

**GLOUCESTER TOWNSHIP COUNCIL MEETING
SEPTEMBER 14, 2009
MUNICIPAL BUILDING, CHEWS LANDING NEW JERSEY**

Pledge Allegiance to the Flag

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
		Mr. Lechner, Comm. Dev.-late
		Mrs. Varrell, Comm. Services-abs.
		Deputy Chief Earle, Police

Presentation: K-9 Heroes made a presentation of a plaque to the township.

Public Portion:

Mr. Bianchini opened the public portion.

Linda Musser of 50 Cameron Circle questioned Resolution 260, the emergency resolution for Gloucester Township Community Park. She questioned what the emergency situation was. Mr. Bianchini stated that he was told that the soccer fields were in danger of being ruined because of non-working irrigation. Mrs. Musser asked why this didn't go out to bid. Mr. Bianchini stated that the field consultant went to Public Works, who in turn went to Mr. Cardis and explained the situation. Mr. Bianchini stated that we have spent \$40,000.00 on the fields and if the irrigation system was not fixed the fields would die. Mr. Bianchini stated that he was told that Len Moffa stated that after four days down the fields could die over the weekend.

Mr. Kibelstis of 81 Shelly asked why we are selling a vehicle to the MUA for \$1.00. Mr. Cardis stated that the vehicle is a 2005 Crown Victoria with 120,000 miles on it. Mr. Kibelstis asked what the Kelly Blue Book value would be. Mr. Cardis stated that this is not an uncommon practice and the township has done this with the MUA as well as with the fire companies. Mr. Kibelstis asked why we couldn't get the true value of the vehicle. Mr. Cardis stated that it all comes out of the same tax base and it is one entity helping another. He stated that all council discussed this and ok'd it at the workshop. Mr. Cardis stated that all confiscated vehicles will be sold on E-Bay.

Bob Shevlin of Erial spoke about the sprinkler system at Gloucester Township Community Park. He also questioned why this was an emergency. Mr. Bianchini stated that he was told that the field would have died. Mr. Shevlin stated that we have had a lot of rain this year and also said that the Public Works Department could have done this for half the cost.

Ray Polidoro of Erial also spoke about the car for the MUA. He stated that we are in a budget crisis and that when we asked the MUA for their surplus money they didn't give it to us. Mr. Bianchini stated that the MUA has kept their rates down for the past few years. He stated that he feels that this is the right thing to do. Mr. Polidoro stated that the taxpayers care about every dollar.

Maureen McLaughlin of Empire Avenue asked about resolution 257. She asked if the specs for Kiwanis would include air conditioning. Mr. Cardis stated that this is for site work so that they could go out for bid. Ms. McLaughlin asked that the club house not be air conditioned. Ms. McLaughlin also spoke about the irrigation system. She asked who declared it an emergency. It was stated that it was the Public Works supervisor Len Moffa. She also questioned the emergency situation. Mr. Bianchini stated that we have lost the park twice before when the sprinklers were not repaired in a timely fashion. She stated that council should have looked at the price. Mr. Carlamere stated that the reason for the resolution is that Council satisfied the basis for the emergency and had to take confirming action. Mr. Cardis stated that he spoke to Len Moffa concerning this situation.

Jack Fanelli of Central Avenue in Blackwood stated that he had concerns. He stated that Public Works was aware of the situation and Guido found out after it was repaired. He stated that it did not affect the sprinkling zones. He stated that this is not the first time this has happened. Mr. Bianchini asked how many times the fields have been lost. Mr. Fanelli stated that have not been lost but have

only gone dormant.

Dennis Palmer 10 Braemer Avenue stated that a rate payer and a tax payer are not the same thing and he explained the difference.

There being no further comment, the public portion was closed

Proclamation: The Township Clerk read the following proclamation “ Organ and Tissue Donation”

Minutes: Mr. Mercado made a motion to waive the reading and accept the minutes of Workshop - August

Regular Meetings August 10 and August 24, 2009

seconded by Mr. Schmidt. Roll call vote:

Mrs. Lovett asked Mr. Carlamere if elected officials are permitted to take a vacation. Mr. Carlamere stated that they were. Mrs. Lovett abstained from the meeting of August 24th and voted yes on all others. Mrs. Evans voted yes. Mr. Garbowski voted yes. Mr. Hutchison abstained on the minutes of August 24th and voted yes on all others Mr. Mercado voted yes. Mr. Schmidt voted yes. Mr. Bianchini abstained on the August workshop minutes and voted yes on all others. All in favor. Motion carried 7-0.

