

**GLOUCESTER TOWNSHIP COUNCIL MEETING
NOVEMBER 9, 2009
MUNICIPAL BUILDING, CHEWS LANDING NEW JERSEY**

Pledge Allegiance to the Flag

Invocation: Deacon Peter Shoemaker of St. Agnes Roman Catholic Church.

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	Mayor Rau-Hatton
	Mr. Schmidt	
	Mr. Bianchini	Mr. Busa, Public Works
		Mr. Lechner, Comm. Dev.-abs.
		Mrs. Varrell, Comm. Services-vac.
		Deputy Chief Earle, Police

Presentation:

Lojack presented to the Gloucester Township Police Department a Stolen Vehicle Recovery Award. These plaques went to Officer McLaughlin and Officer Gansky.

A presentation of a plaque was made to the LaCascata Homeowners Association by the Gloucester Township Police Department in recognition of their support of the Canine Program.

A recess was called. Roll call: All council members were present.

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 Regular Meeting: October 26, 2009, seconded by Mr. Hutchison. Roll call vote: Mr. Garbowski abstained. All others votes yes. Motion carried 6-0-1.

ORDINANCES: SECOND READING AND PUBLIC HEARING

O-09-23 ORDINANCE AMENDING ORDINANCE O-89-52 ON PROVIDING FOR TAX ABATEMENT FOR COMMERCIAL, INDUSTRIAL AND MULTIPLE DWELLING (APARTMENT) IMPROVEMENTS AND PROJECTS PURSUANT TO N.J.S.A. 40A:21-1 ET SEQ.

Mr. Bianchini opened the public hearing.

Mr. Palumbo asked that the Council continue this program. He explained the program and how the taxes were phased in. He stated that this program helps the township and gets the area re-established. Mrs. Evans asked if we could do a rollback on Circuit City since they closed their doors.

Mr. Kibelstis of 81 Shelly Street spoke about new construction in the township. He asked with the abatement program how the rateables to the fire district will be handled. He stated that the fire districts should not lose taxable income. He stated that because of the new construction there will be an increase in response time and put a burden on the taxpayers. He stated that the township should give the fire districts money to handle additional calls. Mr. Palumbo stated that the Council could decide at a later date whether they would share any monies with the fire districts. Mr. Bianchini asked if the Council considered this, would they have to amend the ordinance. Mr. Carlamere stated that the statute recognizes areas in need of rehabilitation but does not reference what the township does with their dollars. Mr. Bianchini stated that not

passing this ordinance at this time would put Mr. Palumbo in a time restraint.

Judy Cruz-Murphy of Erial asked with these projects being expanded, how will the neighbors be protected. She stated that the buffer zones should be more than 25 feet. She stated that she is bringing this up to Council because she would like to keep the buffer issue at the forefront. Mr. Carlamere stated that the buffers would be a Land Use issue and should be addressed to the township through the Planning Board. There was a question whether an existing business would get another tax abatement for an addition.

Mr. Kibelstis asked if there was a formula to calculate the abatement. Mr. Palumbo stated that it was based on the current tax rate.

Nicole Mantuano of Erial asked what if the business kept expanding. He stated that the original premises would only get 5 years and each addition would get their own five years.

Dick Edgar of Erial asked if this applies to homeowners as well. Mr. Palumbo stated that the township recently passed an ordinance for homeowners raising the limit to \$25,000.00. This would be on a property that was twenty years old or older and would last five years.

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

Mr. Hutchison made a motion to adopt, seconded by Mr. Mercado Roll call vote: Mrs. Evans stated that she still had questions about this and would therefore abstain. All others voted yes. Motion carried 6-0-1.

