

**GLOUCESTER TOWNSHIP COUNCIL MEETING
NOVEMBER 24, 2008
MUNICIPAL BUILDING, CHEWS LANDING NEW JERSEY**

Pledge Allegiance to the Flag

Rev. Dr. William King of the Living Word Bible Fellowship Church gave the Invocation at the Council meeting.

Statement: Mr. Bianchini 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:	Mrs. Lovett	Mr. Carlamere, Solicitor
	Mrs. Evans-late	
	Mr. Garbowski	Mr. Cardis, Business Administrator
	Mr. Hutchison	Mrs. DiJosie, Township Clerk, RMC
	Mr. Mercado	Mayor Rau-Hatton
	Mr. Schmidt	
	Mr. Bianchini	Mr. Busa, Public Works-abs.
		Mr. Lechner, Comm. Dev.
		Mrs. Varrell, Comm. Services-abs.
		Chief Smith, Police

A presentation was made to Mayor Rau-Hatton from the NJ Regional Coalition as “Mayor of the Year” for her courageous stand against housing segregation. Mayor Rau-Hatton thanked everyone for this honor.

Public Portion:

Mr. Bianchini opened the public portion. There being no comment, the public portion was closed.

Minutes: Mr. Mercado made a motion to waive the reading and accept the minutes of November 10, 2008, seconded by Mr. Schmidt. Roll call vote: All in favor. Motion carried 7-0.

ORDINANCES: SECOND READING AND PUBLIC HEARING

0-08-28 ORDINANCE AMENDING CHAPTER 63 OF THE TOWNSHIP OF GLOUCESTER ENTITLED, “MERCANTILE LICENSING”

Mr. Bianchini opened the public portion. There being no comment, the public portion was closed. Mr. Hutchison made a motion to adopt, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

ORDINANCES: FIRST READING

0-08-29

**AN ORDINANCE TO AMEND SECTION 7 OF BOND ORDINANCE 0-05-03
FOR THE TOWNSHIP OF GLOUCESTER WHICH
AUTHORIZES VARIOUS GENERAL IMPROVEMENTS SET
FORTH IN THE 2004/2005 CAPITAL BUDGET**

BE IT ORDAINED by the Township Council of the Township of Gloucester that Bond Ordinance 0-05-03 Section 7 be amended to read as follows:

Section 1 – Amends Section 7(a) Improvements

Adds: Champion Generator site at High Street and Grand Avenue

Section II – No Additional Bonds or Notes are authorized.

Section III – This Ordinance shall take effect 20 days after final passage and publication.

Introduced: November 24, 2008

Adopted:

PRESIDENT OF COUNCIL

MAYOR

ATTEST:

TOWNSHIP CLERK

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on December 15, 2008 and to advertise in full, seconded by Mr. Schmidt. Roll call vote: All in favor. Motion carried 7-0.

0-08-30

**ORDINANCE AMENDING ORDINANCE NO. O-85-48
KNOWN AS THE "GLOUCESTER TOWNSHIP FIRE
SAFETY CODE ENFORCEMENT ORDINANCE" AND
ALSO KNOWN AS CHAPTER 52 OF THE CODE OF
THE TOWNSHIP OF GLOUCESTER**

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey, that Ordinance O-85-48 known as the "Gloucester Township Fire Safety Code Enforcement Ordinance" be and is hereby amended as follows:

SECTION 1. That Chapter 52 be and is hereby amended by adding the following subsection requiring the installation of a Knox Box "Rapid Entry System" on all structures as noted below, and to establish installation requirements and compliance as determined by the local Fire Official.

Experience has shown when fires occur in buildings, the Fire Department must make entry into the structure, locate, confine, control and extinguish the fire. Further, fires within buildings are not always readily evident from the outside when the fire department arrives. Delaying fire department entry into a building can and will allow a fire to grow and make the fire more dangerous. When evidence of a fire is noted from the outside, forcible entry into a building is time consuming and represents a delay in locating and extinguishing the fire. In order to expedite entry into a structure and to aid the Fire Department in the task of extinguishment, the installation of a Knox Box "Rapid Entry System" shall be required.

SECTION 2. "Definitions

AUTOMATIC DIALER - a device that automatically dials and/or relays a prerecorded message to a central station or the Fire Department.

AUTOMATIC FIRE SUPPRESSION SYSTEM - A system or assembly of piping, valves, controls and sprinklers which are designed and installed to comply with the NFPA standards, which utilized water, foam, CO2 or other gas to automatically react to suppress fire.