Bids:

**HIGH STREET DRAINAGE IMPROVEMENTS
08-26-09 10:00 AM**

<u>CONTRACTOR</u>	<u>BASE BID</u>	<u>BID BOND</u>
R. MOSLOWSKI EXCAVATING, INC.	\$ 31,424.00	10%
PARAMOUNT ENTERPRISES INC.	\$ 65,400.00	10%
IVYMONT CONSTRUCTION CO.	\$101,000.00	10%
B AND B CONSTRUCTION, LLC	\$ 60,025.00	10%
HASKELL SITE WORK, LLC	\$ 54,645.00	10%
PIONEER PIPE CONTRACTORS, INC.	\$ 60,510.00	10%
SPENCER V. MAUSSNER, INC.	\$ 76,666.66	10%
MAC-ROSE CONTRACTORS, INC.	\$ 44,225.00	10%
NERI'S CONSTRUCTION & RENTAL INC.	\$ 45,980.00	10%
T & W CONSTRUCTION CO., LLC	\$ 51,880.00	10%

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

Ordinances: First Reading

O-09-20

ORDINANCE AMENDING ORDINANCE O-95-37 ON PROVIDING FOR PARTIAL REAL ESTATE TAX ABATEMENT TO RESIDENTIAL DWELLING UNITS (20) YEARS OR OLDER WHEREIN SUCH UNITS ARE IMPROVED UPON AND/OR REHABILITATED IN THE TOWNSHIP OF GLOUCESTER, IN THE COUNTY OF CAMDEN, NEW JERSEY

WHEREAS, Public Law 1991, Chapter 441, N.J.S.A. 40A:21-1 et seq., enables “qualified municipalities” to exempt from taxation the first \$25,000.00 of improvements per unit on housing 20 years or older for a period of five (5) years; and

WHEREAS, the Camden County Planning Board has previously determined that the Township of Gloucester is entitled to “qualified municipality” status pursuant to Public Law 1991, Chapter 441, and is formally granted such status.

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

Section 1. The Tax Assessor of the Township of Gloucester is hereby directed to allow tax abatements throughout the entire Township of Gloucester, in accordance with the provisions of Public Law 1991, Chapter 441, N.J.S.A. 40A:21-1 et seq.

Section 2. In determining the value of real property for the purpose of taxation, the first \$25,000.00 in the assessor’s full and true value of home improvements for each dwelling unit

primarily and directly affected by a home improvement in any single or multiple dwelling property more than twenty (20) years old shall be regarded as not increasing the value of such property for a period of five (5) years, notwithstanding that the value of the dwelling to which such improvements are made is increased thereby.

Section 3. In no event, however, shall the assessment during that period be less than the assessment thereon existing immediately prior to such home improvements unless there shall be damage through action of the elements sufficient to warrant a reduction.

Section 4. The above amounts up to \$25,000.00 shall be deducted from the amount, determined by the Tax Assessor on October 1 of any year following the completion of the improvements to be the true value of the improvement and shall continue to be so treated for each of the five (5) years subsequent to the original determination of the Tax Assessor.

Section 5. Additional improvements, completed during a period in which the improved property is subject to previously granted exemption privileges in an amount less than the maximum deduction permissible, shall be qualified for additional deduction privileges under terms and conditions therein specified, provided, however, that in no tax year shall the total deductions for any single property exceed \$25,000.00.

Section 6. A claimant desiring to seek the exemption to the above shall file a written application with the Tax Assessor of the Township of Gloucester pursuant to the direction of Public Law 1991, Chapter 441.

Section 7. Any ordinance or regulation contrary to the provision of this ordinance is hereby repealed to the extent it is inconsistent herewith.

Section 8. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 9. This Ordinance shall become effective for the 2010 tax year, twenty (20) days after passage and publication as required by law.

Introduced: September 14, 2009

Adopted:

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Mercado made a motion to adopt on first reading, to have second reading and public hearing on September 28, 2009 and to advertise in full, seconded by Mr. Garbowski. Roll call vote: All in favor. Motion carried 7-0.

