GLOUCESTER TOWNSHIP COUNCIL MEETING FEBRUARY 13, 2012 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: Mr. Hutchison Mr. Schmidt Mr. Siler Mrs. Gentek Mrs. Trotto Mr. Mercado Mr. Bianchini Mr. Carlamere, Solicitor

Mr. Cardis, Business Admin. Mrs. DiJosie, Township Clerk, RMC Mayor Mayer

Mr. Moffa, Public Works Mr. Lechner, Comm. Dev. Chief Earle, Police

PUBLIC PORTION:

Mr. Bianchini opened the public portion.

Mr. Polidoro asked if the Township previously spent money on the GEMS study. Mr. Carlamere stated that he did not recall this. Mr. Bianchini asked Mr. Cardis to look into this. There being no further comment, the public portion was closed.

BIDS:

REVERE RUN MANAGED AFFORDABLE FAMILY HOUSING

REQUEST FOR REDEVELOPER/DEVELOPER QUALIFICATIONS/PROPOSALS FOR MANAGED AFFORDABLE FAMILY HOUSING AND PURCHASE OF PREMISES BLOCK 14102, LOT 17 FEBRUARY 8, 2012 11:00 AM

Three proposals received by 11:00 am on February 8, 2012

<u>COMMUNITY INVESTMENT STRATEGIES</u> Present was Barbara Schoor of CIS Packet received with qualifications for

Tresent was Barbara Sender of City	I defice received	a with quantications for
	review	
	Initial Bid:	\$1,500,000.00
	Increased Bid:	\$1,800,001.00
RPM DEVELOPMENT GROUP		
Present was Ethan Daniels and Kevin Kavanaugh	Packet received with qualifications for review	
	Initial Bid:	\$750,000.00
CONIFER		,
No one was present	Packet received with qualifications for review	
	Initial Bid:	\$1,800,000.00
	Mr. Hutchigan	Dall call water All in farrow

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

ORDINANCES:SECOND READING AND PUBLIC HEARING0-12-01REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF
THE TOWNSHIP'S OUTSTANDING CALLABLE GENERALOBLIGATIONBONDS, SERIES 2003, DATED MARCH 1, 2003;
ISSUANCE OF UP TO \$6,000,000 OF GENERALOBLIGATIONREFUNDING BONDS OF THE TOWNSHIP OF
GLOUCESTER, COUNTYCOSTS THEREOF;OF CAMDEN, NEW JERSEY, TO FINANCE THE
MAKING CERTAIN DETERMINATIONS AND

COVENANTS IN AUTHORIZING CERTAIN RELATED WITH THE FOREGOING

CONNECTION THEREWITH; AND ACTIONS IN CONNECTION

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

ORDINANCES: FIRST READING

O-12-03

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER TO ADOPT A FULLY **AMENDED CHAPTER 68 ENTITLED "RENT STABILIZATION ORDINANCE OF THE TOWNSHIP OF GLOUCESTER**"

BE IT ORDAINED by the Township Council of the Township of Gloucester in the County of Camden, State of New Jersey, that Chapter 68, of the Code of the Township of Gloucester entitled "Rent Stabilization" be an is hereby amended

SECTION 1. The attached ordinance in its entirety is hereby adopted.

SECTION 2. That all ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgement of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 4. This ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: February 13, 2012 Adopted:

President of Council

Township Clerk

Mayor

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on February 27, 2012 and to advertise by synopsis, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried 7-0.

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE O-12-04 TOWNSHIP OF GLOUCESTER TO ADOPT A FULLY AMENDED CHAPTER 68A ENTITLED "MANUFACTURED HOME PARK RENT STABILIZATION **TOWNSHIP OF GLOUCESTER" ORDINANCE OF THE**

BE IT ORDAINED by the Township Council of the Township of Gloucester in the County of Camden, State of New Jersey, that Chapter 68A, of the Code of the Township of Gloucester entitled "Manufactured Home Park Rent Stabilization" be an is hereby amended

SECTION 1. The attached ordinance in its entirety is hereby adopted.

SECTION 2. That all ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgement of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 4. This ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: February 13, 2012

Adopted:

President of Council

Township Clerk

Mayor

Mr. Mercado made a motion to adopt on first reading, to have second reading and public hearing on February 27, 2012 and to advertise by synopsis, seconded by Mr. Hutchison. Roll call vote: All in favor. Motion carried 7-0.

RESOLUTIONS: CONSENT AGENDA

R-12:02-038

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 Building Permit number 20111133 in the amount of \$140.00.

Payable to: Hutchinson Plumbing Heating Cooling

621 Chapel Ave Cherry Hill, NJ 08034 ADOPTED: February 13, 2012

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK, RMC

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

R-12:02-039

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR WOODLAND AVENUE AND RIDGE AVENUE STORMWATER IMPROVEMENTS IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, it was necessary to make changes in the scope of work to be done in completing the Woodland Avenue and Ridge Avenue Stormwater Improvements 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 \$34,690.00 to \$35,465.00.

Adopted: February 13, 2012

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.

