

**GLOUCESTER TOWNSHIP COUNCIL MEETING  
MARCH 12, 2012  
MUNICIPAL BUILDING, CHEWS LANDING NEW JERSEY**

Pledge Allegiance to the Flag

Invocation: Pastor William Wilson of Chews United Methodist Church gave the invocation

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. Carlamere, Solicitor
	Mr. Schmidt	
	Mr. Siler	Mr. Cardis, Business Admin.
	Mrs. Gentek	Mrs. DiJosie, Township Clerk, RMC
	Mrs. Trotto	Mayor Mayer – abs.
	Mr. Mercado	
	Mr. Bianchini	Mr. Moffa, Public Works
		Mr. Lechner, Comm. Dev.
		Chief Earle, Police

**PRESENTATION:** Commander Phil Williams, George Carr, Gunther Fritsch, Sgt. Randy Pierce and Sgt. John Whitefoot presented Dalton Smith a plaque as EMT of the Year for Gloucester Township. President Bianchini congratulated Dalton Smith on behalf of the council and the Mayor and also thanked Erial VFW for presenting the award.

**PUBLIC PORTION:**

Mr. Bianchini opened the public portion.

Joe Reed of the Millbridge Development asked about ordinance O-12-06, Section 7 which spoke about a study for Blackwood-Clementon Rd. He stated that a study was done previously and he wanted to know why we would be doing another study.

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

**MINUTES:** Mr. Mercado made a motion to waive the reading and accept the minutes of: Regular Meeting – January 23, and February 13, 2012 and the February Workshop seconded by Mr. Hutchison. Roll call vote: All in favor. Motion carried. 7-0

**ORDINANCES: FIRST READING**

**O-12-05**

**AN ORDINANCE AMENDING CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, STATE OF NEW JERSEY, ENTITLED GARBAGE, RUBBISH AND WASTE**

**BE IT ORDAINED**, by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 55 of the Code of the Township of Gloucester be in total as follows:

Section 1.

CHAPTER 55 shall be known as “Solid Waste and Recycling Management.

55-1 SOLID WASTE AND RECYCLABLE.

55-1.1 Adoption of Statute and Code by Reference: Laws, regulations and codes regulating the manner in which refuse may be stored, collected, transported and disposed of, and declaring and defining certain conditions as nuisances; fixing the duties and responsibility of persons storing, collecting or disposing of refuse and recyclables, regulating the municipal disposal, collection and bidding procedure for solid waste collection, and other such laws and regulation as defined within the "Solid Waste Management Act", N.J.S.A. 13:IEI et.seq. and N.J.A.C. 7:26-1.1 et. seq. are hereby adopted by reference.

55.1.2 Title. The New Jersey Statute established and adopted by this section is described and commonly known as the "Solid Waste Management Act". N.J.S.A. 13:1E1 et. seq., 13:1B-3, 13:1D-9 and N.J.A.C. 7:26-1.1 et. seq.

## 55-2 SOLID WASTE AND RECYCLABLE COLLECTION PROGRAM.

55-2.1 Purpose. The purpose of this section is to regulate, control, dispose of, manage and collect solid waste and appropriate recycling materials within the Township of Gloucester.

55-2.2 Responsibility for Collection and Disposal. It shall be the responsibility of the Administration of the Township of Gloucester to administer the collection and disposal of all appropriate solid waste materials and recyclables, as defined, with the exception of demolition, excavation, business, commercial, industrial, medical, hazardous, building/remodeling contractor's, lawn service, landscaper and tree removal contractor's waste or refuse.

55-2.3 Definitions. As used in this section:

Aluminum Cans - shall mean and include all disposable containers fabricated primarily of aluminum and commonly used for soda, beer, or other beverages.

Appliances (white goods) - shall mean washers, dryers, hot water heaters, refrigerators, freezers, trash compactors, dishwashers, stoves, and air conditioners.

Asbestos - shall mean the asbestos form varieties of setpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite and actinolite-tremolite.

Asbestos-containing waste materials (ACWM) shall mean mill tailings or any waste that contains commercial asbestos and is generated by a source subject to the provisions of 40 C.P.R. 61.140.

This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations, this term also includes regulated asbestos-containing material waste and materials contaminated with asbestos including disposable equipment and clothing.

Biodegradable bags - shall mean a paper bag which is designed and manufactured to decompose by a natural biological process.

Business waste - shall mean any solid waste or recycling material that are generated as a result of operating, conducting or performing a business or service. (See also commercial waste)

Cardboard - shall mean corrugated cardboard, paperboard boxes (cereal, pasta, & tissue); paper towel rolls, and cardboard beverage carriers.

Collection day - shall be as designated by the Administration of the Township of Gloucester setting forth the pick-up start and end time as designated by the contract.

Collection or collecting - shall mean the act of picking up solid waste and/or recycling at its point of generation.

Co-mingled recyclables - shall mean food and beverage containers and beverage cartons that are made from glass, tin, aluminum and plastics #1,2,4,5 & 7 only, which are placed mixed in one recycling container or as allowed by New Jersey Statute regulations.

Commercial landscaper - shall be any business, trade or industry providing the service of grass cutting, tree and brush removal, trimming, stump removal, mulching or any other yard maintenance or improvement.

Commercial landscaper - shall include tree surgeon, gardener or horticulturist.

Commercial solid waste - shall mean solid waste or recyclable material generated by wholesale, retail or service businesses and multi-unit residential structures. (See also business waste)

Commercial user - shall mean any person utilizing the services of a business, trade, industry or other nonresidential activity for the purpose of landscaping.

Composting facility - shall mean a solid waste facility which utilizes a controlled biological process of degrading non-hazardous solid vegetative waste.

Contract(s) - shall be between the Township of Gloucester and an independent contractor(s) for the collection and disposal of solid waste and/or recyclable material.

Contractors waste (See construction and demolition waste)

Construction and demolition waste - shall mean waste building material and rubble resulting from construction, remodeling, repair, and demolition operations on houses, commercial buildings, pavements and other structures. The following materials may be found in construction and demolition waste: treated and untreated wood scrap; tree parts, tree stumps and brush; concrete, asphalt, bricks, blocks and other masonry; plaster and wallboard; roofing materials; corrugated cardboard and miscellaneous paper; ferrous and non-ferrous metal; non-asbestos building insulation; plastic scrap; dirt; contractors carpets and padding; glass (window and door); and other miscellaneous materials; but shall not include other solid waste types.