O-09-21

BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$63,130 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$60,121; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Township of Gloucester, County of Camden, New Jersey ("Township").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$63,130;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$60,121;
- (c) a down payment in the amount of \$3,009 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11; and

Section 3. The sum of \$60,121, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$3,009, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Township in an amount not to exceed \$60,121 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$60,121 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$25,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the amount of available grants for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimate d</u>	<u>Down Payment</u>	<u>Amount of</u>	<u>Period of Usefulne</u>
A. Drainage Repairs on Jarvis Court, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	\$30,495	\$1,453	\$29,042	5 years
B. Costs Associated with Drainage Improvements on Kay Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor	17,120	816	16,304	5 years

<u>Purpose/Improvement</u>	<u>Estimate d</u>	<u>Down Payment</u>	<u>Amount of</u>	<u>Period of Usefulne</u>
or related thereto, all as more particularly set forth in the information on file with the Township Administrator.				
C. Installation of Concrete Safety Barriers in the Parking Lot at the Kiwanis Ball Field and Bike Path, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	7,490	357	7,133	15 years
D. Replacement of the Roof on the Trailer at the Hickstown Road Firing Range, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	8,025	383	7,642	15 years
TOTAL	\$63,130	\$3,009	\$60,121	

Section 8. The average period of useful life of the several purposes for the financing of which this bond ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purpose, is not less than 7.45 years.

Section 9. Monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of improvements described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$60,121 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, 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 12. The applicable Capital Budget of the Township is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Township hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Township hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) 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

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Introduction: September 14, 2009

Adoption:

ATTEST:

President of Council

Township Clerk

Mr. Mercado made a motion to adopt on first reading, to have second reading and public hearing on September 28, 2009 and to advertise by synopsis, seconded by Mr. Schmidt. Roll call vote: All in favor. Motion carried 7-0.

RESOLUTIONS:

CONSENT AGENDA

R-09:09-250

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

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

#2687GRADING
Steve & Lisa Simone
127 Marshall Avenue
Blackwood, NJ 08012
Release amount: \$500.00

#2706GRADING
Drew & Kathleen Wagner
737 Southwick Circle

Somerdale, NJ 08083
Release amount: \$488.75

#2711GRADING
Charles & Beth Ryales
819 Warsaw Avenue
Blackwood, NJ 08012
Release amount: \$488.75

#2773GRADING
173 Tilford Road
Anthony & Sylvan Pools
470 Rt. 38 E.
Maple Shade, NJ 08052
Release amount: \$218.75

#2779GRADING
Ronald Roselli
11 Peachtree Lane
Erial, NJ 08081
Release amount: \$218.75

#2822GRADING
Gary Hastings
87 Winfield Road
Erial, NJ 08081
Release amount: \$230.00

#2823GRADING
Joseph & Dolores Veigel
13 Red Gravel Circle
Sicklerville, NJ 08081
Release amount: \$195.00

#2826GRADING
Gregory & Angela Thompson
1124 Jarvis Road
Erial, NJ 08081
Release amount: \$173.75

#2833GRADING
1115 Chews Landing Road
Pool Town, Inc.
5500 Rt. 9 South
Howell, NJ 07731
Release amount: \$206.25

#2834GRADING
Timothy & Michelle Moreton
1 Sofia Drive
Blackwood, NJ 08012
Release amount: \$206.25

#2838GRADING
Byron Godfrey
311 Keller Road
Glendora, NJ 08029
Release amount: \$206.25

#3169GRADING

Antonia & Giancarlo Decotiis
39 Lane of Acres
Sicklerville, NJ 08081
Release amount: \$212.50

#4130GRADING
David Goulburn
731 Somerdale Road
Blackwood, NJ 08012
Release amount: \$216.25

Adopted: September 14, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

R-09:09-251

RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR METRO PCS OF PENNSYLVANIA, LLC IN THE TOWNSHIP OF GLOUCESTER (750 DAVISTOWN ROAD)

WHEREAS, the developer 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 \$ 5,359.20 in the name of Metro PCS of Pennsylvania, LLC be released upon the posting of an approved maintenance bond in the amount of \$669.90.

Adopted: September 14, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

R-09:09-252

RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR METRO PCS OF PENNSYLVANIA, LLC IN THE TOWNSHIP OF GLOUCESTER (150 HICKSTOWN ROAD)

WHEREAS, the developer 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 \$ 18,381.00 in the name of Metro PCS of Pennsylvania, LLC be released upon the posting of an approved maintenance bond in the amount of \$2,297.63.

Adopted: September 14, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

R-09:09-253

RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR BEAR BUILDERS INC. IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, the developer of 1489 Kearsley Road 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 \$ 94,794.00 in the name of Bear Builders Inc. be released upon the posting of an approved maintenance bond in the amount of \$11,849.25.