R-12-02-040 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, STATE

OF NEW JERSEY, TO AUTHORIZE THE PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION UNDER N.J.S.A. 40A:12A-6 TO DETERMINE WHETHER CONDITIONS EXIST TO DESIGNATE THE GEMS LANDFILL SITE IN THE TOWNSHIP OF GLOUCESTER AS AN AREA IN NEED OF REDEVELOPMENT, AND TO REPORT ITS FINDINGS TO THE GOVERNING BODY

WHEREAS, the Local Redevelopment and Housing Law (LRHL) (N.J.S.A. 40A:12A-1 et seq.) provides a legal framework for establishing a redevelopment area and for comprehensively planning for the revitalization of such an area; and

WHEREAS, the Township is desirous of undertaking a planning analysis to determine if the following properties, known collectively as the GEMS Landfill site and all under ownership of the Township of Gloucester:

Block 14003 Lots 25 and 26. Block 19601 Lots 3, 14 through 25. Block 19602 Lots 2, 3 and 10.

meet the criteria set forth in N.J.S.A. 40A:12A-5 and may be designated as an area in need of redevelopment; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality, by resolution, authorizes the Planning Board to undertake a preliminary investigation to determine whether the proposed area is an area in need of redevelopment according to the criteria set forth in N.J.S.A 40:12A-5 (the "Needs Study"); and

WHEREAS, such a determination shall be made after public notice and public hearing as provided in the LRHL; and

WHEREAS, the governing body of the Township of Gloucester seeks to have the Planning Board investigate whether the properties noted above meets the statutory criteria warranting designation as an area in need of redevelopment and to prepare a Need Study; and

WHEREAS, the LRHL further provides that no redevelopment may be undertaken except in accordance with a redevelopment plan, prepared upon a finding that a delineated area is in need of redevelopment;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Gloucester hereby authorizes the Township of Gloucester Planning Board pursuant to N.J.S.A. 40A-6(a) to undertake a preliminary investigation and prepare a Needs Study to determine whether the aforementioned properties in the study area meet the criteria specified in N.J.S.A. 40A:12A-5 and should be designated in need of redevelopment, and to report such finding to the governing body after public notice and public hearing.

BE IT FURTHER RESOLVED that, as provided by law, the Planning Board shall, after giving public notice and notice to affected property owners, conduct a public hearing at which all persons who are interested in or are affected by the proposed redevelopment designation are given an opportunity to be heard; and

BE IT FURTHER RESOLVED that after completing its hearing, the Planning Board shall transmit its recommendations to the Township Council; and

BE IT FURTHER RESOLVED that a copy of the Resolution, assigning conduct of the investigation and public hearing on the proposed redevelopment area to the Planning Board will be transmitted to the Planning Board by the Township Clerk upon its adoption.

A notice of this action shall be published in the official newspaper authorized to publish legal notices for the Township of Gloucester as required by law.

A copy of this resolution shall be filed in the Office of the Township Clerk.

Adopted: February 13, 2012

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK

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

R-11:02-041RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF GLOUCESTER ESTABLISHING
POLICIES FOR THE TOWNSHIP OF
GLOUCESTERBEHAVIORAL
GLOUCESTERPOLICIES FOR THE TOWNSHIP OF
EMPLOYEE HANDBOOK

WHEREAS, the Township Council of the Township of Gloucester, in the County of Camden, State of New Jersey, the following behavioral policies are hereby established and are made part of the Township of Gloucester Employee handbook:

SECTION I COMPUTERS

- 1. Turn off computers when not in use, including overnight.
- 2. Set each workstation to automatically power down after five minutes of inactivity. This can be done by either:
 - a. In control panel settings, change display related to the screensaver power options to initiate sleep mode after 5 minutes. Moving the mouse will automatically revive the computer.
 - b. In control panel, select power options and choose to turn off the display after three minutes and to put the compute to sleep after five minutes

SECTION II PRINTERS AND COPIERS

- 1. As much as possible, print as little as possible and minimize the use of hard copy documents. Distribute information in electronic formats when possible. Revise documents on screen instead of printed drafts. Save important emails and documents as digital files instead of hard copies.
- 2. Use timers to automatically turn off printers and copiers on a set schedule appropriate to their use or turn off at the end of the work day.
- 3. Print in black and white instead of color. When printing to a copier this option is under properties.
- 4. Use inkjet instead of laser printers to save energy when possible.
- 5. Print and copy double-sided. Copier defaults have been set to duplex settings.
- 6. Reuse paper with one side of print as scrap paper before recycling.

SECTION III – LIGHTING

- 1. For evenings and weekends, turn off all lights when staff leave building at the end of the work day.
- 2. Keep lights off whenever a room is not in use.
- 3. To the extent feasible, automatic sensors will be installed in municipal facilities

SECTION IV – HEATING/COOLING

- 1. Set thermostats to be several degrees warmer in the summer and several degrees cooler in the winter.
- 2. Adjust thermostats to minimize heating and cooling while buildings are not in use over evenings, weekends, and holidays.
- 3. Install an automatic thermostat to regulate temperature based on time of day and schedule of occupancy.

Adopted: February 13, 2012

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK

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

R-12:02-042

A RESOLUTION TO AUTHORIZE TOWNSHIP OF GLOUCESTER TO APPLY FOR TONNAGE GRANT MONIES FOR THE YEAR 2011 FROM NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102. has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of The Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement The Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to making and keeping accurate, verifiable records of materials collected and claimed by the Municipality; and

WHEREAS, a Resolution authorizing this Municipality to apply for such tonnage grants will memorialize the commitment of this Municipality to recycling and to indicate the assent of Gloucester Township Council to the efforts undertaken by the Municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a Resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW THEREFORE BE IT RESOLVED by the Gloucester Township Council of the Township of Gloucester that Gloucester Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Glenn Engelbert, CRP, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

ADOPTED: February 13, 2012

COUNCIL PRESIDENT

ATTEST:

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

R-12:02-043

RESOLUTION AUTHORIZING RELEASE OF SECURITIES FOR LAKEVIEW APARTMENTS LAUNDRY FACILITIES IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, the developer of the Lakeview Apartments Laundry Facilities 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 \$14,535.30 in the name of Lakeview Realty Investment Associates, L.P. be released.