Contractor - shall mean a person or firm engaged in the business of providing a service, construction, repairing, refurbishing, remodeling or demolition of buildings or grounds within the Township.

Electronics - shall mean items with electronic components and circuit boards, including but not limited to computers, monitors, printers, computer peripherals, cameras, vcrs, dvd players, stereos, cell phones, and telephones.

Generation - shall mean the act or process of producing solid waste.

Garbage/food waste - shall mean any animal or vegetable waste solids resulting from the preparation, cooking, or consumption of food, but not including human waste.

Glass - shall mean all products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all other material commonly known as glass, excluding, however, blue and flat glass commonly known as window glass.

Hazardous material - shall mean wastes presenting a clear danger to health and safety by reason of their biological, pathological, explosive, radiological, or toxic characteristics.

Landscaper - shall mean a person or firm engaging in a commercial enterprise or business which designs, constructs alters, demolishes, excavates, plants, weeds, fertilizes, prunes, trims, mows or otherwise alters and/or cares for the outdoor natural premises of a property.

Lawn service contractor - shall mean a person or firm whose primary purpose is to mow, edge, trim and or fertilize the grass areas of the outdoor premises of another's property and is paid for such endeavors.

Metal cans - shall mean and include all disposable containers fabricated primarily of metal and commonly used for soda, beer, or other beverages.

Newspaper - shall mean and include paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

Paper recyclables - shall mean newspaper, white paper, magazines, junk mail, paper bags, phone books, office paper, and file folders.

Recyclables - shall mean that portion of the solid waste generated that can be separated and reused.

Recyclable waste - shall mean any material that can be separated at the source of generation, which can be reused in manufacture of new products or goods.

Residential solid waste - shall mean residential user generated solid waste that has resulted from normal household activities and is collected and disposed of at an approved disposal location.

Residential user - shall mean all owners, tenants, occupants or persons in possession of, or exercising control over, a dwelling unit such as a single family home or a multi-family dwelling, and who utilize the Township or its authorized agent for the collection of solid waste, rubbish, trash and recyclables.

Resident - shall mean any person occupying or maintaining a place of residence within the Township, occupying a single family house or multi-family dwelling.

Route - shall mean a specific path of a trash or recycling collection vehicle.

Scavengers - shall mean any unauthorized or unlicensed person, firm or corporations collecting rubbish, trash or recyclable materials placed at the collection point for Township collection.

Single stream recycling - shall mean the method of placing mixed paper, cardboard and commingled containers together in one container for collection. Mixed paper, cardboard and commingled containers are collected in one non-compartmentalized vehicle and delivered to the materials recovery facility (MRF). All recyclable materials are collected in one "stream".

Solid waste contractor - shall mean a person or firm for hire properly licensed by the State Department of Environmental Protection (N.J.A.C. 7:26-3.2 ct. seq.).

Solid waste containers - shall mean the units in which the residential solid waste is stored for collection.

Source separation - shall mean separating recyclables from solid waste at the point of generation.

Special materials - shall mean bulky materials or other solid wastes such as broken concrete, sod, dirt, carpets, tree limbs, and building materials not generated by a contractor or commercial business enterprise that cannot be stored in a standard collection container but can be collected by a standard collection vehicle.

Township - shall mean the Township of Gloucester.

Township Mayor shall mean the chief administrative officer of the Township of Gloucester.

Tree removal contractor - shall mean a person or firm whose primary purpose is to elevate, trim, prune and/or completely remove trees, stump removal and/or grind roots from the premises of another's property and is paid for such endeavors.

White goods (See appliances)

Yard waste - shall mean grass clippings, leaves, tree limbs and brush.

55-2.4 Intention. It is the intention of the Township to provide solid waste and recycling collection to residential users, as defined in the Township Solid Waste and Recyclable Collection Contract in accordance with the provision herein.

- a. Residential solid waste and recyclable materials must be properly placed in approved containers, a non-automated pick-up container shall have a capacity of not less than fifteen (15) gallons or more than thirty two (32) gallons and shall not exceed forty (40) pounds per container and these containers must be placed curbside within the limits of the residence collected.
- b. Each residential user must source separate the recyclable material.
- c. Such waste must be generated within the premises collected.
- d. Waste must conform with all other requirements specified by the Township.

55-2.5 Collection Schedule. The Township shall have the authority to establish, alter or amend the schedule for the collection of residential solid waste and recyclables.

- a. Holidays. There will be no collection on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- b. Recyclables. Recyclable material, including yard waste shall be collected one (1) time every other week pursuant to the Township's Solid Waste and Recyclable Collection Contract.
- c. Solid waste. Solid waste shall be collected one (1) time per week pursuant to the Township's Solid Waste and Recyclable collection Contract.
- d. Time and placement for collection. Residential solid waste and recyclables shall not be permitted to be placed at the collection point earlier than 4:00pm on the evening before the scheduled collection day for that location nor shall empty solid waste and recyclable containers remain at the collection point longer than twelve (12) hours after the regular collection time for that location. All solid waste and recyclables must be placed at the collection point prior to 5:00 a.m. on the scheduled collection day.

55-2.6 Program Established - Mandatory Separation. Within the Township of Gloucester, there is mandatory source separation of newspaper, glass, metal and aluminum cans, plastics and yard waste from solid waste. (In accordance with state statute electronic "waste" recyclables shall be source separated. All persons shall separate newspaper, glass, metal and aluminum cans, plastics and yard waste from solid waste materials and shall place newspaper, glass, metal and aluminum cans, plastics and yard waste in containers or bundles separate and apart from solid waste containers and in a location which is consistent with this section.

- a. Violations. It is a violation of this section for the resident, occupant or owner to fail to properly separate recyclables and yard waste from solid waste.
- b. Penalties/Remedies. The Township, at its discretions, may choose to educate, warn, notify or issue a summons for a violation of 55-2.6 and/or the Township and/or its contractor may choose not to collect solid waste or recyclables which are not properly separated.

