

**GLOUCESTER TOWNSHIP COUNCIL MEETING
OCTOBER 27, 2008
MUNICIPAL BUILDING, CHEWS LANDING NEW JERSEY**

Pledge Allegiance to the Flag

Father Mark Cavagnaro of St. Agnes 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
Mr. Garbowski Mr. Cardis, Business Administrator
Mr. Hutchison Mrs. DiJosie, Township Clerk, RMC
Mr. Mercado-abs. Mayor Rau-Hatton
Mr. Schmidt
Mr. Bianchini Mr. Busa, Public Works
Mr. Lechner, Comm. Dev.
Mrs. Varrell, Comm. Services
Chief Smith, Police

Presentation Fairways Tenant Association made a presentation to the Gloucester Township Police Department. The Association presented Chief Smith with a check in the amount of \$5,549.00 towards the future purchase of a police dog. Chief Smith thanked the association and the residents of the complex.

Public Portion:

Mr. Bianchini opened the public portion.

There being no comment, the public portion was closed.

Minutes: Mr. Hutchison made a motion to waive the reading and accept the minutes of Executive Session Minutes September 22, 2008
October Workshop October 6, 2008
Regular Minutes October 15, 2008
seconded by Mr. Garbowski. Roll call vote: Mrs. Lovett abstained from the minutes of October 15, as she was not at that meeting, but voted yes on all Others. Motion carried 6-0.

Resolutions:

Consent Agenda

R-08:10-304

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
18905	33	EMC Mortgage	08/09	420.69	Overpayment
404846		3100 New York Dr., 2 nd Floor Pasadena, CA 91107 Attn: Kathy Kalash-Refund Dept.			
19703	22	Countrywide Tax Services	08/09	1,472.88	Duplicate Payment
400849		MS-SVW-24 P.O. Box 10211 Van Nuys, CA 91499-6089 Attn: Laurie Silva			

ADOPTED: October 27, 2008

Township Clerk

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

R-08:10-305

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 \$5,783,520.32

CAPITAL ACCOUNT

Per attached computer read out of the claims presented in the amount of \$ 320,544.78

TRUST ACCOUNT ENGINEERING ESCROW

Per attached computer readout of the claims presented in the amount of \$ 108,640.89

DOG FUND

G064827	Veterinary Public Health Manual Check 1208	48.00
No071142	Dr. Maria Iannone Manual Check 1209	220.00

TRUST

G065099	Twp. Payroll Wire Transfer Conf. 2680226	3,690.62
G065160	Twp. Payroll Acct. Wire Transfer Conf. 2400396	4,640.62

DISABILITY

G065099	Twp. Payroll Acct. Wire Transfer Conf. 2680224	836.04
G065056	Twp. Payroll Acct. Wire Transfer Conf. 2820661	1,360.04

TRUST AGENCY

	Manual Check 5848 - 5858	205,589.82
	Manual Check 5834 - 5847	195,552.10
	Manual Check 5817- 5833	200,401.14

CURRENT

PW09165	Riverfront Recycling Manual Check 45349	15,685.00
G060114	AmeriHealth Admin. Manual Check 45362	468.40

G057870	IDA Manual Check 45365	69,458.07
G057871	Delta Dental Manual Check 45364	12,578.86
G057869	Aetna Manual Check 45361	18,403.23
No071354	Treasurer, State of NJ Manual Check 45356	2,846.54
No071355	Treasurer, State of NJ Manual Check 45355	3,109.16
No071356	Treasurer, State of NJ Manual Check 45354	10,452.66
No071357	Treasurer, State of NJ Manual Check 45353	10,636.91
No071358	Treasurer, State of NJ Manual Check 45352	16,474.09
G061220	Paramount Enterprises, Inc. Manual Check 45357	3,983.25
<u>CAPITAL</u>		
No070994	Lift it Crane Manual Check 6902	1,100.00
No070990	Burton Radiator Manual Check 6903	650.00

PRESIDENT OF COUNCIL

Adopted: October 27, 2008

ATTEST:

TOWNSHIP CLERK

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

R-08:10-306

**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:

#90410SDF345

#942*

Blackacre Development

1405 Chews Landing Road

Laurel Springs, NJ 08021

Balance from unexpended escrow: \$2,135.81

Adopted: October 27, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

R-08:10-307

RESOLUTION AUTHORIZING REFUNDING OF A GRANT PAYMENT MADE IN ERROR

WHEREAS, the Mortgage company, Washington Mutual, made a payment for a grant on Block 3203, Lot 1, for homeowner, Linda MacGoldrick and Neil Burke, of 920 Stephen Rd, Glendora, NJ;

WHEREAS, the mortgage company assumed the amount was for a sewer lien and has requested the money be refunded,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Gloucester are hereby authorizing the refunding of \$3,975.00 paid in error by Washington Mutual and the grant amount be placed back on Block 3203, Lot 1 be repaid at a later date.