Adopted: September 14, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

R-09:09-254 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER AUTHORIZING SUBMISSION OF AN APPLICATION FOR THE GLOUCESTER TOWNSHIP MUNICIPAL ALLIANCE GRANT FOR CALENDAR YEAR 2010

WHEREAS, the Township Council of the Township of Gloucester. County of Camden State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, THE Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Camden;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey hereby recognizes the following:

1. The township Council hereby authorizes submission of an application for the Gloucester Township Alliance grant for calendar year 2010 in the amount of \$41,558.00.
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted: September 14, 2009

President of Council

ATTEST:

Township Clerk, RMC

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

R-09:09-255 RESOLUTION AUTHORIZING SALE OF VEHICLE TO THE GLOUCESTER TOWNSHIP MUA FOR THE SUM OF \$1.00

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following used vehicle of the Township of Gloucester be, and is hereby authorized to be sold for the sum of \$1.00 to the Gloucester Township Municipal Utilities Authority.

Vehicle	Vin No.
2005	2FAFP71W15X109695

Adopted: September 14, 2009

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK, RMC

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

**R-09:09-256
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF GLOUCESTER AND R. MOSLOWSKI EXCAVATING, INC.**

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, determined that there is a need for High Street Drainage Improvements

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 R. Moslowski Excavating, Inc. for High Street Drainage Improvements in the amount of \$31,424.00 which was the lowest bid or quote received.

Adopted: September 14, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK, RMC

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

**R-09:09-257
RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, STATE OF NEW JERSEY APPOINTING TRC FOR BLACKWOOD KIWANIS FIELD IMPROVEMENTS**

WHEREAS, there exists a need for Blackwood Kiwanis Field Improvements

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-2 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids, must be publicly advertised, and

WHEREAS, the Township Council of the Township of Gloucester does hereby designate TRC as Engineer for the Township of Gloucester.

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

1. That TRC be and is hereby appointed as Engineer for the Township of Gloucester, since by nature of his qualifications and experience, he is well qualified.

2. This contract is awarded without competitive bidding as "Professional Service" under the provisions of the Local Public Contracts Law, because the aforesaid agreement encompasses the services of a recognized professional, licensed and regulated by law, and is of a nature where it is not possible to obtain competitive bids.

3. A copy of this Resolution shall be published in the newspaper within 10 days of its passage, as required by law.

Adopted: September 14, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

REGULAR AGENDA

R-09:09-258

RESOLUTION APPOINTING MEMBERS TO THE BLACKWOOD LAKE ADVISORY COMMITTEE

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following persons be and are hereby appointed to the Blackwood Lake Advisory Committee

Stephanie Roberts

9/14/09 to 12/31/10

Adopted: September 14, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

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

R-09:09-259

RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT (FORMERLY KNOWN AS AN INTERLOCAL SERVICES AGREEMENT) BETWEEN THE BLACK HORSE PIKE REGIONAL BOARD OF EDUCATION AND THE TOWNSHIP OF GLOUCESTER PURSUANT TO N.J.S.A. 40:8A-1 ET SEQ.

WHEREAS, the Township Council of the Township of Gloucester ("Township") is desirous of entering into a renewal agreement to authorize the implementation and administration of the

Township providing a resource officer/security officer (hereinafter "SRO") for Highland Regional High School and Timber Creek High School for the school year 2009 - 2010; and

WHEREAS, a copy of said Shared Services Agreement is attached to this Resolution and will be available for public inspection at the Office of the Township Clerk of the Township of Gloucester; and

WHEREAS, funds are available for the purpose.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester, Camden County, New Jersey, that the Mayor and the Township Clerk of the Township of Gloucester, be and are hereby authorized to execute and deliver on behalf of the Township the Shared Services Agreement between the Township and the Black Horse Pike Regional School Board of Education. A copy of said Agreement is attached hereto and made a part hereof by reference and copies shall be maintained available for public inspection in the Office of the Township Clerk of the Township of Gloucester.