55-2.7 Points of Collection.

- a. All solid waste, recyclables and/or yard waste to be collected and disposed of by the Township or its contractor shall be placed at the curb or if no existing curb, within five (5) feet of the improved roadway in the front of the premises, or as may be directed by the Township Administration from time to time.
- b. Only one collection point shall be permitted per residential user. In the case of corner lots, solid waste, recyclables and yard waste shall be placed at the curbside of an improved roadway which is most convenient to the collection vehicle or as may be directed by the Township Administration from time to time.
- c. All containers, bags, or bundles shall not be placed to inhibit storm water drainage nor shall they be placed in such a way to impede typical traffic flow, pedestrian access or progress on a sidewalk.
- d. No collection of solid waste or recyclables will be provided to dwellings under construction, dwellings being remodeled, vacant or unoccupied dwellings, vacant lots or vacant lands or those properties/residences without a valid certificate of occupancy.

55-2.8 Preparation of Residential Solid Waste. Preparation of residential solid waste, except special materials as defined within, shall be placed in standard solid waste two (2) handle containers having a capacity of not more than thirty two (32) gallons and not less than fifteen (15) gallons, not to exceed 40 pounds. Containers shall be of such size that can be handled by one solid waste contractor employee and so constructed as to prevent the spilling or leakage of their contents. Commercially produced trash bags designed for this purpose are also permitted for solid waste only. Prior to placing containers at the collection point, they should be drained of all accumulated water, and treated with a commercial insecticide if any eggs, maggots or adult insects have formed. The resident should take all possible precautions to protect their solid waste containers from vermin and other animal intrusions.

55-2.9 Preparation of Recyclable Materials. All residential recyclable material, including yard waste, shall be placed for collection according to the following minimum standards:

- a. Single Stream Recycling. Newspaper, corrugated cardboard, phonebooks, chipboard paperboard boxes, beverage cartons, cardboard beverage carriers, paper bags, file folders, office paper and paper towel rolls, paperback books, magazines, brochures, inserts, greeting cards,

regular and junk mail, aluminum and metal cans, plastic bottles steel bottle caps and metal jar lids, shall be placed together in the 96 gallon cart, 64 gallon bucket provided by the Township. Corrugated cardboard and paper bags must be flattened. Newspapers, magazines or other paper recyclables shall not be placed in bags tied or bundled prior to placement in the bucket provided for single stream recycling. All containers must be empty and rinsed.

No plastic bags are to be placed in recyclable containers.

All commingled, cardboard and newspaper must be placed in Township supplied containers. Loose recyclables placed outside the cart or bucket is prohibited.

b. Appliances/White Goods. Appliances (white goods), as defined within, are to be placed out on the normal recycling collection day. All doors shall be removed from refrigerators and freezers.

c. Yard Waste. Grass clippings, leaves, vegetative waste from lawns/flower beds and tree brush, shrubs and vegetative debris shall be placed in biodegradable paper bags, open containers or tied and bundled as applicable. No individual item (bag, container or bundles) shall weigh in excess of 40 lbs. Larger branches and limbs shall be cut into three (3) foot lengths and securely tied in bundles with total weight not in excess of forty (40) pounds. Recyclables shall not be mixed with solid waste. Comingling of solid waste and recyclables is a violation and may be subject to penalty.

Placement of all yard waste including but not limited to grass clippings, leaves and brush in plastic bags for Township collection is prohibited and will not be collected by the Township. It is recommended that residents consider a "cut it and leave it" program where grass cuttings are left on the lawn.

Any yard waste generated from a commercial landscaper and/or commercial user will not be collected by the Township. Any commercial landscaper performing services within the Township shall remove all trimmings, branches, trees, stumps, grass cuttings and other waste materials generated from the services performed by them from the premises in which they service.

Municipal collection of leaves is limited to the months of November and December. Municipal collection schedules are annually identified by posters, yard signs noting the week of collection. Leaves shall be raked to curb side for collection.

Prohibited Recycling Materials. Tires, motor oil, automotive batteries, and electronics are to be brought to the Department of Public Works for recycling.

55-2.10 Special Materials. Special materials, as defined within, shall be placed in accordance with 55-2 (above).

a. Preparation. Lumber, carpet and construction materials, not generated by a private commercial contractor, are to be tied and bundled, weigh less than fifty (50) pounds and not exceed three (3) feet in length. Material shall be free of protruding nails, screws, staples or other dangerous conditions.

b.. . Bulk Items: Bulk items such as furniture and mattresses will be collected during the normally scheduled collection day, or as designated by the Township.

55-2.11 Hazardous Materials.

a. All hazardous materials, including but not limited to waste materials which present a clear danger to health and safety by reason of their biological, pathological, explosive, radiological or toxic characteristics shall be wrapped and/or bundled and stored in clearly marked containers as "hazardous materials" and separated from other solid wastes. (Examples: injection needles knives, broken glass/mirrors, and sharp objects)

b. Injection needles shall be broken from syringe and hub and separated from the syringe before depositing for collection and shall be placed in metal or plastic containers in accordance with the procedures set forth in the New Jersey Health Department and Department of Solid Waste "Household Hazardous Waste Management Act".

c. All medical waste generators shall comply with any and all applicable regulation promulgated by the NJDEP for such generators for the disposal of medical hazardous waste.

d. Residential users and those users identified by contract shall be responsible for any personal injury to collection personnel resulting from improper disposal of hazardous materials.

e. Oil based paints, varnishes, gasoline, aerosols, antifreeze and combustibles are not to be placed curbside with normal wastes, but are to be disposed of at County Household Special Waste Collection sites.

f. Latex paint is a non-hazardous material. It can be disposed of along with regular trash as directed by the Township, following the elimination of all liquid content by removal of drying techniques.

