTER TOWNSHIP COUNCIL MEETING
NOVEMBER 28, 2016
MUNICIPAL BUILDING, CHEWS LANDING NEW JERSEY**

Pledge Allegiance to the Flag

Deacon Shoemaker gave the invocation at the meeting.

Statement: Mr. Mercado read a statement setting forth the time, date and place of this meeting, that it was properly advertised, posted and filed in the Office of the Township Clerk pursuant to the Open Public Meetings Act.

Roll Call: Mr. Hutchison Mr. Carlamere, Solicitor
Mr. Schmidt
Mrs. Stubbs Mr. Cardis, Business Administrator
Mrs. Winters Mrs. DiJosie, Twp. Clerk, RMC
Mr. Mignone-abs.
Mrs. Trotto
Mr. Mercado

Mr. Lechner, Comm.

Dev.-late

Chief Earle, Police

PUBLIC PORTION:

Mr. Mercado opened the public portion.

Ray Polidoro of Erial questioned ordinance O-16-18 and asked what the reason would be for this ordinance. Mr. Mercado stated the township had two fires over the weekend and restoration company employees came to the fire offering restoration quotes to the homeowners who had just lost their home to a fire. This ordinance would make sure the restoration employees were registered with the township prior to approaching the scene. Mr. Polidoro asked if the township knows of any specific companies. Mr. Polidoro brought up the ethics of an employee knowing about such a fire scene and having an advantage. Mr. Carlamere stated that the township does not want to write an ordinance that goes against constitutional rights and against free trade. There was also discussion as to the time these restoration company employees could appear on the scene.

There being no comment, the public portion was closed.

WAIVE THE READING AND ACCEPT THE MINUTES OF:

Mr. Hutchison made a motion to accept the minutes of:

Regular Meeting – November 14, 2016

Seconded by Mrs. Winters. Roll call vote: Mrs. Winters abstained. Roll call vote:

All in favor. Motion carried 5-0.

BIDS:

LAKEVIEW DRIVE BRIDGE GUIDE RAIL REPLACEMENT BID REPORT

CONTRACTOR	AMOUNT	BID BOND
J. Fletcher Creamer & Son, Inc.	\$72,555.00	X

Road Safety Systems, LLC	\$48,997.50	X
M. L. Ruberton Construction & Safety, Inc.	\$54,800.00	X

Mr. Hutchison made a motion to adopt, seconded by Mrs. Winters. Roll call vote:
All in favor. Motion carried. 6-0.

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 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:

<u>CURRENT STREET NAME</u>	<u>REDESIGNATED STREET NAME</u>
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: _____

ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on December 12, 2016 and to advertise by synopsis, seconded by Mrs. Winters. Roll call vote: All in favor. Motion carried. 6-0.

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 crane 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

80-4. 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 (OECF)

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 in 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 posted 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

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on December 12, 2016 and to advertise by synopsis, seconded by Mrs. Stubbs. Roll call vote: All in favor. Motion carried. 6-0.

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

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on December 12, and to advertise by synopsis, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

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:

COUNCIL

PRESIDENT OF

TOWNSHIP CLERK

MAYOR

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on December 12, 2106 and to advertise by synopsis, seconded by Mrs. Stubbs. Roll call vote: All in favor. Motion carried. 6-0.

**RESOLUTIONS:
CONSENT AGENDA**

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

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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 APPLICATION: #208183
56 Oak Lane PERMIT: #10719
Lindenwold, NJ 08021 AMOUNT: \$125.00

ADOPTED: November 28, 2016

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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 APPLICATION: #208181
31 Blue Jay Drive
Blackwood, NJ 08012 PERMIT: #10717

AMOUNT: \$125.00

ADOPTED: November 28, 2016

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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:

REINSURANCE OF EXCESS WORKERS COMPENSATION

Adopted: November 28, 2016

COUNCIL
ATTEST:

PRESIDENT OF

TOWNSHIP CLERK

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

**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

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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**

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

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

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

Mrs. Stubbs made a motion to adopt, seconded by Mr. Hutchison. Roll call vote:
All in favor. Motion carried. 6-0.

R-16:11-322

**RESOLUTION OF THE TOWNSHIP OF
GLOUCESTER, IN THE COUNTY OF CAMDEN,
NEW JERSEY AUTHORIZING THE ISSUANCE
AND SALE OF UP TO \$533,330 OF REFUNDING
BOND ANTICIPATION NOTES OF THE
TOWNSHIP; MAKING CERTAIN COVENANTS**

**TO MAINTAIN THE EXEMPTION FROM
FEDERAL INCOME TAXATION OF INTEREST
ON SAID NOTES; AND AUTHORIZING SUCH
FURTHER ACTIONS AND MAKING SUCH
DETERMINATIONS AS MAY BE NECESSARY
OR APPROPRIATE TO EFFECT THE
ISSUANCE AND SALE OF SAID NOTES**