Adopted: February 13, 2012

ATTEST:

PRESIDENT OF COUNCIL

TOWNSHIP CLERK

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

R-12:02-044

RESOLUTION AUTHORIZING THE SOLICITING OF A RFQ/RFP VIA THE GLOUCESTER TOWNSHIP WEBSITE FOR THE REPLACEMENT OF PHONE SYSTEM AND CARRIER SERVICES

WHEREAS, the laws of the State of New Jersey pursuant to Public Contracts and Payto-Play legislation authorizes request for qualifications/proposals for professional services; and

WHEREAS, the State Statutes require that items exceeding \$36,000.00 be properly solicited via the Gloucester Township Website and RFQ/RFP received.

NOW, THEREFORE, BE IT RESOLVED that the Soliciting of a RFQ/RFP for the replacement of phone system and carrier services via the Gloucester Township Website is hereby authorized, in accordance with the respective specifications provided through the office of the Business Administrator.

Adopted: February 13, 2012

COUNCIL PRESIDENT

ATTEST:

TOWNSHIP CLERK

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

R-12:02-045

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY AUTHORIZING THE ELECTION OF THE BLACK HORSE PIKE REGIONAL SCHOOL DISTRICT SCHOOL BOARD AS THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER

WHEREAS, the Township Council of the Township of Gloucester authorizes the Black Horse Pike Regional School District to change the election date of school board members from the third Tuesday in April to the first Tuesday after the first Monday in November (The General Election); and

WHEREAS, the Township Council of the Township of Gloucester affirms that such action requires the approval of either the governing bodies of the Township of Gloucester, Borough of Runnemede and Borough of Bellmawr or a majority vote by the Black Horse Pike Regional School District, and

WHEREAS, the Township Council of the Township of Gloucester requires that the change in election date remain in effect for four years, and

WHEREAS, the Township Council of the Township of Gloucester affirms that P.L. 2011, c.202 (Senate Bill 3148; Assembly Bill 4394) eliminates the annual voter referendum on the proposed general fund tax levy (i.e., the base budget which is at or below the statutory tax levy cap) in school districts where board of education members are selected at the General Election, and

WHEREAS. the Township Council of the Township of Gloucester affirms that P.L. 2011, c.202 requires that an additional general fund tax levy proposal (i.e. for an expenditure in excess of the tax levy cap) be presented to voters as a separate question at the General Election, and

WHEREAS, the Township Council of the Township of Gloucester affirms that the financial interest of its tax payers is safeguarded by the state's tax levy cap, and

WHEREAS, the Township Council of the Township of Gloucester believes that more citizens will participate in the selection of members to the Black Horse Pike Regional School District at the General Election than on the third Tuesday in April and that the higher level of participation will foster positive interest in our public schools, and

WHEREAS, the Township Council of the Township of Gloucester is committed to the nonpartisan status of school board membership and the non-partisan conduct of school elections and believes this principal will not be compromised by conducting board member elections in November, and

WHEREAS, the Township Council of the Township of Gloucester believes that the elimination of the vote on the school budget and the movement of the Board of Education election to November is in the best interest of the residents of the Township of Gloucester, and

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Gloucester that pursuant to P.L. 2011, c.202, the Black Horse Pike Regional School District shall change the annual election date for its members from the third Tuesday in April to the first Tuesday after the first Monday in November (the General Election), now beginning in 2012, and

BE IT FURTHER RESOLVED, that, pursuant to P.L. 2011, c.202, this change will remain in effect at least through November, 2015, and

BE IT FURTHER RESOLVED, that pursuant to P.L. 2011, c202, the annual reorganization meeting of the Black Horse Pike Regional School District will take place in the first week of January following the November General Election, and

BE IT FURTHER RESOLVED, that pursuant to P.L. 2011, c202, the members of the Black Horse Pike Regional School District Board of Education whose terms would have expired by May 1, 2012 will continue to serve in office until the January 2013, reorganization meeting, and

BE IT FURTHER RESOLVED, that this resolution be transmitted to the governing bodies of the Borough of Runnemede, Borough of Bellmawr, Black Horse Pike Regional School District, the Camden County Board of Elections, Christopher Cerf, Acting Commissioner of Education, and

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to the New Jersey School Boards Association.

Adopted: February 13, 2012

PRESIDENT OF COUNCIL

ATTEST:

TOWNSHIP CLERK

Mr. Siler made a motion to adopt, seconded by Mr. Mercado. Roll call vote: Mr. Siler stated that he is glad that Council is showing support of this. He stated that it is good for the township and good for the schools. Mr. Siler voted yes, all other council members voted yes. Motion carried. 7-0.

R-12:02-046

RESOLUTION APPOINTING MEMBERS TO THE GLOUCESTER TOWNSHIP 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 Gloucester Township Blackwood Lake Advisory Committee

MONIQUE STOWMAN

2 YEARS

02-13-12 - 12-31-13

Adopted: February 13, 2012

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.