#### 55-2.12 Solid Waste Containers

a. Standards. Containers shall be water tight and of metal or plastic, with a tight fitting cover and handles. Each container shall have a capacity of not more than thirty two (32) gallons and not less than fifteen (15) gallons and shall not exceed forty (40) pounds when containing solid waste material. Containers that are badly broken or otherwise fail to meet the requirements of this section shall be classified as refuse and disposed of by the collector. Containers must be maintained in a manner that

is not a danger to health or safety. Solid Waste containers shall be of such size that can be handled by one solid waste contract employee and so constructed as to prevent the spilling or leakage of their contents.

b. Storage of Trash/Recyclable Containers. Trash/recyclable containers stored outside residential buildings shall be placed behind the extended front face of the structure. Containers shall be concealed to the extent that they are not visible from the public right of way or adjacent properties.

c. Plastic Disposal Bags; Grocery Bags. Plastic disposal bags must be a minimum of two (2) mils. thick. "Heavy duty" plastic bags above the minimum required thickness are acceptable solid waste containers. Grocery bags shall not be considered acceptable solid waste containers and are thereby prohibited.

d. Spill. Residential users shall remove any solid waste spilled by animals or vandals as a result of defective or inadequate covers or containers.

e. Vermin/Animals. All containers should be stored and placed for collection in such a way so as to discourage intrusion by vermin and animals.

f. Placement of cans/containers. See Section 55-2.5d for permitted schedule of can/container placement at the collection point.

#### 55-2.13 Unacceptable Wastes.

Unacceptable. The following materials shall not be collected as part of the Township's solid waste and recyclable materials program. This list is not exhaustive. Prohibited materials include, but are not limited to: asbestos, asbestos containing waste materials, asphalt roofing products containing more than one (1 %) percent asbestos, resilient floor coverings, demolition materials, excavation materials; commercial, industrial, hazardous and medical waste generated from commercial facilities or medical offices. Also included are construction materials generated by private contractors, yard wastes which are not generated at the property of the residential user and on premises yard waste generated by a lawn service, landscaper, or tree service contractor.

a. Construction/Remodeling/Building Materials. Private contractors shall remove the debris materials from the site and shall dispose of the debris properly at their own cost. This debris is not to be placed for normal residential collection.

b. Hazardous Materials. All chemical and corrosive wastes and other hazardous materials as defined within are prohibited to be placed for residential pick up.

c. House Cleanouts. Furniture, carpets, bedding and similar household items resulting from the sale of a house (house clean out, or move-in, move-out) will not be collected by the Township. Disposal of such items shall be the responsibility of the owner (at time of disposal) of the property and or real estate agent.

d. Cardboard Boxes. Cardboard boxes may not be used to dispose of regular household trash. Cardboard is recyclable and must be placed into Township supplied recyclable containers in accordance with the requirements of Section 55-2.9. Any cardboard boxes containing household trash shall be left at the curb.

#### 55-2.14 Scavengers. Scavengers are prohibited from operating within the Township.

#### 5-2.15 Tips and Gratuities.

a. Tips and gratuities shall be strictly prohibited.

b. No Township employee or Township contracted solid waste contractor employee shall enter upon or in private property, except at the designated curb collection point, for the purpose of removing solid waste or recycling materials.

55-2.16 Additional Recycling Regulations; Authorization. The Township is authorized to issue additional recycling regulations as needed to provide for the most safe and efficient means of removal of recyclable materials as defined within.

55-2.17 Collection by Unauthorized Person Prohibited. All solid waste, yard waste and recyclable material aggregated and offered for collection shall remain the property and responsibility, of the generator until said material are collected by the Township's solid waste contractor or self-hauled to the Township's recycling center; at which time they become the property of the solid waste contractor or Township respectively. It shall be a violation of this section for any person not authorized by the Township to collect items herein described or to

pick up or cause to be picked up any such items. Any and each such collection in violation hereof from one (1) or more residences shall constitute a separate distinct offense punishable as provided herein.

55-2.18 Unlawful Disposal. it shall be a violation of this section in addition to other pertinent Township Ordinances and applicable state law for a person to place residential solid waste commercially generated solid waste or private contractor waste at the collection site reserved for the Township's solid waste collection.

55-2.19 Mandatory Commercial, Institutional and Industrial Source Separation Program.

a. All persons within the Township who are not residents and who are not served by the curbside collection program established pursuant to this Chapter, shall source separate and arrange for collection for recycling of all designated recyclables. Commercial, professional or institutional establishments must be able to provide proof of recyclable arrangement contracts. Township officials shall have the authority to request and review the recyclable arrangement contract of commercial, professional or institutional establishments not serviced by the Township, to verify compliance with mandatory recycling.

b. On or before March 1<sup>st</sup> of each year, commercial, professional, institutional, industrial and multifamily housing complex shall report to the municipal recycling coordinator, the tonnage of recyclables collected and removed from the municipality during the previous year.

c. Designated recyclables for the mandatory commercial, institutional and industrial source separation program shall consist of the following materials:

1. High grade paper; including white letterhead paper, white bond typing paper, white copier paper, white note pad paper, white writing paper, white envelopes, computer printout paper, and computer tab cards.

2. Corrugated cardboard.

3. Glass bottles and aluminum and metal cans.

4. Other recyclable material as may be designated from time to time by the Township or as mandated by the State Resource Recovery and Recycling Act or other statute or regulations. .

d. The arrangement for collection and disposal of designated recyclables shall be the responsibility of the person or firm who has generated the recyclables ("generator") or the person of firm obligated to the generator, by contract, to arrange for collection and disposal of its solid waste. The arrangements may include, without limitation, direct marketing of recyclables, delivery to a drop-off, contracts with solid waste collection haulers for separate collection of any or all designated recyclables, contract with other persons for separate collection of any or all designated recyclables or direct delivery to recycling facility.

55-2.20 Violations of Solid Waste and Recycling Section; Notice; Penalties.

a. The Township, in its discretion, may inform, warn, notify or issue a summons for any violation of this chapter. Each day of violation shall be considered a separate offense.

b. Notice. Should the Township issue a summons for violation of this section, the violation will be notified in accordance with Municipal Court and/or Township procedure.

c. Penalties. Any person who is found to be in violation of this Chapter shall be subject to a fine not to exceed Five Hundred Dollars (\$500.00), or to imprisonment not exceeding ninety (90) days, or both, in the discretion of a court of competent jurisdiction.