ORDINANCES: FIRST READING

O-09-24

ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND CHEWS LANDING LLC FOR PREMISES BLOCK 9708, LOT 1 C0400 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 ET SEQ.) AND ORDINANCE NO. O-09-23

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-09-23 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 Chews Landing LLC for premises known as Block 9708, Lot 1 C0400 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, State of New Jersey as follows:

SECTION 1. The Tax Abatement Application of Chews Landing LLC for a "project" for premises known as Block 9708, Lot 1 C0400 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-09-23 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 Chews Landing LLC for premises designated as Block 9708, Lot 1 C0400 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 9, 2009

PRESIDENT OF COUNCIL

Adopted:

ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on November 23, 2009, and to advertise by synopsis, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

O-09-25

ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND MEGHA REAL ESTATE HOLDING FOR PREMISES BLOCK 18404, LOT 2 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 ET SEQ.) AND ORDINANCE NO. O-09-23

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-09-23 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 Megha Real Estate Holding for premises known as Block 18404, Lot 2 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, State of New Jersey as follows:

SECTION 1. The Tax Abatement Application of Megha Real Estate Holding for a "project" for premises known as Block 18404, Lot 2 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-09-23 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 Megha Real Estate Holding for premises designated as Block 18404, Lot 2 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 9, 2009

PRESIDENT OF COUNCIL

Adopted:

ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on November 23, 2009, and to advertise by synopsis, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

O-09-26

ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND STANBERRY CROSS KEYS LLC FOR PREMISES BLOCK 18501, LOT 12 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 ET SEQ.) AND ORDINANCE NO. O-09-23

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-09-23 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 Stanberry Cross Keys LLC for premises known as Block 18501, Lot 12 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, State of New Jersey as follows:

SECTION 1. The Tax Abatement Application of Stanberry Cross Keys LLC for a "project" for premises known as Block 18501, Lot 12 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-09-23 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 Stanberry Cross Keys LLC for premises designated as Block 18501, Lot 12 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 9, 2009

PRESIDENT OF COUNCIL

Adopted:

ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Mercado made a motion to adopt on first reading, to have second reading and public hearing

on November 23, 2009 and to advertise by synopsis, seconded by Mr. Hutchison. Roll call vote: Mr. Garbowski abstained, all others voted yes. Motion carried 6-0-1.

O-09-27

ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND SHIVAM HOLDING LLC FOR PREMISES BLOCK 18501, LOT 13 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A.40A:21-1 ET SEQ.) AND ORDINANCE NO. O-09-23

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-09-23 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 Shivam Holding LLC for premises known as Block 18501, Lot 13 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, State of New Jersey as follows:

SECTION 1. The Tax Abatement Application of Shivam Holding LLC for a "project" for premises known as Block 18501, Lot 13 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-09-23 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 Shivam Holding LLC for premises designated as Block 18501, Lot 13 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 9, 2009

PRESIDENT OF COUNCIL

Adopted:

ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Mercado made a motion to adopt on first reading, to have second reading and public hearing on November 23, 2009 and to advertise by synopsis, seconded by Mr. Hutchison. Roll call vote: Mr. Garbowski abstained, all others voted yes. Motion carried 6-0-1.

O-09-28

ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND

**BCC 18, LLC FOR PREMISES BLOCK 18501, LOT 18 PURSUANT
TO C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 ET SEQ.) AND ORDINANCE
NO. O-09-23**

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-09-23 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 BCC 18, LLC for premises known as Block 18501, Lot 18 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, State of New Jersey as follows:

SECTION 1. The Tax Abatement Application of BCC 18, LLC for a "project" for premises known as Block 18501, Lot 18 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-09-23 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 BCC 18, LLC for premises designated as Block 18501, Lot 18 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 9, 2009

PRESIDENT OF COUNCIL

Adopted:

ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on November 23, 2009, and to advertise by synopsis, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

O-09-29

**ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT
AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND
BCC 19, LLC FOR PREMISES BLOCK 18501, LOT 19 PURSUANT
TO C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 ET SEQ.) AND ORDINANCE
NO. O-09-23**

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-09-23 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 BCC 19, LLC for premises known as Block 18501, Lot 19 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, State of New Jersey as follows:

SECTION 1. The Tax Abatement Application of BCC 19, LLC for a "project" for premises known as Block 18501, Lot 19 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-09-23 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 BCC 19, LLC for premises designated as Block 18501, Lot 19 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 9, 2009

PRESIDENT OF COUNCIL

Adopted:

ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on November 23, 2009, and to advertise by synopsis, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

O-09-30

ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND CROSSINGS-TWIN OAKS LLC FOR PREMISES BLOCK 18612, LOT 3 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 ET SEQ.) AND ORDINANCE NO. O-09-23

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-09-23 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 Crossings-Twin Oaks LLC for premises known as Block 18612, Lot 3 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, State of New Jersey as follows:

SECTION 1. The Tax Abatement Application of Crossings-Twin Oaks LLC for a "project" for premises known as Block 18612, Lot 3 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-09-23 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 Crossings-Twin Oaks LLC for premises designated as Block 18612, Lot 3 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 9, 2009

PRESIDENT OF COUNCIL

Adopted:
ATTEST:

TOWNSHIP CLERK

MAYOR

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on November 23, 2009 and to advertise by synopsis, seconded by Mr. Mercado. Roll call vote: Mr. Garbowski abstained, all others voted yes. Motion carried 6-0-1.