CENTRAL STATION - An office of a private company which remote alarm and supervisory signaling devices are transmitted and where personnel are in attendance at all times to supervise the circuits and investigate signals.

FIRE ALARM SYSTEM - Equipment which automatically actuates a fire alarm when the detecting element is exposed to fire, smoke, abnormal rise or decrease in temperature or activation or a sprinkler system or manually activated device.

LOCK BOX - A high security key vault which is listed under the UL 1610 and the UL 1037 standards, master keyed with a Medeco Biaxial Level 7 or equivalent lock. Locks shall be keyed to the key configuration provided by the Fire District or Fire Protection District."

SECTION 3. "Requirement.

The owner or person in control of the following types of buildings, shall install and maintain a Rapid Entry Key Box of a type approved by the local Fire Official.

- i) All buildings within the Township of Gloucester, having an automatic alarm system, dialer, Central Station or equipped with an automatic fire suppression system except

- one and two family owner-occupied dwellings.
- ii) Multi-family residential structures, including senior citizen apartment/condo complexes, that have restricted access through locked doors and have a common corridor for access to the living units.
- iii) Commercial and industrial buildings identified by the Fire Official as difficult to access during emergencies.
- iv) All high rise buildings, i.e. structures having floors at or above fifty (50) feet above ground level.

SECTION 4. Key Box Location:

The Key Box, shall be of a UL type, and approved by the local Fire Official. The Key Box shall be installed, at or near the recognized public entrance, adjacent to the fire alarm panel, on the exterior of the structure or in a location or locations designated and approved by the local Fire Official in consultation with the local Fire Chief.

The box shall be located at a height approved by the local Fire Official of not less than four (4) feet and not more than six (6) feet above final grade. The Key Box is not required to be attached to or monitored by the alarm system, however, this action is recommended.

SECTION 5. “Key Box Contents:

The Key Box shall contain the following:

- i) Keys to locked points of access/egress, whether interior or exterior of such buildings.
- ii) Keys to all locked rooms and/or panels, including but not limited to mechanical, electrical, sprinkler and alarms.
- iii) Keys to locked elevator rooms and elevator controls.
- iv) Keys to any fenced or otherwise physically secured areas.
- v) Keys to any other areas, as determined necessary and appropriate, by the local Fire Chief or Fire Official.
- vi) Emergency information card, containing the name(s) and telephone number(s) of emergency contacts for such buildings.”

SECTION 6. “Compliance:

All structures in existence on the effective date of this section, and subject to this section, shall have eight (8) months from the effective date of adoption to have the “Rapid Entry System” installed and operational.

All newly constructed buildings not yet occupied, buildings currently under construction and all buildings or businesses applying for a certificate of occupancy, shall have the “Rapid Entry System” installed and operational prior to the issuance of a certificate of occupancy.

The Fire Sub-code Official shall be responsible for compliance with the section requirements, for all buildings currently under plan review for future construction.”

SECTION 7. “Penalties:

Penalties for non-compliance by any building owner, in violation of the provisions of this section, shall be subject to a penalty being assessed as noted in Township Ordinance 10A “Fire Prevention Committee”, Section 10A-13, Violations and Penalties after receiving notice by the local Fire Official.”

SECTION 8. 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 9. 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 10. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: November 24, 2008

Adopted:

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

MAYOR

Mrs. Lovett made a motion to adopt on first reading, to have second reading and public hearing on December 15, and to advertise by synopsis, seconded by Mr. Schmidt. Roll call vote: All in favor. Motion carried 7-0.

RESOLUTIONS:

CONSENT AGENDA

R-08:11-320

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

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

#3097GRADING

Colonial Development Contracting

P.O. Box 7

Elmer, NJ 08318

Balance from unexpended escrow: \$379.00

Adopted: November 24, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Hutchison made a motion to adopt, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

R-08:11-321

**RESOLUTION AUTHORIZING REDUCTION OF SECURITIES OF STANBERRY
CROSS KEYS, LLC FOR THE SHOPS AT CROSS KEYS - PHASE #1 IN THE
TOWNSHIP OF GLOUCESTER**

WHEREAS, the Developer of The Shops at Cross Keys has supplied the Township of Gloucester with Securities for Subdivision Improvements, 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 that the Township Council of the Township of Gloucester does hereby authorize the reduction of securities for The Shops at Cross Keys as follows:

From \$5,673,546.00 to \$1,729,050.60

Adopted: November 24, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Hutchison made a motion to adopt, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

R-08:11-322

**RESOLUTION ACCEPTING SECURITY OF GCF BANK AND AUTHORIZING
EXECUTION OF AGREEMENT AND ACCEPTANCE OF MAINTENANCE LETTER OF
CREDIT OF ERIAL COMMUNITY CHURCH**

BE IT RESOLVED by the Township Council of the Township of Gloucester, County of Camden, that the Agreement and Maintenance Letter of Credit of GCF Bank in the amount of \$63,744.15 be and is hereby accepted and filed for Erial Community Church under Job No. #2451-051193 as set forth in the Engineer's letter , dated April 13, 2008 which is made a part hereof as Attachment "A".

BE IT FURTHER RESOLVED by the Township Council of the Township of Gloucester, County of Camden, that the original Letter of Credit shall be released.

Adopted: November 24, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Hutchison made a motion to adopt, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

R-08:11-323

RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR ELITE CONSTRUCTION IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, the developer of 208 Grand Avenue has supplied the Township of Gloucester with cash maintenance securities for two years covering this development, within the Township of Gloucester, and

WHEREAS, the maintenance securities expired on November 15, 2008, and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the cash maintenance securities in the amount of \$ 6,740.66 in the name of Elite Construction be released.

Adopted: November 24, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Hutchison made a motion to adopt, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

R-08:11-324

RESOLUTION AUTHORIZING REFUNDING OF TAXES

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

BLOCK	LOT	NAME AND ADDRESS	YEAR	AMOUNT	REASON
ACCOUNT #					
11207	16	Joanne Amilcare	2008	300.00	Flex Deduction
117781					
8006	36	Donna Barrett	2008	300.00	Flex Deduction
406095					
17301	30	James Bigley	2008	300.00	Flex Deduction
206772					
9501	15	Maryann Busa	2008	300.00	Flex Deduction
45695					
18608	4	Judy Crabtree	2008	300.00	Flex Deduction
407457					
15821	37	Gerald Fazi	2008	300.00	Flex Deduction
80061000					

18203	23	Geri Garofalo	2008	300.00	Flex Deduction
403569					
14901	27	Kim Gore	2008	300.00	Flex Deduction
180728					
15001	5	Emmy Keating	2008	300.00	Flex Deduction
181317					
12102	34	Gene Martinez	2008	300.00	Flex Deduction
380234					
7001	2	Patricia O'Leary	2008	300.00	Flex Deduction
92321		244 Woodland Ave. Blackwood, NJ 08012			
10004	17	Carol Pickell	2008	300.00	Flex Deduction
215650					
4401	45	Nancy Power	2008	300.00	Flex Deduction
89452					
14403	58	Mario Straccialini	2008	300.00	Flex Deduction
167185					
8013	49	Joan Wagner	2008	300.00	Flex Deduction
96376					
18312	16	Melissa Worst	2008	300.00	Flex Deduction
408419					
11902	23	Real Advantage	08/09	1,221.78	Duplicate Payment
144419		1000 Commerce Dr., Suite 420 Pittsburgh, PA 15275 Attn: Chris Lucci			
13306	1 C0602	First American Tax Service	08/09	2,093.11	Duplicate Payment
168412		1 First American Way West Lake, TX 76262 Attn: Refunds			
14404	9	Taylor, Bean, & Whitaker	08/09	4,071.94	Duplicate Payment
167133		1417 N. Magnolia Ave. Ocala, FL 34475 Attn: Ginger Seidel			
15804	4	Aurora Loan Services	08/09	3,108.54	Duplicate Payment
184680		1 First American Way DFW 6-4-100 Westlake, TX 76262 Attn: Jacqueline Price			

ADOPTED: November 24, 2008

Council President

Township Clerk

Mr. Hutchison made a motion to adopt, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

R-08:11-325

RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

CURRENT ACCOUNT

Per attached computer readout of the claims presented in the amount of \$6,450,011.83

CAPITAL ACCOUNT

Per attached computer read out of the claims presented in the amount of \$ 470,960.57

TRUST ACCOUNT ENGINEERING ESCROW

Per attached computer readout of the claims presented in the amount of \$ 181,100.75

DOG FUND

G064830	Veterinary Public Health Manual Check 1210	37.80
No071137	MGL Printing Solutions Manual Check 1211	1,693.00