55-3 TRANSPORTATION OF GARBAGE AND OTHER REFUSE.

a. No person shall carry or transport or cause or permit to be carried or transported through or along any public street any garbage or other vegetable or animal refuse from outside the limits of the Township into the Township except as herein after limited and provided for.

b. In all cases where garbage or other refuse is to be transported through the Township and not intended to be dumped or otherwise disposed of therein, it shall be unlawful for the person transporting the same to make use of any street or other public place in the Township for-the purpose unless the vehicle in which the garbage or other refuse is to be transported or that portion wherein the garbage or other refuse may be contained shall be thoroughly and securely covered and fastened down in order that there be no spilling of any garbage or other refuse or escaping of odors and unless the vehicle or part thereof shall be thoroughly water tight in order that there may be no leaking or draining.

55.4 All ordinances or parts of ordinances inconsistent with this amending ordinance be and hereby repealed to the extent of such inconsistencies only.

Section 3. This ordinance shall become effective immediately upon adoption as provided by law.



Introduced: March 12, 2012

Adopted:

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Township Clerk

\_\_\_\_\_  
Mayor

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on March 26, 2012 and to advertise by synopsis, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried. 7-0.

**O-12-06**

**BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE CONSTRUCTION AND COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$5,374,912 THEREFORE; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$5,118,964; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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

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

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

- (a) the estimated amount to be raised by the Township from all sources for the purposes stated in Section 7 hereof is \$5,374,912;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$5,118,964;
- (c) a down payment in the amount of \$255,948 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11; and

**Section 3.** The sum of \$5,118,964, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$255,948, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Township in an amount not to exceed \$5,118,964 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Township in an amount not to exceed \$5,118,964 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance, which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$1,075,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Reconstruction and/or Repaving of Various Streets within the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	\$1,791,715	\$85,319	\$1,706,396	10 years
B. Repairs and Improvements to Drainage Systems within the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	1,006,159	47,913	958,246	15 years
C. Acquisition and Installation of Traffic Signals and Additional Street Lighting, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	355,746	16,940	338,806	10 years
D. Improvements to Various Buildings in the Township, including but not limited to the Municipal Hall, Recreation Center and Community Center, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	626,353	29,826	596,527	15 years

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
E.	Acquisition of Equipment for the Public Works Department including, but not limited to, Recycling Packers, Dump Trucks and Street Sweepers, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	671,169	31,961	639,208	15 years
F.	Replacement of Curbs throughout the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	31,650	1,507	30,143	10 years
G.	Streetscape Improvements in connection with TCDI Grant Program, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	21,100	1,005	20,095	10 years
H.	Acquisition of Office Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	54,596	2,600	51,996	5 years
I.	Provision of a Portion of the Costs of Closure and Remediation with respect to the Gloucester Environmental Management Services Landfill located in the Township of Gloucester, together with the completion of all work necessary therefor or related thereto	31,650	1,507	30,143	15 years
J.	Preliminary Costs Associated with the College Drive Redevelopment Study, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	10,550	503	10,047	5 years
K.	Preliminary Costs Associated with the Blackwood-Clementon Road Redevelopment Plan, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	47,475	2,261	45,214	10 Years

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
L.	Various Improvements to Recreational Areas including, but not limited to, concrete work, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	31,650	1,507	30,143	15 Years
M.	Acquisition of Equipment for the Township Parks and Recreation Department, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	230,940	10,998	219,942	15 Years
N.	Acquisition of Various Information Technology and Telecommunications Equipment for the Police Department including, but not limited to, Radio System Infrastructure Upgrade and Command Unit, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	107,610	5,122	102,488	7 Years
O.	Acquisition of Communications, Field and Computer Equipment for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly set forth in the information on file with the Township Administrator.	356,549	16,979	339,570	5 Years
	<b>TOTAL</b>	<b>\$5,374,912</b>	<b>\$255,948</b>	<b>\$5,118,964</b>	

**Section 8.** The average period of useful life of the several purposes for the financing of which this bond ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purpose, is not less than 11.96 years.

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

**Section 10.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Township, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$5,118,964 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 11.** The full faith and credit of the Township are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the

Township shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 12.** The applicable Capital Budget of the Township is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

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

**Section 14.** The Township hereby covenants as follows:

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

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

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

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

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

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

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

Introduced: March 12, 2012

Adopted:

ATTEST:

\_\_\_\_\_  
PRESIDENT OF COUNCIL

\_\_\_\_\_  
TOWNSHIP CLERK

\_\_\_\_\_  
MAYOR

Mr. Hutchison made a motion to adopt on first reading, to have second reading and public hearing on March 26, 2012 and to advertise by synopsis, seconded by Mr. Mercado. Roll call vote: All in favor. Motion carried. 7-0.

**O-12-07**

**REFUNDING BOND ORDINANCE PROVIDING FOR THE FUNDING OF AN ENERGY SAVINGS IMPROVEMENT PROGRAM FOR THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY; AUTHORIZING THE ISSUANCE OF UP TO \$2,250,000 OF GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP TO FINANCE THE COST THEREOF; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING**

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**BACKGROUND**

**WHEREAS**, the Township of Gloucester, County of Camden, New Jersey ("Township") has heretofore engaged the services of Blue Sky Power LLC ("Engineer") to assist the Township and The Black Horse Pike Regional School District ("School District") in the development of an energy savings improvement program ("ESIP") to make energy related improvements to certain facilities owned by the Township and the School District; and

**WHEREAS**, the Township retained the services of Concord Engineering, ("Concord") to conduct an energy savings audit ("Township Audit") on behalf of the Township pursuant to *N.J.S.A.* 40A:11-4.6(d); and

**WHEREAS**, simultaneous with, and independently from, the Township Audit, the School District retained the services of Concord to conduct an energy savings audit ("School District Audit"; and together with the Township Audit, the "Audits") on behalf of the School District pursuant to *N.J.S.A.* 18A:18A-4.6(d); and

**WHEREAS**, based upon the Audits, the Engineer and Concord have assisted in the preparation of a combined energy savings plan ("ESP") for the Township and the School District, consisting of the installation of various energy conservation measures at: (i) various Township facilities, at a cost of up to \$650,000; and (ii) at various School District facilities, at a cost of up to \$1,600,000 (collectively, the "ESIP Project"), all as more particularly set forth in the ESP, and