ADOPTED: October 27, 2008

Council President

Township Clerk

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

R-08:10-308

RESOLUTION TO ALLOW DISABLED VETERAN EXEMPTIONS FOR TAX YEAR 2008 AND TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES AND REFUND ANY OVERPAYMENTS

WHEREAS, the following names are owners and residents of property in the Township of Gloucester, and

WHEREAS, they have made proper application for Total and Permanent Service-Connected Disability tax exempt status on their property designated with the block and lots listed below and,

WHEREAS, they have submitted proper evidence of Total and Permanent Disability rating from the U.S. Veterans Administration in accordance with State Regulations.

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the Tax Collector is authorized to grant said exemption, cancel property taxes for 2008 and refund any resulting credit balances.

Block Account #	Lot	Name	Comment	Amount to be Credited
3009 63213	3	Robert Henry	Add Dis Vet Tax Exemption 6 mo. \$110,000 assess	\$2,699.25 (From 7/1/08)
15302 245027	27	Nickelous Heitzmann	Add Disabled Veteran Tax Exemption 4 mo. \$51,000 assess	\$882.64 (From 9/1/08)

ADOPTED: October 27, 2008

President of Council

Township Clerk

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

R-08:10-309

RESOLUTION CORRECTING ERRONEOUS ASSESSMENTS FOR THE YEAR 2008 AS INDICATED, AND TO AUTHORIZE THE TAX COLLECTOR TO REFUND ANY OVERPAYMENTS.

WHEREAS, the following properties in the Township of Gloucester, as indicated by block and lot number, have received an erroneous assessment for the indicated reason, and,

WHEREAS, the Township Assessor has reviewed and made corrections of said errors,

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester, that the following properties be reduced for the years and reasons stated and the Tax Collector is hereby authorized to credit each tax account and refund any over-payments:

BLOCK ACCOUNT	LOT	NAME & REASON	REDUCTION OF ASSESS	RED. TAXES
1301 17480	8	Phillip Gorski	Reduce \$15,000 Assessment (6 months) Filed Abatement	\$385.13
7506 110911	2.01	Angela Murphy	Reduce \$18,000 Assessment (7 months) Error in calculation	\$548.63

ADOPTED: October 27, 2008

President of Council

Township Clerk

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

R-08:10-310

RESOLUTION TO AUTHORIZE THE TAX COLLECTOR TO GRANT SENIOR CITIZEN, DISABLED, OR VETERAN DEDUCTION FOR THE YEAR 2008 AS INDICATED AND TO ADJUST ANY BALANCE

WHEREAS, the following applicants are the owners of a residential property located in the Township of Gloucester, and,

WHEREAS, they have properly filed an application for a Senior Citizen, Disabled, or Veteran Deduction with proof of eligibility, and

WHEREAS, the Assessor has reviewed and approved said application,

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the Tax Collector is authorized to grant said deduction and/or adjust any resulting balances for the year 2008 and refund any balances for the amounts indicated.

Block Account #	Lot	Name	Comment	Amount of Deduction
901 7353	2	Nancy Whitmire	Add Senior Citizen Deduction 2008	250.00
1002 12236	8	David Rizzo	Add Veteran Deduction 2008	250.00
1304 18981	11	Margaret DiMarco	Add Senior Citizen Deduction 2008	250.00
15703 360209	209	Patricia Arney	Add Senior Citizen Deduction 2008	250.00

1902 26467	2	Harriet Hallowell	Add Disability Deduction 2008	250.00
3004 63631	43	Mary Pogorilich	Add Senior Citizen Deduction 2008	250.00
3203 36860	26	Mary DiVincenzo	Add Senior Citizen Deduction 2008	250.00
3205 39121	17	Joseph Emma	Add Senior Citizen Deduction 2008	250.00
3310 39919	7	Donald Allen	Add Veteran Deduction 2008	250.00
8004 403715	1C2302	John Kolesar	Add Veteran Deduction 2008	250.00
8201 295010	10	Dominic Faraone	Add Veteran Deduction 2008	250.00
9103 52706	16	Raymond Tenore	Add Senior Citizen Deduction 2008	250.00
9903 218291	7	Robert Hopkins	Add Veteran Deduction 2008	250.00
10001 211299	6	Susan Spalazzo	Add Senior Citizen Deduction 2008	250.00
10302 111283	2	Lester Richterer	Add Veteran Deduction 2008	250.00
10403 109003	12	James Watson	Add Senior Citizen Deduction 2008	250.00
10799 125096	1	Theresa Lazzaro	Add Senior Citizen Deduction 2008	250.00
12407 136439	15	Elizabeth Cannon	Add Senior Citizen Deduction 2008	250.00
13203 412424	5.01 C0424	Bernard Hammons	Add Veteran Deduction 2008	250.00
13307 400214	6.03 C1607	Lewis Brooks	Add Senior Citizen Deduction 2008	250.00
13601 170981	33	Thomas Reilly	Add Veteran Deduction 2008	250.00
13901 165566	11	Mario Tarantino	Add Veteran Deduction 2008	250.00
15401 183841	22	John Houser	Add Veteran Deduction 2008	250.00
15606 406847	2	Thomas Schoening	Add Veteran Deduction 2008	250.00
15703 188621	83	Lawrence Doyle	Add Veteran Deduction 2008	250.00