BACKGROUND

WHEREAS, the Township Council ("Council") of the Township of Gloucester, County of Camden, New Jersey ("Township"), adopted a resolution dated November 9, 2015 to fund an emergency appropriation ("Appropriation Resolution") for the purpose of paying the cost of extraordinary expenses incurred by the Township as a result of the June 23, 2015 severe storm event ("Appropriation"), all as more particularly described in the Appropriation Resolution; and

WHEREAS, the Local Bond Law, constituting Chapter 169 of the Laws of the State of New Jersey ("State"), as amended and supplemented, N.J.S.A. 40A:2-51 et seq. ("Local Bond Law"), authorizes municipalities to issue refunding bonds to fund temporary emergency appropriations; and

WHEREAS, on November 9, 2015, the Township Council introduced a refunding bond ordinance entitled "REFUNDING BOND ORDINANCE PROVIDING FUNDS TO PAY AN EMERGENCY APPROPRIATION RELATED TO THE JUNE 23, 2015 SEVERE STORM EVENT; AUTHORIZING THE ISSUANCE OF UP TO \$800,000 OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING" ("Refunding Bond Ordinance"); and

WHEREAS, pursuant to *N.J.S.A. 40A:2-51 et. seq.*, the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs ("Local Finance Board"), at a meeting held on December 9, 2015, adopted a resolution authorizing the Township to finally adopt the Refunding Bond Ordinance; and

WHEREAS, on December 9, 2015, the Township Council, after a public hearing, finally adopted the Refunding Bond Ordinance; and

WHEREAS, pursuant to the Refunding Bond Ordinance, the Township is authorized to issue its refunding bond anticipation notes, in the aggregate principal amount of up to \$800,000 to fund the Appropriation; and

WHEREAS, it is the intent of the Township Council hereby to authorize and approve the issuance and sale of its refunding bond anticipation notes in the principal amount of up to \$800,000 to pay a portion of the costs of the Appropriation ("Notes"); and

WHEREAS, the prior notes mature on December 15, 2016, and

WHEREAS, it is the desire of the Township to issue its refunding bond anticipation notes in the principal amount of \$533,330 ("Notes"), as further described in Exhibit "A", the proceeds of which, together with other available funds in the amount of \$266,670, will be used to repay the Prior Notes at maturity; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, IN THE COUNTY OF CAMDEN, STATE OF NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING) , AS FOLLOWS :

Section 1. Pursuant to the Local Bond Law, the issuance of refunding bond anticipation notes of the Township, to be designated, substantially, "Township of Gloucester, County of Camden, New Jersey, Refunding Bond Anticipation Note of 2016, Series A" ("Notes"), in an aggregate principal amount of up to \$533,330, is hereby authorized and approved,

Section 2. 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 but may be renewed from time to time, subject to the terms of the Refunding Bond Ordinance. The Notes shall be issued in bearer or registered form in minimum denominations of \$100,000 or greater and shall be in the form permitted by the Local Bond Law and as Bond Counsel shall approve.

Section 3. The Notes shall be executed in the name of the Township by the manual or facsimile signature of the Mayor and Chief Financial Officer or Business Administrator, and shall be under the corporate seal of the Township affixed, imprinted, or reproduced thereon, and attested by the manual signature of the Township Clerk or Deputy Township Clerk.

Section 4. The Chief Financial Officer and the Business Administrator, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, are 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 payment of the purchase price plus accrued interest (if any) from the dated date of the Notes to the date of delivery thereof.

Section 5. At the next meeting after the sale of the Notes, the Chief Financial Officer and/or the Business Administrator are each authorized and directed to report, in writing, to the Township Council, the principal amount, rate of interest and name of the purchaser of the Notes.

Section 6. The Notes shall be general obligations of the Township. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the Notes and, to the extent payment is not otherwise provided, the Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

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 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, 2016 to December 31, 2016, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 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, Chief Financial Officer, Business Administrator, Township Clerk, Deputy 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, Chief Financial Officer, Business Administrator, Township Clerk and Deputy Township Clerk are each 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 Bond Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer, Business Administrator, Township Clerk and Deputy Township Clerk, on such documents or instruments shall be conclusive as to such determinations.

Section 13. All 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 28th day of November, 2016.

Adopted: November 28, 2016

ATTEST: _____

President of Council

Township Clerk

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

R-16:11-323

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW
JERSEY, NAMING A REDEVELOPER FOR 533 CROSS KEYS
ROAD BLOCK 18403 LOT 20 AREA AND AUTHORIZING
THE SIGNING OF A REDEVELOPMENT AGREEMENT**

WHEREAS, pursuant to provision of the Redevelopment and Housing Law of the State of New Jersey, N.J.S.A. 40A:12A-1, et seq., the Township Council of the Township of Gloucester did direct the Planning Board of the Township of Gloucester to conduct a preliminary investigation to determine an area in need of redevelopment in accordance with the Redevelopment and Housing Law of the State of New Jersey; and

WHEREAS, the Planning Board did conduct a preliminary investigation in accordance with the guidelines set forth N.J.S.A. 40A:12A-6, held public hearings, and determined that the designated area is an area in need of redevelopment, and