Adopted: September 14, 2009

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-09:09-260

**RESOLUTION CONFIRMING AN EMERGENCY SITUATION
AT THE GLOUCESTER TOWNSHIP COMMUNITY PARK
AND APPROPRIATION OF FUNDS, FOR THE REPAIRS TO
THE IRRIGATION SYSTEM AND CONFIRMING THE AWARD
OF A CONTRACT TO V.J. LANDSCAPING II WITHOUT QUOTES
AND WITHOUT PUBLIC BIDDING PURSUANT TO N.J.S.A. 40A:4-46**

WHEREAS, the irrigation system at Gloucester Township Community Park required immediate repairs due to breaks in the PVC fittings and several irrigation heads; and

WHEREAS, the Business Administrator was provided factual information from the Department of Public Works supporting the emergent situation and the need for immediate repairs.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester confirms declaration of an emergency situation for the Gloucester Township Community Park requiring immediate repairs to the irrigation system, the failure of which would result in "loss of the fields".

BE IT FURTHER RESOLVED that the Township Council confirm the award of a contract to V.J. Landscaping II in the amount of \$7,160.00 without public bidding due to the emergency nature of the repairs.

Tabled: September 14, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Bianchini asked Council to table this resolution in light of the fact that there have been questions concerning it. Mr. Bianchini asked that this be placed on the October Workshop agenda. Mr. Hutchison made a motion to table, seconded by Mrs. Lovett. Roll call vote: All in favor. Motion tabled 7-0.

Motions:

RA1234 MAINSTAGE CENTER FOR THE ARTS 10/04/09

RA1235 GLOUCESTER TOWNSHIP HIGHLAND YOUTH SOCCER CLUB 12/17/09

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

Mayor's Report:

Mayor Rau-Hatton thanked the K-9 Heroes for all the services they provide. She complimented Timber Creek on their 9-11 ceremony. She stated that they had a wonderful ceremony. Mayor Rau-Hatton stated that Mr. McKenna called her this evening and stated that Gloucester Township has won the last count of the Valleybrook lawsuit. She stated that this suit was from July of 2006. She stated that she will be introducing the budget on Monday evening. She said that the township has not received the pension numbers yet. She stated that there will be a meeting on September 21 to introduce. Mayor Rau-Hatton also stated that the Freeholders will be having their meeting on Thursday at the Fire Academy. There will a 6:30 town meeting and a 7:00 pm regular meeting.

Public Portion:

Mr. Bianchini opened the public portion.

Sharon Mickle stated that when Council passed Resolution R-09:09-258, Mr. Bianchini stated the wrong committee for the appointment of Stephanie Roberts. Mrs. Lovett made a motion to amend this resolution, seconded by Mr. Hutchison. Roll call vote: All in favor. Motion carried 7-0.

Stan DiJosie of Blackwood questioned why Gloucester Township is not promoting solar energy or windmills in the township. He stated that this would save the taxpayers a lot of money. He asked if Council was thinking of doing this. He stated that it would be better for the environment and Council should consider it.

Joanne Carr of 50 Clement Drive spoke about the problem on Jarvis Road and if it was the Counties problem. Mr. Cantwell stated that there are actually 2 separate problems in the same area. She stated that this needs to be done as soon as possible. Ms. Carr also stated that the audience is having a hard time hearing those on the dias.

Maureen McLaughlin of Empire Avenue stated that she believes in open government. She asked about the ordinance to video tape and stated that only council should be videotaped. She asked that Council please enforce this rule.

Ray Polidoro of Erial stated that the Council has wasted 1½ years while talking about solar energy. He stated that the town is losing grant money. He asked if the Council has decided on a date to have a solar sub-committee meeting and has Mr. Bianchini decided yet if Dennis Palmer will be a part of this sub-committee. He stated that Mr. Palmer could expedite the process as he has much knowledge on the subject. Mr. Carlamere stated that he has received a letter back from the Gary Lesneski, Esq. of Archer & Griener which was read into the record. It read as follows:

- Construction of solar panels on the landfill would, in our view, require approvals from the NJDEP and the USEPA.
- The Consent Decree and the attendant remedial specifications did not anticipate this project, and naturally there will be concern that the project will not compromise the cap.
- We believe that any proposal should demonstrate that the proposed project would not affect the cap and that, whether through insurance or other form of indemnification, the Trust and the agencies would be held harmless from any adverse effects the project may cause on the remedial work that was performed at the site under the Consent Decree.
- The Trust would certainly be willing to review with its technical advisors any specifications or designs which the Township may receive, and then provide input to the Township. As you probably know, *de maximis*, the Trust's project coordinator, and Mr. Riley have previously met with engineers and other Township representatives to discuss the project, and I am sure will be happy to do so again.
- The Trust's ten year Operations and Maintenance obligation expires July 28, 2015.