O-09-31

**ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT
AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND
TS & CMK, LLC FOR PREMISES BLOCK 8105, LOT 32 C0600
PURSUANT TO C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 ET SEQ.)
AND ORDINANCE NO. O-09-23**

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-09-23 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 TS & CMK, LLC for premises known as Block 8105, Lot 32 C0600 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, State of New Jersey as follows:

SECTION 1. The Tax Abatement Application of TS & CMK, LLC for a "project" for

premises known as Block 8105, Lot 32 C0600 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-09-23 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 TS & CMK, LLC for premises designated as Block 8105, Lot 32 C0600 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 9, 2009

PRESIDENT OF COUNCIL

Adopted:

TOWNSHIP CLERK

MAYOR

Mr. Mercado made a motion to adopt on first reading, to have second reading and public hearing on November 23, 2009 and to advertise by synopsis, seconded by Mr. Hutchison . Roll call vote: Mr. Garbowski abstained, all others voted yes. Motion carried 6-0-1.

RESOLUTIONS:

CONSENT AGENDA

R-09:11-302

RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Refund for Construction Violation number 20090615 in the amount of \$65.00.

Payable to: Anthony Cogle
47 E. Meadowbrook Cir
Sicklerville, NJ 08081

ADOPTED: November 9, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK, RMC

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

R-09:11-303

RESOLUTION AUTHORIZING REDUCTION OF SECURITIES OF HIDDEN MILL

**ASSOCIATES FOR HIDDEN MILL ESTATES - LITTLE MILL ROAD
IMPROVEMENTS IN THE TOWNSHIP OF GLOUCESTER**

WHEREAS, the Developer of Hidden Mill Estates - Little Mill Road Improvements 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 Hidden Mill Estates - Little Mill Road Improvements as follows:

From \$577,014.06 to \$175,945.22

Adopted: November 9, 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-09:11-304

**RESOLUTION SUPPORTING THE OVER THE LIMIT,
UNDER ARREST 2009 YEAR END STATEWIDE CRACKDOWN**

WHEREAS, impaired drivers on our Nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 26% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the, *Over the Limit, Under Arrest 2009 Year End Statewide Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 7, 2009 through January 3, 2010; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED that the Township of Gloucester declares it's support for the *Over the Limit, Under Arrest 2009 Year End Statewide Crackdown* from December 7, 2009 through January 3, 2010 and pledges to increase awareness of the dangers of drinking and driving.

Adopted: November 9, 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-09:11-305

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

WHEREAS, the developer of Elite Construction Corporation has supplied the Township of Gloucester with securities covering this development, within the Township

of Gloucester, and these securities earned interest, 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 of Gloucester that the securities in the amount of \$6740.66 was returned and the interest accrued in the amount of \$65.12 should also be released.

Adopted: November 9, 20009

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-09:11-306

RESOLUTION IN SUPPORT OF OPERATION MEDICINE CABINET

WHEREAS, the Gloucester Township Police Department, in conjunction with the Drug Enforcement Administration New Jersey Division, will be sponsoring "Operation Medicine Cabinet" on Saturday, November 14, 2009 between the hours of 10:00 AM and 2:00 PM in the Gloucester Township Courtroom; and

WHEREAS, the Township Council of the Township of Gloucester supports the Police Department's efforts to collect all expired or unused medicines which are commonly abused so that they can be safely disposed of by the Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester to support the Gloucester Township Police Department's "Operation Medicine Cabinet" effort to collect expired or unused medicines at the Gloucester Township Courtroom on Saturday November 14, 2009 between the hours of 10:00 AM and 2:00 PM so that they may be safely disposed.

Adopted: November 9, 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-09:11-307

RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Refund for Construction Permit number 20091698 in the amount of \$10.00.