WHEREAS, the Township Council of the Township of Gloucester did adopt the Redevelopment Area of the Township of Gloucester by Ordinance, and in accordance with the provisions of the Local redevelopment and Housing Law of the State of New Jersey, did designate itself as the Redevelopment Entity, and

WHEREAS, the Redeveloper did submit a proposal for the development of the property; and

WHEREAS, The Redevelopment and Housing Law authorizes the Township Council, as the Redevelopment Entity, to name a Redeveloper and to contract with a Redeveloper for any area of planning, construction or the undertaking of any project within the designated redevelopment area; and

WHEREAS, the Township Council and Redeveloper have engaged discussions concerning the construction of improvements to property within the Redevelopment Area; and

WHEREAS, the Redeveloper has agreed to redevelop premises 533 Cross Keys Road, Block 18403 Lot 20, within the Redevelopment Area as indicated.

NOW THEREFORE, It is herein Resolved by the Township Council of the Township of Gloucester as follows,

1. LIDL US Operations LLC, as contract purchaser, is hereby designated Redeveloper for the area known and described as 533 Cross Keys Road, Block 18403 Lot 20, all within the New Vision Business Park District.

2. The Mayor of the Township of Gloucester, or other Official of the Township of Gloucester as may be designated, is hereby authorized to enter into a Redevelopment Agreement for the planning, construction, development or the undertaking of any project within the designated redevelopment area. The proposed form of Redeveloper's Agreement is attached to this Resolution, and subject to the named Redeveloper, contract purchaser's acquisition of fee title ownership in the described premises.

Adopted: November 28, 2016

ATTEST:

President of Council

Township Clerk

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

PUBLIC PORTION:

Mr. Mercado opened the public portion.

Ms. Johnson of Brittney Woods stated that she came to the council meeting to give an update on her group's progress in the neighborhood. She stated that they gave out the flyers which were a success and discussed recycling. Recycling in the neighborhood was discussed as was the need for the residents to contact Public Works for some items. She asked if the township was going to clean up the easements. Mr. Carlamere stated this is the responsibility of the residents. She stated that on Martin Luther King Day, they are looking to get the children in Brittney Woods involved. Mr. Mercado stated if she gets the information to him, he will have that information put on the website. It was stated that Lowes donated the rakes and bags for the leaf clean-up. Mr. Mercado asked the Chief and Mr. Carlamere about the vehicles up on blocks with no tags and possibly no registration in the neighborhood and he questioned if the ordinance allows us to remove the vehicles. Mr. Carlamere stated that he will look into this.

Ray Polidoro of Erial spoke about an article in the Courier Post in July, 2014 concerning the restoration companies and public adjusters. He stated that the companies are not permitted between the hours of 6:00 pm and 8:00 am. Mr. Carlamere explained restrictions put on these companies with the ordinance the township has proposed.

Joanne Carr of Timber Birch stated that the Historic Committee had a successful open house. The kids from Mainstage were present and did a fabulous job. She also stated that the Tavern is decorated for Christmas.

Pete Heinbaugh of Morning Star Court questioned the lawsuit by Fairshare Housing. Mr. Carlamere stated that Fair Share housing is participating in this lawsuit, it is for participation in the Supreme Court hearing that had to go through the courts and not against the township. He stated that Gloucester Township was proactive and participated with COAH, Gloucester Township met all requirements. Mr. Carlamere said that the 3rd round meetings were not being held. He stated that a Builders Remedy Protection was filed and the Fair Share Plan was waiting for approval of the

courts. We were waiting for approval and a postponement to December. This plan will cover now until the year 2025. Mr. Heinbaugh asked if anything has been started with the abandoned properties, Mr. Cardis stated that the township has not begun this yet and the Mayor's Office and Housing Authority have been meeting. Mr. Heinbaugh asked who would be handling the process. Mr. Carlamere stated the money would be coming from COAH funds. Mr. Heinbaugh questioned the walk on resolution and asked if the township did receive funding from the storm. Mr. Cardis stated that the township had to put the money out first and then the money gets injected into the budget and the note gets renewed in a three year period. There being no further comment, the public portion was closed.

POLLING OF COUNCIL:

Mr. Hutchison thanked everyone who participated in the meeting. He stated that he sat in on a seminar on affordable housing and he is proud that we are in compliance.

Mr. Schmidt thanked everyone for coming out the meeting.

Mrs. Stubbs thanked everyone for coming out to the meeting and wished everyone a Happy Holiday.

Mrs. Winters thanked everyone for coming to the meeting.

Mr. Mercado reminded everyone about the Parade on Saturday, December 3 and also reminded them of the tree lighting ceremony at the Municipal Building on December 11th. He stated that the township repurposed the hayrides into sleigh rides.

Mrs. Trotto made a motion to adjourn, seconded by Mrs. Stubbs. Roll call vote: All in favor. Motion carried. 6-0.

Respectfully submitted,

Rosemary DiJosie
President of Council Township Clerk. RMC