R-12:02-047

RESOLUTION APPOINTING MEMBERS TO THE GLOUCESTER TOWNSHIP HISTORIC & SCENIC PRESERVATION COMMITTEE

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following persons be and are hereby appointed to the Gloucester Township Historic & Scenic Preservation Committee

THOMAS PINOLINI 5 YEARS

02-13-12 TO 12-31-16

Adopted: February 13, 2012

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.

R-12:02-048

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY AUTHORIZING AND APPROVING THE ISSUANCE AND SALE OF UP TO OF \$2,500,000 OF BONDS OF THE TOWNSHIP OF GLOUCESTER CONSISTING OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2012A, AND THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2012B; AUTHORIZING THE

DELIVERY OF EXECUTION AND THE LOAN AGREEMENTS TO BE EXECUTED BY THE TOWNSHIP AND EACH OF THE NEW JERSEY ENVIRONMENTAL **INFRASTRUCTURE TRUST AND STATE OF NEW JERSEY,** ACTING BY AND THROUGH THE NEW JERSEY **DEPARTMENT OF ENVIRONMENTAL PROTECTION:** FURTHER AUTHORIZING THE EXECUTION AND AN OF ESCROW AGREEMENT. DELIVERY ALL **PURSUANT** TO THE 2012 NEW **JERSEY ENVIRONMENTAL INFRASTRUCTURE** TRUST FINANCING PROGRAM; AND DETERMINING CERTAIN **OTHER MATTERS IN CONNECTION THEREWITH**

BACKGROUND

WHEREAS, the Township of Gloucester, County of Camden, New Jersey ("Township") has determined there exists a need for: (i) various improvements to Lake Renee including, but not limited to, the dredging of certain areas to restore the Lake's original depth and the construction of an upstream, in-line sediment basin; and (ii) the replacement of 4,300 to 5,000 feet of storm pipe in the residential development known as "Cherrywood" (collectively, the "2012 Project"), as described in that certain Loan Agreement ("Trust Loan Agreement") to be entered into between the Township and the New Jersey Environmental Infrastructure Trust ("Trust") and that certain Loan Agreement"; together with the Trust Loan Agreement, the "Loan Agreements") to be entered into between the Township and the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2012 New Jersey Environmental Infrastructure Trust Financing Program ("Program"); and

WHEREAS, the Township has determined to use the proceeds of a loan to be made by each of the Trust ("Trust Loan") and the State ("Fund Loan"; together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively, to permanently finance the 2012 Project; and

WHEREAS, to evidence the Loans, each of the Trust and the State require the Township to authorize, execute and deliver its General Obligation Bonds, Series 2012A, to the Trust ("2012A Bonds") and its General Obligation Bonds, Series 2012B, to the State ("2012B Bonds"; together with the 2012A Bonds, the "2012 Bonds"), pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements; and

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the Township Council of the Township has, pursuant to Bond Ordinance No. O-09-17, duly and finally adopted and published in accordance with the requirements of the Local Bond Law ("Bond Ordinance"), authorized the issuance of general obligation bonds or bond anticipation notes of the Township to finance the costs of the 2012 Project; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the 2012 Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement ("Escrow Agreement") to be entered into between the Trust, the State, the Escrow Agent and the Township; and

WHEREAS, to effectuate the financing plan described in the above mentioned paragraphs, it is necessary for the Township to adopt this resolution and to authorize and approve the issuance and sale of the 2012 Bonds in a principal amount up to \$2,500,000; and

WHEREAS, *N.J.S.A.* 40A:2-27(a)(2) allows for the sale of the 2012A Bonds and the 2012B Bonds to the Trust and the State, respectively, without any public offering, and *N.J.S.A.* 58:11B-9(a) allows for the sale of the 2012 Bonds to the Trust, without any public offering, all under the terms and conditions set forth herein.

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

Section 1. The Township authorizes and approves the issuance of the 2012 Bonds in

two series (2) in a total principal amount of up to \$2,500,000 to be designated, "Township of Gloucester, County of Camden, New Jersey, General Obligation Bonds, Series 2012A" and "Township of Gloucester, County of Camden, New Jersey, General Obligation Bonds, Series 2012B", respectively. The 2012 Bonds will be used to pay the costs of the 2012 Project. In accordance with *N.J.S.A.* 40A:2-27(a)(2) and *N.J.S.A.* 58:11B-9(a), the Township hereby sells and awards the 2012A Bonds and the 2012B Bonds to the Trust and to the State in accordance with the provisions hereof.

Section 2. The Chief Financial Officer is hereby authorized to determine in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the 2012A Bonds and the 2012B Bonds:

(a) The aggregate principal amount of the 2012A Bonds and the 2012B Bonds to be issued;

(b) The maturity and annual principal installments of the 2012A Bonds and 2012B Bonds, which maturity shall not exceed twenty (20) years;

- (c) The date of the 2012 Bonds;
- (d) The interest rates of the 2012 Bonds;
- (e) The purchase price for the 2012 Bonds; and
 - (f) The terms and conditions under which the 2012 Bonds shall be subject to redemption prior to their stated maturities.

Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the 2012 Bonds by the parties authorized under Section 3 hereof.

Section 3. The 2012 Bonds shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the Township, the Trust and the State shall approve. The 2012 Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to principal and interest in lawful money of the United States of America. The 2012 Bonds will be executed on behalf of the Township by the manual signatures or facsimile signatures of the Mayor and Chief Financial Officer, attested by the Township Clerk (such execution shall constitute conclusive approval by the Township of the form of the 2012 Bonds), and shall bear the affixed, imprinted or reproduced seal of the Township thereon. The 2012A Bonds and the 2012B Bonds shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 4. The terms of the 2012 Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full members of the Township Council.