Payable to: Robin Gardner
133 LaCosta Dr
Blackwood, NJ 08012

ADOPTED: November 9, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK, RMC

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

R-09:11-308

RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR AMERICAN DENTAL CARE, PA IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, the developer of Modern Dental Concepts 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 \$ 93,175.50 in the name of American Dental Care, PA be released upon the posting of an approved maintenance bond in the amount of \$11,646.94.

Adopted: November 9, 2009

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK

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

R-09:11-309

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF GLOUCESTER AND MORRISON EXCAVATION

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, determined that there is a need for drainage project on Ridge Avenue

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

Morrison Excavation LLC for drainage project on Ridge Avenue in the amount of \$28,850.00 which was the lowest bid or quote received.

Adopted: November 9, 2009

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK, RMC

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

R-09:11-310

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:

GEORGE & JANE MERRYFIELD
247 VIRGINIA AVE
AUDUBON, NJ 08106

APPLICATION: #152009

PERMIT: #8120

AMOUNT: \$510.00

ADOPTED:11-09-09

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-09:11-311

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
13103 149568	17	American General Finance 3501 Route 42, Suite 350 Turnersville, NJ 08012-1755 Attn: Marion Gravely	09/10	2,814.82	Erroneous Payment
14403 167187	60	Brian Williams 102 Celestino Ct. Blackwood, NJ 08012	09/10	1,484.89	Overpayment
18304 407713	20	GMAC Mtg. 3451 Hammond Ave. Waterloo, IA 50704 Attn: Kathy Frampton	09/10	5,543.79	Overpayment

ADOPTED: November 9, 2009

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.

REGULAR AGENDA:

R-09:11-312

RESOLUTION AUTHORIZING THE PURCHASE AND

**DELIVERY OF SODIUM CHLORIDE AND DE-ICING
LIQUID BY INTERNATIONAL SALT COMPANY PURSUANT
TO CAMDEN COUNTY COOPERATIVE PRICING SYSTEM
#57-CCCPS**

WHEREAS, the County of Camden, as the Lead Agency for the Camden County Cooperative Pricing System, System Identifier #57-CCCPS (Cooperative), received and opened bids through its Division of Purchasing on September 9, 2009 for Bid B-15, Furnishing and Delivering Sodium Chloride, Pre-treated Liquid Enhanced Sodium Chloride and Corrosion Inhibited De-icing Liquid to various locations in Camden County, as needed, under the Camden County Cooperative Pricing System #57-CCCPS, the receipt of which bids were duly advertised in accordance with law; and

WHEREAS, International Salt Co., LLC, was the lowest responsible bidder who complied with the specifications; and

WHEREAS, the Township of Gloucester has previously determined to participate with Camden County as the Lead Agency for the purchase and delivery of Sodium Chloride and Corrosion Inhibited De-icing Liquid.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the proper Township officials be and are hereby authorized to execute and deliver on behalf of the Township the Contract between the Township of Gloucester and International Salt Co., LLC for the purchase and delivery of Sodium Chloride, and Pre-treated Liquid Enhanced Sodium Chloride and Corrosion Inhibited De-icing Liquid.

A copy of said Contract 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: November 9, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Busa stated that this will save the township approximately \$9,700.00.

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

Mr. Hutchison stated that he would like to add a walk-on resolution.

R-09:11-313

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY,
NEW JERSEY ADOPTING A HIRING FREEZE FOR ALL
POSITIONS WITHIN THE ADMINISTRATION OF THE
TOWNSHIP OF GLOUCESTER**

WHEREAS, Township Council of the Township of Gloucester recognizes pending changes in the Township Administration effective January 2010; and

WHEREAS, Township Council had determined the necessity in implementing a hiring freeze for all positions within the Township of Gloucester.

NOW, THEREFORE, BE IT RESOLVED and approved by the Township Council of the Township of Gloucester, that there shall be a hiring freeze within the Township Administration which shall be effective until January 2010.

Adopted: November 9, 2009

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Cardis stated that they have been interviewing for a part-time position at Public Works. Mr. Bianchini questioned whether the person presently working part-time could continue so the Public Works department will not be impacted. Mr. Hutchison made a motion to adopt, seconded by Mr. Schmidt. Roll call vote: Mrs. Lovett voted no and stated that she is insulted that Mr. Hutchison would be stuck with someone that she appointed, Mrs. Evans voted no, all others voted yes. Motion carried 5-2.