**WHEREAS**, the ESP was approved by a resolution of the Township on November 14, 2011 and by a resolution of the School District on November 17, 2011; and

**WHEREAS**, on March 12, 2012 the Township and the School District entered into a Shared Services Agreement for purposes of implementing the ESIP Project and the financing thereof ("Shared Services Agreement"); and

**WHEREAS**, the costs of the ESIP Project will be recovered from the energy savings and other funds that result from the acquisition and installation of such energy conservation measures by the Township and School District; and

**WHEREAS**, the Township desires to issue its general obligations refunding bonds pursuant to *N.J.S.A.* 40A:11-4.6 to fund the acquisition and installation of the energy conservation measures necessary to undertake the ESIP Project for the Township and on behalf of the School District; and

**WHEREAS**, upon the issuance of the general obligation refunding bonds, the Township will acquire certain energy conservation measures (collectively, the "Equipment") on behalf of the School District with a portion of the proceeds of such general obligation refunding bonds and pursuant to *N.J.S.A.* 18A:18A-4.6, shall lease such Equipment to the School District pursuant to a Lease Purchase Agreement ("Lease") between the School District and the Township, whereby the

School District will make annual lease payments to the Township in an amount sufficient to pay for such Equipment over a period not to exceed fifteen (15) years; and

**WHEREAS**, the debt service on the general obligation refunding bonds issued by the Township will be paid through: (i) the value of energy savings that result from the ESIP Project improvements installed at various Township facilities; and (ii) the annual Lease payments from the School District to the Township in accordance with the Lease, which Lease payments shall equal the value of the energy savings that result from the ESIP Project improvements installed at various School District facilities; or (iii) the levy of ad valorem taxes by the Township on all taxable real property in the Township without limitation as to rate or amount for the payment thereof.

*NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:*

**Section 1.** In accordance with the Shared Services Agreement and applicable law, the Township is hereby authorized to institute the ESIP Project in order to effect savings in the ongoing energy costs of the Township and School District.

**Section 2.** To effectuate the ESIP Project, negotiable general obligation refunding bonds of the Township are hereby authorized to be issued in an amount not to exceed \$2,250,000 ("Refunding Bonds") pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law").

**Section 3.** The purpose of the Refunding Bonds is to finance the costs of the ESIP Project to effect energy cost savings for the Township and School District.

**Section 4.** An aggregate amount not exceeding \$250,000 for the items of expense listed in and permitted by Section 51.b. of the Local Bond Law, *N.J.S.A. 40A:2-51.b.*, has been included in the aggregate principal amount of the Refunding Bonds authorized herein.

**Section 5.** Each Refunding Bond authorized herein shall be designated, substantially, "Township of Gloucester, County of Camden, New Jersey, General Obligation Refunding Bond (ESIP Project), Series 20\_\_" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the Township shall approve.

**Section 6.** The Township hereby declares its intent to reimburse itself from the proceeds of the Refunding Bonds pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of the Refunding Bonds.

**Section 7.** The Refunding Bonds may be sold at public or private sale pursuant to a resolution of the Township Council adopted by not less than two-thirds of the full members thereof.

**Section 8.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Township Clerk prior to the passage of this refunding bond ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

**Section 9.** A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Township Chief Financial Officer as to the outstanding indebtedness to be refunded by the issuance of the Refunding Bonds.

**Section 10.** This refunding bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the

consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

Introduced: March 12, 2012

Adopted:

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Township Clerk

\_\_\_\_\_  
Mayor

Mr. Mercado made a motion to adopt on first reading, to have second reading and public hearing on April 23, 2012 and to advertise in full, seconded by Mr. Hutchison. Roll call vote: All in favor. Motion carried. 7-0.

**RESOLUTIONS:**

**R-12:03-060**

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

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

#3193-071028MPSPCF  
TKC Land Development  
5935 Carnegie Blvd  
Ste. 200  
Charlotte, NC 07059  
Balance from unexpended escrow: \$4,707.70

Adopted: March 12, 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-12:03-061**

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAX SALE  
CERTIFICATE #11-01760 AND REFUND THE LIEN HOLDER DUE TO ERRONEOUS  
LIEN**

**WHEREAS**, on December 19, 2011, a tax sale certificate #11-01760 was sold in the amount of \$48,826.92 on Block 8104, lot 49, for unpaid taxes to US Bank Cust for Tower DBW, LLC, and

**WHEREAS**, this certificate was sold in error due to the fact the advertised amount did not include the dismissed bankruptcy total,

**WHEREAS**, the lien holder informed the office he wishes a refund but would be interested in buying the lien through an assignment sale from the township,

**THEREFORE, BE IT RESOLVED** by Mayor and the Township Council of the Township of Gloucester, that the certificate be cancelled and refund issued in the amount of \$49,163.36 including additional fees.

Certificate Amount                      \$48,826.92



Legal Interest 2.5% @ 83 days:	281.44
Recording & Affidavit fee:	<u>55.00</u>
Total due	\$ 49,163.36

Adopted: March 12, 2012

ATTEST:

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PRESIDENT OF COUNCIL

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TOWNSHIP CLERK

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

**R-12:02-062**

**RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL TAX SALE  
CERTIFICATES**

**WHEREAS**, Certificate of Sale #11-01515, issued to the Township of Gloucester, for delinquent taxes on Block 1205, Lot 20, assessed to, Profera Homes, Inc. at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificates of Sale #11-01538 was issued to the Township of Gloucester, for delinquent taxes on Block 1703, Lot 26, assessed to Rizzo Valenti Inc, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and,

**WHEREAS**, Certificate of Sale #11-01566 was issued to the Township of Gloucester, for delinquent taxes on Block 2103, Lot13 , assessed to Frank Wagner, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and,