Section 5. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the 2012 Bonds and, to the extent payment is not otherwise provided, the Township shall be obligated to levy *ad valorem* taxes upon all taxable real property within the Township without limitation as to rate or amount for the payment thereof.

<u>Section 6</u>. Each of the Trust Loan Agreement, Fund Loan Agreement and the Escrow Agreement are hereby authorized to be executed and delivered on behalf of the Township by the Mayor or Chief Financial Officer in substantially the forms on file in the offices of the Township, with such changes as the Mayor or Chief Financial Officer in their respective sole discretion, after consultation with counsel and any advisors to the Township and after further consultation with the Trust and the State and their representatives, agents, counsel and advisors, shall determine, such determination to be conclusively evidenced by the execution of each of such Trust Loan Agreement, Fund Loan Agreement and Escrow Agreement by an authorized officer as determined hereunder. The Township Clerk and Deputy Township Clerk are each hereby severally authorized to attest to the execution of the Trust Loan Agreement, Fund Loan Agreement and Escrow Agreement, Fund Loan Agreement and Escrow Agreement by an authorized officer of the Township as determined hereunder and to affix the corporate seal of the Township to such documents.

Section 7. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Chief Financial Officer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the 2012 Bonds or the 2012 Project are hereby ratified, confirmed, approved and adopted.

Section 8. The Mayor, Chief Financial Officer and Township Clerk are each hereby

authorized to determine all matters and execute all documents and instruments in connection with the 2012 Bonds or the 2012 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinance, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 9. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 10. This resolution shall take effect immediately upon adoption this 13th day of February, 2012.

Adopted: February 13, 2012

ATTEST:

President of Council

Township Clerk

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

R-12:02-049

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY, AUTHORIZING THE PREPARATION AND DISTRIBUTION OF OFFERING DOCUMENTS IN CONNECTION WITH THE SALE OF THE TOWNSHIP'S GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012; AUTHORIZING THE ISSUANCE, SALE AND AWARD OF SAID BONDS; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN ACTIONS RELATED THERETO

WHEREAS, on March 3, 2003, the Township of Gloucester, County of Camden, New Jersey ("Township"), issued its General Obligation Bonds, Series 2003, dated March 1, 2003, in the aggregate principal amount of \$7,683,000, bearing interest a rates ranging from 3.850 to 3.875% per annum ("2003 Bonds"); and

WHEREAS, the 2003 Bonds in the aggregate principal amount of \$5,438,000, and maturing on February 1 in the years 2014 through 2018, both inclusive (collectively, the "Callable Bonds"), are subject to redemption prior to maturity at the option of the Township on or after February 1, 2013 at a redemption price equal to 100% of the Callable Bonds to be redeemed, plus accrued interest thereon; and

WHEREAS, as a result of the low interest rates prevailing in the municipal bond market, the Township has the opportunity to economically refinance up to all of the Callable Bonds; and

WHEREAS, on January 9, 2012, the Township Council, pursuant to N.J.S.A. 40A:2-52:, introduced an ordinance entitled, "REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF THE TOWNSHIP'S OUTSTANDING CALLABLE GENERAL OBLIGATION BONDS, SERIES 2003, DATED MARCH 1, 2003; AUTHORIZING THE ISSUANCE OF UP TO \$6,000,000 OF REFUNDING BONDS OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY, TO FINANCE THE COSTS THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING" ("Refunding Bond Ordinance"); and

WHEREAS, pursuant to N.J.S.A. 40A:2-51 <u>et seq.</u>, the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs ("Local Finance Board"), at a meeting held on February 8, 2012, adopted a resolution authorizing the Township to finally adopt the Refunding Bond Ordinance; and

WHEREAS, on February 13, 2012 the Township Council, after a public hearing, finally adopted the Refunding Bond Ordinance; and

WHEREAS, pursuant to the Refunding Bond Ordinance, the Township is authorized to issue its refunding bonds, in one or more series, in the aggregate principal amount up to \$6,000,000 to refund up to all of the Callable Bonds; and

WHEREAS, it is the intent of the Township Council hereby to: (i) authorize and approve the preparation and distribution of offering documents in connection with the issuance and sale of the Refunding Bonds (as hereinafter defined); (ii) authorize and approve the issuance, sale and award of the Refunding Bonds (as hereinafter defined); and (iii) authorize the Mayor, Administrator, Chief Financial Officer and Township Clerk to make certain related determinations and covenants and take certain actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED 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, CONSTITUTING CHAPTER 169 OF THE LAWS OF 1960 OF THE STATE OF NEW JERSEY, AS AMENDED AND SUPPLEMENTED ("LOCAL BOND LAW"), AS FOLLOWS:

<u>Section 1.</u> Pursuant to the Local Bond Law and the Refunding Bond Ordinance, the issuance of negotiable refunding bonds of the Township in the aggregate principal amount of up to \$6,000,000, to be designated, substantially, "Township of Gloucester, County of Camden, New Jersey, General Obligation Refunding Bonds, Series 2012" ("Refunding Bonds"), for the purposes described in the Refunding Bond Ordinance and in this Resolution, is hereby authorized, approved, ratified and confirmed.