16001 188195	4	Maria Doloto	Add Senior Citizen Deduction 2008	250.00
16405 320174	1	Martha Naimole	Add Disability Deduction 2008	250.00
17102 206525	81	Rosemarie Rihl	Add Senior Citizen Deduction 2008	250.00
17205 401901	5	Donald Gearhart	Add Veteran Deduction 2008	250.00
17502 204773	13	William Olliveri	Add Veteran Deduction 2008	250.00
17502 204668	47	Anne Zappas	Add Widow Deduction 2008	250.00
17907 402110	8	Carl Smith	Add Veteran Deduction 2008	250.00
18502 300017	29	George Kepner	Add Veteran Deduction 2008	250.00
18603 210444	11	Mary Schanz	Add Senior Citizen Deduction 2008	250.00
19701 400821	13	Michael Chezek	Add Veteran Deduction 2008	250.00
19906 300605	5	Kenneth Snay	Add Veteran Deduction 2008	250.00
20503 390131	33	Edward Beatty	Add Veteran Deduction 2008	250.00
20504 390151	18	Stephen Jarvela	Add Veteran Deduction 2008	250.00
20506 405033	6	Jonathan Worley	Add Veteran Deduction 2008	250.00

ADOPTED: October 27, 2008

President of Council

Township Clerk

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

R-08:10-311

**RESOLUTION ACCEPTING SECURITY OF PNC BANK AND AUTHORIZING
EXECUTION OF AGREEMENT AND ACCEPTANCE OF LETTER OF CREDIT
OF MEGHA REAL ESTATE HOLDING**

BE IT RESOLVED by the Township Council of the Township of Gloucester, County of Camden, that the Traffic Improvement Contribution Agreement and Letter of Credit of PNC Bank in the amount of \$52,792.00 be and is hereby accepted and filed to guarantee performance of the requirements relating to the Cross Keys Road Bridge.

Adopted: October 27, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

R-08:10-312

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR GRINDING AND REMOVAL OF BRUSH AT THE PUBLIC WORKS BUILDING IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, it was necessary to make changes in the scope of work to be done in completing the grinding and removal of all brush at the Public Works Building in the Township of Gloucester,

WHEREAS, Change Order No. 1 was developed to itemize and authorize those changes;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that Change Order No.1 is hereby authorized and approval is hereby granted to revise the contract cost from \$14,000.00 to \$16,800.00.

Adopted: October 27, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

R-08:10-313

RESOLUTION DECLARING DEFAULT AND TERMINATING OF AGREEMENT OF SALE BETWEEN TRI-STATE VENTURES, L.P./FAMECO RETAIL AND TOWNSHIP OF GLOUCESTER AND AUTHORIZING THE APPROPRIATE AUTHORITIES TO NEGOTIATE FOR THE SALE OF PREMISES BLOCK 18403, LOT 20

WHEREAS, the Township of Gloucester did enter into a contract for the sale of certain real estate to Tri-State Ventures, L.P./Fameco Retail dated May 14, 2007 (Block 18403, Lot 20); and

WHEREAS, pursuant to the terms of the Agreement of Sale Tri-State Ventures, Inc./Fameco Retail, did post a refundable deposit in the amount of \$120,000, with provisions for the deposit to become non-refundable, and with the provisions for the posting of an addition of a non-refundable deposit of \$120,000; and

WHEREAS, pursuant to Agreement, Tri-State Ventures, L.P./Fameco Retail did on August 18, 2008 cause the first \$120,000 to be non-refundable and released to the Township of Gloucester and did further agree to post the additional non-refundable deposit on or before September 12, 2008. The Township of Gloucester being in agreement therewith; and

WHEREAS, Tri-State Ventures, L.P./Fameco Retail has defaulted by failure to post the additional non-refundable deposit of \$120,000, as agreed; and

WHEREAS, Tri-State Ventures, L.P./Fameco Retail, did also commit to a final closing date for a transfer of title to the property being set not later than November 14, 2008, but is in default of the scheduling of final closing.