**WHEREAS**, Certificate of Sale #11-01632 was issued to the Township of Gloucester, for delinquent taxes on Block 5402, Lot 7, assessed to Mary Del Borrello, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-01633 was issued to the Township of Gloucester, for delinquent taxes on Block 5402, Lot 8, assessed to Mary Del Borrello, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-01634 was issued to the Township of Gloucester, for delinquent taxes on Block 5402, Lot 9, assessed to Mary Del Borrello, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-01729 was issued to the Township of Gloucester, for delinquent taxes on Block 8002, Lot 4-C4501, assessed to Maryrose Burns, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-01864 was issued to the Township of Gloucester, for delinquent taxes on Block 10304, Lot2, assessed to Rose Wilkins & Diane Pendry, at a tax sale held on June 23, 2004 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-01882 was issued to the Township of Gloucester, for delinquent taxes on Block 10604, Lot 3, assessed to John & Antoinette Davis, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-01997 was issued to the Township of Gloucester, for delinquent taxes on Block 11401, Lot 23, assessed to Rose Marie Adams, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02182 was issued to the Township of Gloucester, for delinquent taxes on Block 13005, Lot 3, assessed to Joseph Shevlin at a

tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02543 was issued to the Township of Gloucester, for delinquent taxes on Block 16102, Lot 13, assessed to Emrah Senturk & Tania Assenova, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02579 was issued to the Township of Gloucester, for delinquent taxes on Block 16209, Lot 8 assessed to Merle D Hopkins, Jr, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02724 was issued to the Township of Gloucester, for delinquent taxes on Block 17003, Lot 23 assessed to Legacy Holdings LLC at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02710 was issued to the Township of Gloucester, for delinquent taxes on Block 17002, Lot 63 assessed to Fran Dunn, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02792 was issued to the Township of Gloucester, for delinquent taxes on Block 17504, Lot 21 assessed to Christine Fitzgerald, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02846 was issued to the Township of Gloucester, for delinquent taxes on Block 18301, Lot 13.01 assessed to Lakeview Business Park LLC, at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02993 was issued to the Township of Gloucester, for delinquent taxes on Block 19806, Lot 1 assessed to Charles & Dawn Alter at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02184 was issued to the Township of Gloucester, for delinquent taxes on Block 13103, Lot 2 assessed to 500 Davistown Road Inc. at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**WHEREAS**, Certificate of Sale #11-02439 was issued to the Township of Gloucester, for delinquent taxes on Block 15502, Lot 14 assessed to Michael C. Dick at a tax sale held on December 20, 2011 and was redeemed by the homeowner paying the full amount of the delinquency and;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Municipal Clerk of the Township of Gloucester are hereby authorized to endorse the above Certificates of Sale for cancellation.

**ADOPTED: March 12, 2012**

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Council President

Council President

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Township Clerk

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

**R-12:03-063**

**RESOLUTION AUTHORIZING THE APPLICATION OF  
GLOUCESTER TOWNSHIP TO THE NEW JERSEY  
TRANSPORTATION CORPORATION FOR THE PURCHASE AND  
INSTALLATION OF A BUS SHELTER IN THE TOWNSHIP OF  
GLOUCESTER**

**WHEREAS**, NJ TRANSIT has funds for the purchase of bus shelters throughout the State of New Jersey; and

**WHEREAS**, the Township Council of the Township of Gloucester or the Board of Chosen Freeholders of the County may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

1. **WHEREAS**, the Township of Gloucester, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED**, that the application is hereby made by the Township of Gloucester to the New Jersey Transit Corporation for the purchase and installation of one (2) bus shelters as set forth in Exhibit A, made a part thereof.

**BE IT FURTHER RESOLVED**, that David R. Mayer, Mayor and Rosemary Di Josie, Township Clerk be authorized to execute an agreement or agreements with NJ TRANSIT to arrange for the purchase and installation of the bus shelter.

Adopted: March 12, 2012

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President of Council

ATTEST:

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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-12:03-064**

**RESOLUTION AUTHORIZING THE SOLICITING  
OF RFQ'S VIA THE GLOUCESTER TOWNSHIP  
WEBSITE FOR VARIOUS PROFESSIONAL SERVICES**

**WHEREAS**, the laws of the State of New Jersey pursuant to Public Contracts and Pay-to-Play legislation authorizes request for qualifications for various professional services; and

**NOW, THEREFORE, BE IT RESOLVED** that the Soliciting of RFQ'S via the Gloucester Township Website is hereby authorized, in accordance with the respective specifications provided through the office of the Business Administrator for the following positions:

**ARCHITECT**

Adopted: March 12, 2012

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COUNCIL PRESIDENT

ATTEST:

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TOWNSHIP CLERK

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

**R-12:03-065**

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR ADAMS, REHMANN  
& HEGGAN IN THE TOWNSHIP OF GLOUCESTER**

**WHEREAS**, it was necessary to make changes in the scope of work to be done in completing the Ra-Co Homes, Inc. – Green Acres Acquisition in the Township of Gloucester,

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

**WHEREAS**, this Change Order No. 1 is necessary to re-survey properties to confirm removal of encroachments as per Green Acres Program, and

**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 \$7,855.00 to \$9,355.00

Adopted: March 12, 2012

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PRESIDENT OF COUNCIL

ATTEST:

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TOWNSHIP CLERK

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

**R-12:03-066**

**RESOLUTION DECLARING DEFAULT OF LW ESTATES, INC  
FOR LAUREL WOOD ESTATES**

**WHEREAS**, certain subdivision/Site Plan improvements were required to be constructed and installed by LW Estates, Inc., as a condition of approval of the development known as Laurel Wood Estates, and

**WHEREAS**, LW Estates, Inc. posted with the Township of Gloucester, a performance surety, dated December 3, 2003 for the sum of \$791,981.88 as surety and a performance guarantee for the proper and timely installation and completion of said improvements.

**WHEREAS**, LW Estates, Inc. has not properly performed and completed said improvements as indicated in the report of the Township Engineer, dated March 7, 2012 and attached hereto.

**WHEREAS**, there presently exists certain improvements remaining to be properly installed and completed by LW Estates in the amount of \$330,033.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township

1. that the Developer, be and is hereby declared to be in default in performance of the installation of the required improvements for the project known as SD # 1925-021003 for the improvements remaining incomplete which total the sum of \$330,033.00 as indicated in the letter of the Township Engineer, dated March 7, 2012 and attached hereto and made a part hereof.

2. That the appropriate Township Officials of the Township of Gloucester is hereby directed and authorized to take the necessary action to recover the cost of the improvements which have not been properly completed.