Section 2. The preparation of a preliminary official statement ("Preliminary Official Statement") relating to the Refunding Bonds, and the distribution of said Preliminary Official Statement (in physical or electronic form) by Raymond James & Associates, Inc., as underwriter ("Underwriter"), to prospective purchasers of the Refunding Bonds and others having an interest therein, is hereby authorized, approved, ratified, confirmed and directed. The Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby authorized to deem the Preliminary Official Statement "final", as contemplated by paragraph (b)(1) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended.

<u>Section 3.</u> The Administrator and Chief Financial Officer are each hereby authorized to determine in accordance with the Local Bond Law, specifically, N.J.S.A. 40A:2-52 <u>et seq.</u>, and pursuant to the terms and conditions established by the Underwriter under the Bond Purchase Contract to be entered into by the Township and the Underwriter in connection with the sale of the Refunding Bonds ("Purchase Contract") and the terms and conditions hereof, the following items with respect to the Refunding Bonds:

- (a) the total principal amount of the Refunding Bonds which, in the aggregate, shall not exceed \$6,000,000;
- (b) the annual principal installments of the Refunding Bonds; provided, however, the final maturity shall be no later than February 1, 2018;
- (c) the dated date of the Refunding Bonds and the principal and interest payment dates for the Refunding Bonds;
- (d) the rates of interest the Refunding Bonds are to bear; provided, however, that an overall net present value savings of at least three percent (3%) is achieved with respect to the Callable Bonds;
- (e) the purchase price for the Refunding Bonds; provided, however, that the Underwriters' discount for the Refunding Bonds shall not exceed \$6.00 per \$1,000 principal amount of such Refunding Bonds; and

(f) the redemption provisions of the Refunding Bonds.

Any determination made by the Administrator and/or Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and delivery of the Purchase Contract by the Administrator or Chief Financial Officer as provided for in Section 5 hereof.

Section 4. The Administrator and/or Chief Financial Officer shall report in writing to the Township Council at the meeting next succeeding the date when any sale or delivery of the Refunding Bonds pursuant to this resolution is made. Such report must include the aggregate principal amount, the interest rate or rates and the maturity schedule of the Refunding Bonds sold, the price obtained, an the redemption provisions thereof, if any.

<u>Section 5.</u> The Refunding Bonds shall be sold at a negotiated sale to the Underwriter in accordance with the terms and conditions set forth in the Purchase Contract. The Purchase Contract is hereby authorized to be executed and delivered on behalf of the Township by the Administrator or Chief Financial Officer, in substantially the form on file in the offices of the Township, with such changes as the Administrator or Chief Financial Officer in their respective sole discretion, after consultation with, among others, Bond Counsel and the Financial Advisor (as hereinafter defined) to the Township, shall determine, such determination to be conclusively evidenced by the execution of the Purchase Contract by an authorized officer as determined hereunder.

The Refunding Bonds will be issued in fully registered form. One Section 6. certificate shall be issued for the aggregate principal amount of Refunding Bonds maturing in each year. Both the principal of and interest on the Refunding Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository ("Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Refunding Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and the records of The Depository Trust Company and its participants. The principal of and interest on the Refunding Bonds will be paid to The Depository Trust Company by the Township on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of either : (i) the 1st day of the calendar month containing an interest payment date; or (ii) the 15th day of a calendar month next preceding an interest payment date, as applicable (the record dates for the Refunding Bonds). The Refunding Bonds will be executed on behalf of the Township by the manual or facsimile signatures of the Chief Financial Officer or Treasurer, attested by the Township Clerk or Deputy Township Clerk (such execution shall constitute conclusive approval by the Township of the form of the Refunding Bonds), and shall bear the affixed, imprinted or reproduced seal of the Township thereon. The Refunding Bonds shall not be valid or obligatory for any purpose unless the Authentication Certification printed thereon shall be duly executed by an authorized officer of the Paying Agent (hereinafter mentioned).

Section 7. The Township is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Refunding Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 8. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Refunding Bonds or is removed by the Township and if no successor Securities Depository is appointed, the Refunding Bonds which were previously issued in book-entry form shall be converted to registered bonds in denominations of \$5,000, or any integral multiple thereof ("Registered Bonds"). The beneficial owner under the book-entry system, upon registration of the Registered Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Township shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 9. The Refunding Bonds shall be general obligations of the Township. The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the Refunding Bonds and, to the extent payment is not otherwise provided, the Township shall levy <u>ad valorem</u> taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 10. The preparation of a final official statement ("Official Statement") with respect to the Refunding Bonds is hereby authorized and directed. Within seven (7) business days of the sale of the Refunding Bonds and in sufficient time to accompany any confirmation that requests payment from a customer, the Township will deliver sufficient copies of the Official Statement to the Underwriter to comply with Paragraph (b)(4) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934, as amended ("Rule 15c2-12"). The Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby authorized to execute the Official Statement, and the distribution thereof to the Underwriter and others is hereby authorized and directed. The execution of the final Official Statement by the Mayor, Administrator, Chief Financial Officer or Township Clerk shall constitute conclusive evidence of approval by the Township of the changes therein from the Preliminary Official Statement. The Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby authorized to approve any amendments of or supplements to the Official Statement.

<u>Section 11.</u> The appointment of McElwee & Quinn, LLC ("Printer"), to provide printing, electronic and physical dissemination services for the Township with respect to the Preliminary Official Statement and Official Statement (hereinafter defined) is hereby authorized, approved, ratified and confirmed. The Administrator and Chief Financial Officer are each hereby authorized and directed to enter into an agreement with Printer for the services to be provided.