Mr. Bianchini stated that he would not be giving a date this evening, but would have a date in the near future.

Mr. Polidoro also asked Mr. Bianchini and Mr. Hutchison if they have prepared any numbers since they stated that they wanted the preliminary tax levy set at zero. Mr. Bianchini stated that when the Mayor introduces her budget he will go from there. He stated that zero is a goal he would like to achieve.

Dennis Palmer of 10 Braemer Avenue spoke to Mr. Mercado about his fact finding concerning the Army Reserve in Erial. He asked who Mr. Mercado spoke to confirming they knew of the Army's plan. He spoke about the letter the residents received and the letter the Council received from the MUA. Mr. Palmer also spoke about CES being their engineer as well as Bach being the conflict engineer. Mr. Palmer stated that the township council is wasting time in connection with solar panels and windmills but is rushing through the Army project. He stated that the solar projects

should have been rushed. He also spoke about campaign contributions received by Mr. Hutchison and Mr. Schmidt from CES and stated that it was shameful. Mr. Mercado asked that politics be kept out of council chambers.

Gene Lawrence of Erial thanked Mr. Carlamere for presenting the letter to council. He asked that Council just send out an RFP at this time. He stated that it will not cost the township any money and it could provide a realistic request for what we want and what would be the guarantees. Mr. Lawrence stated that the township must do an RFP and move forward and he does not understand why the Council is not doing this.

Sharon Mickle asked if it was only Council that could go out for an RFP, She asked if the Environmental Committee could go out for the RFP. Mr. Carlamere stated that nothing prevents anyone from putting out an RFP. Ms. Mickle stated that she will reach out to the Environmental Committee.

Sarah Bass-Young of Erial stated she would like to drive through township with the Mayor so that she could point out problems. She asked when the rest of Davistown road is going to be finished. Mr. Cantwell stated that it is being done in phases and we are under consideration for a grant for the next phase. He stated that we should know in November.

Mr. Pfeiffer of Chestnut Glen thanked Chief Smith, the Zoning Officer, and Council for listening to him and helping him temporarily take care of his problem. He stated that at the time of his initial request to Council he had asked that Council consider changing the ordinance to not allow trucks to park on our streets at any time unless they were conducting business. Mr. Carlamere stated that the township could be challenged if they adopted such an ordinance. Mr. Carlamere will look into this. A resident of Jarvis Court thanked the Council for their prompt attention to the problem at Jarvis Court and Kay Lane. He stated that everyone must come together to work out solutions to their problems. He thanked Council for passing O-09-21 and thanked Mrs. Evans.

Linda Musser 50 Cameron Circle asked what the status of the website was. Mr. Mercado stated that they are waiting for the budget to be introduced to see if there is any money in the budget for this. Mayor Rau-Hatton stated that she has put money in the budget for the last 3 years. Mr. Mercado asked her how much was in the budget? It was stated that there is approximately \$17,000.00 in the budget at this time. Mrs. Musser stated that the township should work on the website. Mrs. Lovett asked if the RFP's requested previously were still good. Mr. Carlamere stated that they were not. Giselle Love of 124 Presidential Drive spoke about the council being the peoples delegates. She stated that the Mayor will handle the website.

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

R-09:09-261

**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 September 14, 2009 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: September 14, 2009

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.

The meeting was called to order. Roll call: All council members present.

Mr. Bianchini stated that Council discussed a legal situation involving the Gardens at Marksmen and the Township of Gloucester and Remington & Vernick. Mr. Hutchison made a motion to authorize Mr. Carlamere to defend the township in this suit, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

Polling of Council:

Mrs. Lovett thanked the K-9 heroes.

Mrs. Evans stated that she wished the closed sessions were held after the Polling of Council. She thanked the K-9 heroes and Mrs. Kline. She stated that the township has to move forward with solar energy and the website.

Mr. Garbowski thanked the residents for attending the meeting.

Mr. Hutchison thanked the residents for coming to the meeting and also thanked the K-9 heroes.

Mr. Schmidt thanked the residents for coming to the meeting. He reminded everyone that there will be a YAC meeting on October 7, 2009 and that the 23rd Annual Golf Tournament will be held on October 19 to benefit the township's children.

Mr. Bianchini thanked the residents for coming to the meeting. He thanked the K-9 heroes. He spoke about Patriot Day at Timber Creek .

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

Respectfully submitted,

Rosemary DiJosie
Township Clerk, RMC

President of Council