DISABILITY

G066924	Twp. Payroll Acct. Wire Transfer Conf. 2960860	1,551.98
G066921	Twp. Payroll Acct. Wire Transfer Conf. 3100477	2,396.75

TRUST

No071540	Treasurer, State of NJ Manual Check 8597	5,724.00
G066924	Twp. Payroll Acct. Wire Transfer Conf. 2960858	4,615.61
G066921	Twp. Payroll Acct. Wire Transfer Cont. 3100469	4,190.61

TRUST AGENCY

	Manual Check 5859 - 5874	198,250.21
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CAPITAL

No071387	American Duplicating Manual Check 6917	4,005.00
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CURRENT

No071555	Camden County Treasurer Manual Check 45620	7,561,241.39
PD006232	Quality Communications Manual Check 45581	1,950.00
PD006195	Sirchie Finger Print Lab. Manual Check 45582	3,500.00

PRESIDENT OF COUNCIL

Adopted: November 24, 2008

ATTEST:

TOWNSHIP CLERK

Mr. Hutchison made a motion to adopt, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

R-08:11-326

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE

**TOWNSHIP OF GLOUCESTER AUTHORIZING THE SIGNING
OF THE TAKEOVER AGREEMENT FOR TRAVELERS
INDEMNITY COMPANY FOR THE RESERVE AT FOREST
MEADOWS DEVELOPMENT**

WHEREAS, Township Council has previously declared a default on certain surety bonds issued by William Bowman Associates, Inc. as principal and the Travelers Indemnity Company Surety; and

WHEREAS, has continually negotiated with Travelers Indemnity for the completion of the punch list provided by Remington & Vernick Engineers for Forest Meadows.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Gloucester that the proper officials be and are hereby authorized to execute and deliver on behalf of the Township the Takeover Agreement for the Reserve at Forest Meadows, a copy of which is attached to this resolution.

Adopted: November 24, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Carlamere explained this resolution. Mr. Hutchison made a motion to adopt, seconded by Mrs. Lovett. Roll call vote: All in favor. Motion carried 7-0.

MAYOR'S REPORT:

Mayor Rau-Hatton stated that she, Mr. Cardis and Mrs. Lovett went to see Susan Jacobucci at the state. She stated that there is 11,000,000 of extraordinary aid left and the 32 towns asking for it are asking for 72 million. She stated that we should get something, but not what we asked for. She stated that Governor Corzine is proposing that towns can defer their pension payments. There will be more details in the future. She also talked about a proposal that fiscal towns could go back to calendar towns. She asked that the council work on the 07/08 capital budget. She also asked everyone please remember the township food bank and Toys for Tots in Gloucester Township. She wished everyone a Happy Thanksgiving.

PUBLIC PORTION:

Mr. Bianchini opened the public portion.

Ms. Cristos of Lindenwold thanked the township for having the spaying clinics at the old Public Works Building. She stated that the number of stray cats in the township has gone down. She stated that she was at the meeting to ask if there was any other location that they may use for their clinic, as the old Public Works building will not be available.

Mayor Rau-Hatton stated that Patrick Shuttleworth from the County is looking for a new location. A resident of Deptford also spoke about the clinic and stated it is a very worthwhile project.

Ray Polidoro of Erial asked about the Re-val. He asked if the township has jurisdiction with appeals.

It was stated that residents can appeal to the township assessor. He also suggested to council that they move the public portion to the very end of the meeting after everyone has spoken.

Annie Sweeny of Peters Walk spoke for the residents of her development. She stated that hunters are hunting in the woods surrounding their homes with bows and arrows. She stated that they are hunting wild turkeys and deer. Mr. Bianchini asked Chief Smith if he was aware of this. Chief Smith stated that they must be 450 feet from any occupied dwelling.

A resident of 25 Bethel Lane also spoke about this subject. He stated that the high school kids go through these woods to get to Highland.

A resident of 20 Bethel Lane stated that she is concerned about bow and arrow hunting. She stated even though they are not guns, they can still kill a child.

Tanya Brown of Eleana Court thanked all those who took part in the Haja Fashion Show. She presented those involved with trophies.

A resident of 26 Bethel Lane stated that she is the last house in the court. She stated that she has a cornfield on the left side of her home. He stated that hunters are chasing these animals out of the fields and woods. She stated that she has found turkeys on her deck. She stated that she wants the hunting stopped.

Michele Gentek of Bryce Court stated that they changed the ordinance for guns in her neighborhood, why couldn't they change the ordinance for bows and arrows. She stated that she hopes Council will look into it.