Section 12. The Township hereby covenants that it will not make any use of the proceeds of the Refunding Bonds or do or suffer any other action that would cause: (i) the Refunding Bonds to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Refunding Bonds to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Refunding Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code.

The Township hereby covenants as follows: (i) it has not abandoned, sold or Section 13. otherwise disposed of any facility, equipment or improvement (except through normal retirement) financed directly or indirectly with the proceeds of the Callable Bonds; (ii) it does not intend to, during the term that the Refunding Bonds are outstanding, abandon, sell or otherwise dispose of any facility, equipment or improvement (except through normal retirement) financed directly or indirectly with the proceeds of the Callable Bonds; (iii) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Section 148(f) and 149(e) of the Code; (iv) it shall take no action that would cause the Refunding Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code; (v) it will not employ a device in connection with the issuance by it of the Refunding Bonds which will enable it to obtain a material financial advantage (based on arbitrage) apart from the savings that may be realized as a result of the lower interest rates on the Refunding Bonds than on the Callable Bonds; (vi) the amount of "excess gross proceeds", as such term is defined in Income Tax Regulation \$1.148-10(c)(2), of the Refunding Bonds will not exceed one percent (1%) of the proceeds received from the sale thereof; and (vii) it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Regulation §1.148-0 through 1.148-11, 1.149(b)-1 and 1.149(i)-1, 1.149(g)-1, 1.150-1 and 1.150-2 as such regulations and statutory provisions may be modified insofar as they apply to the Refunding Bonds.

Section 14. The Township hereby designates the Refunding Bonds as "qualified taxexempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2012 to December 31, 2012, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Refunding Bonds.

For purposes of this Section 14, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Township:

(i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to currently refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 15. The Administrator and Chief Financial Officer are each hereby authorized and directed to engage the services of a qualified financial institution to serve as paying agent for the Bonds ("Paying Agent") and as escrow agent ("Escrow Agent") for the Refunded Bonds (hereinafter defined). The Administrator and Chief Financial Officer are each hereby authorized to execute and deliver an agreement with the Paying Agent and the Escrow Agent for the services to be provided.

Section 16. The Escrow Agent is hereby authorized, if so directed by the Township, to redeem the Callable Bonds on their respective first call dates, at a redemption price equal to 100% of the Callable Bonds to be redeemed, plus interest accrued to the redemption date ("Refunded Bonds"). The Escrow Agent shall mail any required notice of redemption as set forth in the Refunded Bonds and in the Escrow Deposit Agreement (hereinafter mentioned) by and between the Township and the Escrow Agent.

Section 17. To provide for the redemption of the Refunded Bonds as set forth in Section 16 above, the Administrator and Chief Financial Officer are each hereby authorized to execute and deliver an escrow deposit agreement ("Escrow Deposit Agreement") on behalf of the Township and to make the deposit of moneys and investments specified therein ("Escrow Investments").

<u>Section 18.</u> The appointment of Acacia Financial Group, Inc., Marlton, New Jersey ("Financial Advisor"), to provide financial advisory services for the Township in connection with the authorization, issuance, sale and delivery of the Refunding Bonds is hereby authorized, approved, ratified and confirmed. The Administrator and Chief Financial Officer are each hereby authorized and directed to enter into an agreement with the Financial Advisor for the services to be provided.

Section 19. In order to assist the Underwriter in complying with the secondary market disclosure requirements of Rule 15c2-12, the Administrator and Chief Financial Officer are each hereby authorized to execute on behalf of the Township before the issuance of the Refunding Bonds an agreement with Paying Agent, as dissemination agent, providing for the preparation and filing of the necessary reports in accordance with Rule 15c2-12.

Section 20. The Administrator and Chief Financial Officer are each hereby authorized and directed to engage the services of a qualified institution to serve as Verification Agent ("Verification Agent") to verify the mathematical accuracy of certain computations made by the Underwriter regarding: (i) the adequacy of the maturing principal of and interest on the Escrow Investments to pay each series of the Refunded Bonds as set forth in the Escrow Deposit Agreement; and (ii) the yields on the Refunding Bonds and the Escrow Investments. The Administrator and Chief Financial Officer are each hereby authorized to execute and deliver an agreement with the Verification Agent for the services to be provided.

Section 21. The Administrator and Chief Financial Officer are each hereby authorized to pay the costs associated with the issuance of the Refunding Bonds and refunding of the Refunded Bonds; provided, however, that such costs do not exceed the maximum amounts set forth in the application submitted by the Township to the Local Finance Board in connection with the adoption of the Refunding Bond Ordinance.

<u>Section 22.</u> If necessary or advisable, the appropriate Township officials and the Township's professional advisors are hereby authorized to (i) obtain one or more ratings on the Refunding Bonds; and (ii) furnish certain information to the various municipal bond insurance companies concerning the Township and the Refunding Bonds for the purpose of qualifying the Refunding Bonds for municipal bond insurance. The Administrator and Chief Financial Officer are each hereby authorized to execute such documents as may be necessary or appropriate to effectuate the obtainment of ratings for the Refunding Bonds and the obtainment of municipal bond insurance with respect to the Refunding Bonds if determined to be cost effective.

<u>Section 23.</u> All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Administrator, Chief Financial Officer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the

authorization and issuance of the Refunding Bonds and the refunding of the Refunded Bonds, as described in the Refunding Bond Ordinance, are hereby ratified, confirmed, approved and adopted in all respects.