NOW THEREFORE IT IS HEREIN RESOLVED by the Township Council of the Township of Gloucester:

1. That Tri-State Ventures, L.P./Fameco Retail is hereby declared to be in default, in their failure to post the additional non-refundable \$120,000.
2. That Tri-State Ventures, L.P./Fameco Retail is declared to be in default by failure to set closing date for November 14, 2008, as agreed.

3. The appropriate parties of the Township of Gloucester are hereby authorized to negotiate with other interested parties in the acquisition of the properties located within the New Vision Redevelopment area.

Adopted: October 27, 2008

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Hutchison made a motion to adopt, seconded by Mr. Schmidt. On the Question: Mr. Hutchison asked Mr. Carlamere if passing this resolution would give them any cause in getting back the \$120,000.00 we already have. Mr. Carlamere stated that it would not. Roll call vote: All in favor. Motion carried 6-0.

MOTIONS:

BA1212 GLENDORA FIRE COMPANY BINGO/2009
RA1213 GLOUCESTER TWP. GIRLS ATHLETIC ASSOC. 12/30/08

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

MAYOR'S REPORT - No report this meeting.

PUBLIC PORTION:

Mr. Bianchini opened the public portion.

Dick Edgar of Erial spoke about The fencing and lighting at Moffa's Farm. He stated that the fence was paid for out of open space money. He also stated that Council was made of aware of this after the fact. He also reviewed with the Council paperwork on Moffa's Farm which he obtained from the Township Clerk's Office through an OPRA request. Mr. Bianchini stated that the fence was put up for the security of the building. He re-iterated that the fence should not come out of open space money. Mr. Carlamere stated that procedurally Council usually gives the authority to spend money from open space. He stated that if he had been asked by Council he would have agreed that it was appropriate.

Mayor Rau-Hatton stated that the reason the fence was put up around Moffa's Farm is that it is Township property. She stated that they have had numerous problems with vandalism at the property.

Public Works has boarded up the windows after the glass in the windows was shattered. She stated that the township has a liability if someone got hurt on this property. She stated that the state encouraged the township to apply again for a grant. She stated that it could be a township or private project. She went on to say that at this time the state has limited funding for projects such as this.

Dick Edgar reminded Council that this property became township property because of non-payment of taxes.

Joanne Carr of 51 Clement Drive stated that Gabriel Davies Tavern applied for studies to be done. She reiterated the fact that the township was responsible and liable for the property. She stated that she feels that Mr. Edgar does not want to see any money going to anything that has historical value. Mr. Edgar stated that he is historical but he is opposed to where the funds come from.

Barbara Nehmad of Fairways Apartment stated that she finds it offensive that there is a prayer before the Council meeting. She also stated that she found it offensive that there was a sign on the dias which was promoting the Philadelphia Phillies in the World Series. She also stated that she had a new heater installed in her apartment which was not approved. She stated that the fire inspector never returned to her apartment to re-inspect the heater. She stated that she was ignored by the building official.

Mr. Lawrence of Erial stated that the Phillies are part of our community at large and the sign is our expression of support. He stated that the US Constitution states that the Constitution guarantees us freedom of religion and not freedom from religion.

Ms. Nehmad stated that there is a separation of church and state and she will research the law and get back to the Council.

Amy Tarves questioned the bill list and asked if copies are available.

William Brooks of Linden Court asked about the hiring of temporary help for leaf collection.

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

POLLING OF DIRECTORS:

Mr. Cardis stated "Go Phillies!!"

POLLING OF COUNCIL

Mrs. Lovett thanked the residents for coming to the meeting. She thanked the tenants for their contribution. She also thanked everyone who worked on “Make A Difference Day” and thanked the Rec Committee for doing such a great job. Mrs. Lovett thanked the Recreation Department for the great Halloween party and congratulated Mayor Rau-Hatton for her featured article in the League of Municipalities magazine.

Mr. Garbowski stated “God Bless the Phillies”

Mr. Hutchison thanked everyone who came out to the meeting.

Mr. Schmidt thanked everyone who helped out with “Make A Difference Day”.

Mr. Bianchini thanked the residents for coming to the meeting. He thanked the residents of Fairways Apartments for their contribution to the Police Department for a dog. He recognized the fact that there were several injured officers on the police force at this time. He stated that he would like to see a nuisance ordinance adopted where owners of properties could be fined for the actions of those living in these properties. The funds generated from these fines would go towards public safety.

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

Respectfully submitted,

President of Council

Rosemary DiJosie
Township Clerk, RMC