Adopted: March 12, 2012

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PRESIDENT OF COUNCIL

ATTEST:

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TOWNSHIP CLERK

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

**R-12:03-067**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN,  
NEW JERSEY, AUTHORIZING THE PREPARATION AND  
SUBMISSION OF AN APPLICATION TO THE LOCAL  
FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 et. seq.**

**WHEREAS**, the Township of Gloucester, County of Camden, New Jersey ("Township"), desires to make application to the New Jersey Local Finance Board seeking its approval for the adoption by the Township of a refunding bond ordinance authorizing the issuance of general obligation refunding bonds (ESIP Project) of the Township in the aggregate principal amount of up to \$2,250,000 to finance the costs of the Township's Energy Savings Improvement Program; and

**WHEREAS**, the Township believes:

- (a) it is in the public interest to accomplish such purpose;

- (b) said purpose or improvements are for health, welfare, convenience or betterment of the inhabitants of the Township;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN, NEW JERSEY, AS FOLLOWS:**

**Section 1.** The application to the Local Finance Board is hereby approved, and the Township's Bond Counsel, Solicitor, Financial Advisor and Auditor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

**Section 2.** A copy of this resolution shall be prepared and filed with the Local Finance Board as part of such application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey law.

Adopted: March 12, 2012

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President of Council

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Township Clerk

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

**R-12:03-068 RESOLUTION INTRODUCING THE 2012 FISCAL YEAR BUDGET**

Mr. Bianchini stated that this budget is presented with a zero tax increase.

The Clerk stated that the public hearing for the budget will be on April 23, 2012.

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

**PUBLIC PORTION:**

Mr. Bianchini opened the public portion.

Darren Gladden thanked the township for the zero tax increase. He asked if the Council have looked at the County roads. He asked if the Council could withhold the Counties tax payment until they fix the county roads. It was stated that this is not allowed, but the township would have the Public Works Director contact the County to review the pot holes on the county roads.

Mr. Mercado asked Mr. Gladden to send us a list of the streets he is referring to.

Mr. Polidoro spoke about the red light cameras and the revenue they bring in. He asked is the revenues have gone up on the cameras. Mr. Polidoro stated that with our revenue rising, the township always finds more things to spend money on. He stated that he would like to see council consider lowering the taxes. He spoke about the energy savings shared services agreement with the Black Horse Pike Regional School Board and asked who the contractor is. It was stated that the contractors are Hutchison and Blue Sky Power. He asked what Gloucester Twp. is doing to protect our Police Department from regionalization. Mr. Bianchini stated that Gloucester Township would not participate in this program if passed by the county. He questioned Mr. Cantwell about Lake Renee and the trace of Legionella found in the water. He asked if the township has moved to have the water and soil tested. Mr. Cantwell stated that the Mayor's office is working on this.

Joe Reed stated that he attended the monthly Economic Development and found it extremely interesting. He stated that they were welcomed as guests and came away from the meeting feeling positive. He questioned the fact that the township paid for an Energy Master Plan and he stated that the bills were vague. He spoke about Blue Sky and the owner and his background. He

also questioned T & M's involvement with Blue Sky. It was stated that Blue Sky Power and T & M did a joint application in 2010. Mr. Carlamere stated that it came in as one proposal. Mr. Cardis explained that he sat in on meetings with them, both bi-weekly and weekly. He stated that he also had phone calls with them. Mr. Cardis explained the vouchers that he had previously signed. It was stated that the State Comptroller's Office is reviewing the specs at this time and the township is waiting for them to be returned. Mr. Cardis also discussed the amount that has been saved with the single stream recycling. Mr. Cardis stated that many of the projects are now coming to fruition. It was stated that the township should post the savings on the website obtained through the recycling change.

Mr. Di Bartola of Blackwood questioned Mr. Cardis's statement that "they should be paid". Mr. Cardis stated that this quote was taken out of context and was only one line out of an hour long conversation. He stated that it was a shame the rest of the conversation and explanation didn't make it into the article. Mr. Di Bartola stated that it was a misunderstanding what he read. Mr. Di Bartola also spoke about the red light cameras and asked who initially wanted them. It was stated that former Chief Ed Smith brought the program to Council's attention. Mr. Di Bartola stated that he feels Blackwood-Clementon Road is more dangerous now with the red light cameras.

Joann Carr of 50 Clement Drive spoke about the profit from the cameras. Mr. Cardis stated that the money is a fine, not profit. She asked if our debt could be lessened with this money. Mr. Cardis stated that it could, but it is something that he would not recommend. He stated that this money has been fully anticipated. Ms. Carr asked why the township has to spend all the money that it has. Mr. Hutchison stated that the Council is trying to get things done in town and things have to be addressed.

Joshua Berry of Broadacres Drive thanked the Council for introducing a zero tax increase and asked if it could be viewed on the website. He stated that Pay to Play shared services has been added to their ordinance – it has not been modified since June. He stated that language has been added to protect shared services. Mr. Berry stated that this week is National Sunshine Week and there must be transparency in everything that is done.

Ray Polidoro of Erial stated with the increase in revenue, spending should be looked at with caution. Mr. Bianchini stated that Council is always cautious on how they spend money. Mr. Cardis stated that the original capital budget was nine million but has been reduced to five million.

#### **POLLING OF COUNCIL:**

Mr. Hutchison stated that Council appreciates the public's comments.

Mr. Schmidt thanked everyone for coming and staying.

Mrs. Gentek thanked everyone for coming to the meeting.

Mrs. Trotto thanked everyone for their comments and congratulated Dalton Smith on his award.

Mr. Mercado thanked everyone for coming to the meeting. He congratulated Dalton Smith on his award. He thanked the Erial VFW Post for all they have done for the community including their essay contest. He thanked the Mayor and the Directors and Mr. Cardis for all their help getting to a zero increase. He thanked Rev. Wilson for the invocation and stated that he has done a wonderful job since coming to the Chews United Methodist Church. He stated that there was a Veteran's Breakfast on Saturday.

Mr. Bianchini thanked the residents for coming to the meeting. He thanked the Mayor, the Directors and Mr. Cardis for the zero increase.

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

Respectfully submitted,

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President of Council

Rosemary DiJosie  
Township Clerk