PUBLIC HEARING ON 2009/2010 FISCAL YEAR MUNICIPAL BUDGET

Mr. Bianchini opened the public hearing on the Mayors budget as introduced. Mr. Cardis stated that the township has applied for extraordinary aid, and is applying for a Tax Levy Cap Waiver. He stated that there will be a public hearing on the amendments to the budget when they are completed. Mrs. Lovett asked how much has been cut from the budget thus far. Mr. Cardis stated that he thinks approximately 10 to 15 thousand dollars, and she asked if any future budget meetings had been set up. Mr. Bianchini stated that they will be setting up future meetings and Mr. Cardis, the Mayor, Mrs. Lovett and the auditor will be going to the Division of Local Government Services tomorrow.

There being no comment, the public hearing was closed.

MOTIONS:

RA1239 STETSER LA MARTINE POST 281 1-1-10 TO 12-31-10

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

MAYOR'S REPORT:

Mayor Rau-Hatton congratulated Mr. Hutchison, Mr. Schmidt, Mrs. Gentek and Mr. Mayer on their election victory. She wished them the best and will be available to help with the transition. She stated that on Tuesday she will be going to Trenton to advocate for the township's Extraordinary Aid application. She stated that the township still does not know the pension numbers. Mayor Rau-Hatton stated that she has spoken with Congressman Andrews and the Army is now allowing the Camden County Improvement Authority and the township to propose other sites for the Training Center. She stated that the deadline is December 1st. She stated that the Army is open to other sites. She stated that she will be meeting with the Black Horse Pike Regional School Board concerning the redistricting of the high schools. She stated that she will bring their findings to the December workshop. She urged everyone to go to Operation Medicine Cabinet on November 14, 2009, and bring any expired medications so that they may be properly disposed.

PUBLIC PORTIONS:

Mr. Bianchini opened the public portion.

Judy Cruz-Murphy stated that she would like to see a Police Sub-Station at the southern end of town. She stated that with all the new building down at that end of town, there are more traffic accidents and more burglaries.

Andre Gelber of Heartland offered the township services for payroll from his company and left brochures for anyone interested.

Nicole Mantuano of Mulberry Station stated that her water smells like chlorine and tastes like bleach and she is also having a problem with feral cats in her neighborhood.

Chuck Palumbo stated that he will be updating the Council soon on the current stage of the revaluation. He stated that the project will soon come to a close.

Joanne Carr invited everyone to the Open House at Gabriel Daveis Tavern on November 22, 2009 between the hours of 1 and 4 pm.

Tanya Brown stated that she will miss Mayor Rau-Hatton and Mrs. Lovett. She stated that someone has called her about the sewer back up and stated that the Federal Government is fining the township \$5,000.00 per day. She asked if Council was aware. Mr. Bianchini stated that it would be the GTMUA that would be getting fined not the township and possibly the HOA. He stated that he will speak to the GTMUA.

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

POLLING OF COUNCIL

Mrs. Lovett congratulated Officers Gansky and McLaughlin on their awards and congratulated those who won the election.

Mrs. Evans congratulated those who won the election and also congratulated the police officers. She stated that she has some concerns with the Land Use and she will make sure that the residents are heard.

Mr. Garbowski thanked the residents for coming to the meeting. He congratulated the Police Department and also thanked the LaCascata HOA for their donation to the canine unit of the Police Department.

Mr. Mercado thanked the residents for coming to the meeting. He congratulated the officers who were awarded a plaque by Lojack. He congratulated all those that were victorious on election day. He thanked Mayor Rau-Hatton and Mrs. Lovett for their service and stated that there was never a question as to how much they care about Gloucester Township.

Mr. Schmidt thanked the residents for coming to the meeting. He also thanked Mayor Rau-Hatton and Mrs. Lovett for their service to the community.

Mr. Bianchini thanked the residents for coming to the meeting. He congratulated the officers that received the award from Lojack. He thanked the HOA of LaCascata for their donation to the canine unit of the Police Department. He thanked Mrs. Lovett and Mayor Rau-Hatton for all the time that they have served the community.

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

Respectfully submitted,

President of Council

Rosemary DiJosie
Township Clerk, RMC