Section 24. The Mayor, Administrator, Chief Financial Officer and Township Clerk are each hereby severally authorized to determine all matters and execute all documents and instruments in connection with the issuance of the Refunding Bonds and refunding of the Refunded Bonds, as described in the Refunding Bond Ordinance, not determined or otherwise directed to be executed by applicable law, or by this or any subsequent resolution, and the signatures of the Mayor, Administrator, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 25. All resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 26. This Resolution shall take effect immediately upon adoption this 13th day of February, 2012.

Adopted: February 13, 2012

ATTEST:

President of Council

Township Clerk

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

MOTIONS:

RA1302	G.T.G.A.A.	APRIL 29, 2012
RA1303	BERLIN TOWNSHIP PEACE	MARCH 12, 2012
RA1304	PTA - OUR LADY OF GUADALUPE	MARCH 25, 2012
RA1305	PTA - OUR LADY OF GUADALUPE	MARCH 25, 2012
RA1306	PTA - OUR LADY OF GUADALUPE	MARCH 25, 2012
RA1307	GLENDORA FIRE COMPANY	03-01-12 to 02-28-13

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

MAYOR'S REPORT:

Mayor Mayer thanked Mr. Mercado and the Black History Committee for their efforts this weekend for Black History Month. He stated that several township residents enjoyed a screening of Red Tails- a story about the Tuskegee Airman. He thanked Council for the refinancing bond ordinance and stated that it has saved the township approximately \$215,000.00. He stated that this Wednesday, he will be meeting with seven other communities for e-ticketing. He stated that Gloucester Township will be the host community. He reminded everyone of the Citizens Police Academy on March 22, 2012 and the Police Awards Night on May 2nd at the Dennis Flyer Theatre. He stated that the Township will be holding the Black History Awards at the next Council meeting on February 27, 2012.

PUBLIC PORTION: Public participation, which shall be any item the public chooses to address to the Township Council. Anyone addressing Council may speak one time. Once all those wishing to address Council have had their turns, they may address Council a second time, only if it adds to what was said earlier, not repeating earlier statements.

Mr. Kibelstis stated that he remembers Council approving an agreement with Remington & Vernick for GEMS Solar. He stated that this should be used as the base. Mr. Cantwell stated that R & V did do a preliminary report on this, but did not do a design. He stated that this is to attract future developers. He stated that the resolution must go to Planning Board to have the area declared a Redevelopment Zone. Mr. Cantwell stated that they only got to the draft stage of the report.

Mr. Joshua Berry of Broadacres Drive stated after the culmination of many months of volunteer work, he has enough signatures to turn the petitions into the township in support of a change of the Pay to Play ordinance of the township. He reviewed the timeline that must be followed and

submitted the petitions to the Township Clerk. He stated that citizens can get involved and make a difference.

Russell Burt of Hilltop Avenue gave his opinion of the petitions. He stated that he supports some of the parts of the petitions, and he stated that he feels that it could jeopardize some of the shared services contracts the township has entered into. He spoke about the verbiage of the resolution.

Darren Gladden of 44 Greensway stated that he was involved in the petitions and he stated that the people should be able to vote on this. He also spoke about the red light cameras on Blackwood-Clementon Road.

Ray Polidoro asked that walk-o be copied and attached to the agendas. He stated that as far as Pay to Play we should not be worrying about other towns and we should move forward.

Joshua Berry of Broadacres Drive thanked Mr. Burt for speaking as he wants to hear dialogue. He also stated that the ordinance was modified to protect the township when it comes to Pay to Play.

Jeanie Jones of Chatham Road spoke about the Solar Panels at Owens Corning. She asked what the status of the project is and was it a done deal. Mayor Mayer stated that the Township has entered into an agreement with Project Navigator and they are doing a feasibility study. Mayor Mayer stated that he will stay in contact with Ms. Jones concerning this project.

Mr. DiBartolo of Ohio Avenue stated that he has concerns over Pay to Play. He encouraged Council to give this consideration. He stated that elected officials should be above reproach.

POLLING OF DIRECTORS

Mr. Lechner stated that the Township hosted a NJ Planning Officials seminar. He stated that the Planning Board members and Zoning Board members are all trained and many of our professionals volunteer their time as teachers.

POLLING OF COUNCIL

Mr. Hutchison thanked everyone for coming and gave kudos to Mr. Mercado for hosting the "Red Tails" movie event.

Mr. Schmidt thanked everyone for coming and he thanked Mr. Mercado for hosting "Red Tails.

Mr. Siler thanked Council for the movie and stated that he has gotten many compliments about it from residents.

Mrs. Gentek thanked everyone for coming and also thanked Mr. Mercado for the movie "Red Tails".

Mrs. Trotto thanked everyone for coming and also thanked Mr. Mercado.

Mr. Mercado thanked everyone for coming. He thanked the residents and the Black History Committee and also Colonel Siler and United Artists Theater for the private showing of Red Tails. He also thanked the sponsor of the event. He reminded everyone to thank the fire fighters for all that they do for the township.

Mr. Bianchini thanked the resident for coming to the meeting. He thanked Mr. Mercado for all that he has done concerning the movie. He thanked Sam Siler for serving his country. Mr. Bianchini thanked the Public Works Department for responding over the weekend due to the weather. He stated that it was a job well done.

ADJOURNMENT

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

Respectfully submitted,

President of Council

Rosemary DiJosie Township Clerk