There being no further comment, the public portion was closed.

POLLING OF DIRECTORS

Mr. Lechner suggested that the township put pictures of the officials on the website from the fashion show to show everyone how good looking the administration is.

Chief Smith stated that he will look into the hunting problem.

Mr. Cardis stated that CES is ready to advertise for their projects at Cherrywood, and Sturbridge Oaks. He stated that our budget will not be finalized until at least January as they will not be heard by the Division of Local Government Services until then. He congratulated Mr. Mercado for running the Philadelphia Marathon and completing it.

POLLING OF COUNCIL

Mrs. Lovett thanked the residents for coming to the meeting. She congratulated Mayor Rau-Hatton on her award and stated that Mayor Rau-Hatton is the most dedicated and hard-working person she ever met. She congratulated her on behalf of Council. She stated that the fashion show was a wonderful evening and thanked Mrs. Evans for her hard work. She spoke about the Mayor's Task Force and asked that Amy Tarves ask the MUA to give the township their unrestricted surplus, which is approximately \$200,000.00 to help the township budget. She wished everyone a Happy Thanksgiving and reminded everyone to give money to the food banks.

Mrs. Evans congratulated Mayor Rau-Hatton on her award. She stated that her heart goes out to the residents in Peters Walk and she stated that we may have to speak to the legislators and have the legislation changes as far as how far people could hunt near residential developments. She thanked everyone who had a part in the fashion show.

Mr. Garbowski thanked everyone for coming to the meeting and wished everyone a Happy Holiday.

Mr. Hutchison welcomed the Crabcake Hotline to town. He asked the residents of Peters Walk to speak to Michelle Gentek who worked hard for her development concerning hunting. He congratulated the Mayor on her award. He thanked everyone who participated in the Haja Fashion Show. He spoke about people giving to the food banks at this time of year.

Mr. Mercado thanked everyone for coming to the food banks. He echoed the Mayor and his colleagues statements to give this holiday season. He reminded everyone about the Christmas Parade in Blackwood on the first Saturday in December. He congratulated all those who worked on the Haja foundation.

Mr. Schmidt thanked everyone for coming to the meeting and getting involved. He wished everyone a Happy Thanksgiving.

Mr. Bianchini thanked the residents for coming to the meeting. He congratulated Mayor Rau-Hatton on her award and stated that the organization has done a great job. He stated that those involved with the Haja Fashion Show have done a fabulous job and he stated that he had a lot of fun being in his first fashion show. He state that he has received a letter from Assemblywoman Sandra Love that stated that she has written to the State to ask that Gloucester Township get the most they can. He thanked Assemblywoman Love for her intervention. He stated that he is disappointed that we will not be finalizing our budget until January.

Mr. Bianchini stated that the township must go into closed session to discuss a legal issue.

R-08:11-326A

RESOLUTION TO EXCLUDE PUBLIC FROM DISCUSSION OF EXEMPTED SUBJECT MATTER AT A REGULAR SESSION OF TOWNSHIP COUNCIL PURSUANT TO SECTION 8 OF OPEN PUBLIC MEETINGS ACT

BE IT RESOLVED by the Township Council of the Township of Gloucester, pursuant to Section 8 of the Open Public Meetings Act, that the public be and is hereby excluded from this meeting of the Township Council to be held on November 24, 2008 which may involve discussion by Township Council of the following exempted subject matter:

1. Confidential Matter under Federal or State Statutes or Court Rule.
2. Matter which would jeopardize the receipt of federal funds.

3. Matter constituting unwarranted invasion of individual privacy.
4. Matter involving Collective Bargaining.
5. Matter involving purchase, lease or investment using public funds, or involving setting of banking rates.
6. Matters involving investigation of violations or possible violations of law.
7. Matters involving Attorney-Client privilege.
8. Matters involving personnel.
9. Matters involving proceedings which could result in Civil Penalty, suspension or loss of license.

BE IT FURTHER RESOLVED that disclosure to the public of the discussion conducted in closed session shall not be made until such matters have been resolved.

Adopted: November 24, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Mercado made a motion to adopt, seconded by Mr. Hutchison. Roll call vote: All in favor. Motion carried 7-0.

Mr. Bianchini stated that the case discussed will be going to trial.

Mr. Mercado made a motion to adjourn, seconded by Mrs. Lovett. Roll call vote: All in favor. Motion carried 7-0.

Respectfully submitted,

President of Council

Rosemary DiJosie
Township Clerk, RMC