GLOUCESTER TOWNSHIP COUNCIL MEETING

DECEMBER 12, 2016

PLEDGE ALLEGIANCE TO THE FLAG

INVOCATION: Rev. Dr. William King of the Living Word Bible Fellowship

COMMENCEMENT STATEMENT: Mr. Mercado

ROLL CALL:

Mr. Hutchison
Mr. Schmidt
Mrs. Stubbs
Mrs. Winters
Mr. Mignone
Mrs. Trotto
Mr. Mercado

Mr. Carlamere, Solicitor

Mr. Cardis, Business Administrator
Mrs. DiJosie, Twp. Clerk, RMC

Mr. Lechner, Community Development
Chief Earle, Police

SWEARING – IN: The following officers will be sworn in:

Lt. Timothy Kohlmyer	Sgt. Hames Clark	Ptl. Stephen Centrone
Lt. John Stollsteimer	Sgt. Edward O'Lano	Ptl. Shane Franz
		Ptl. Anthony Grandinetti

PRESENTATION:
Skylar Ruff - presentation of plaque from Gloucester Township Mayor and Council for outstanding EMS action by a youth.
Camden County Technical School – Gloucester Twp. Campus for their participation in the Police K-9 tournament.

PUBLIC PORTION: Public participation shall be for agenda items only. 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.

PROCLAMATION: Drive Sober or Get Pulled Over

ORDINANCES: SECOND READING AND PUBLIC HEARING

O-16-16 ORDINANCE AMENDING CHAPTER 73, SECTION 73A ENTITLED, "STREET ADDRESS NUMBERING" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER FOR THE RE-DESIGNATION OF HILLCREST AVENUE (HILLTOP) TO HILLCREST LANE WITHIN THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, STATE OF NEW JERSEY

O-16-17 ORDINANCE CREATING CHAPTER 80 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED "CRANE REGULATIONS" WHICH WOULD REQUIRE A PERMIT TO OPERATE A CRANE IN THE TOWNSHIP OF GLOUCESTER

O-16-18 ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER AMENDING CHAPTER 67A, ARTICLE IV OF THE PROPERTY MAINTENANCE CODE

O-16-19 ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND RRA-COLONY PARTNERS, LLC FOR PREMISES BLOCK 8401, LOT 10 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A.40a:21-1 ET SEQ.) AND ORDINANCE NO. O-9-23

ORDINANCES: FIRST READING

O-16-20 ORDINANCE CREATING CHAPTER 47A OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "COMMUNITY CAT" ORDINANCE WHICH WOULD ESTABLISH REQUIREMENTS FOR CATS WITHIN THE TOWNSHIP OF GLOUCESTER

O-16-21 ORDINANCE AMENDING CHAPTER 81 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER

O-16-22 ORDINANCE AMENDING CHAPTER 15 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "POLICE DEPARTMENT" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER

O-16-23 ORDINANCE OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING ORDINANCE O-03-03 LAND DEVELOPMENT REGARDING FENCES, GARAGES, HOME OCCUPATIONS, FEES. ETC.

RESOLUTIONS:
CONSENT AGENDA

R-16:12-324 RESOLUTION AUTHORIZING THE PAYMENT OF BILLS

R-16:12-325 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

R-16:12-326 RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

R-16:12-327 RESOLUTION AUTHORIZING THE REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-16:12-328 RESOLUTION AUTHORIZING THE REFUNDS FROM THE DEPARTMENT OF COMMUNITY DEVELOPMENT

R-16:12-329 RESOLUTION AUTHORIZING GLOUCESTER TOWNSHIP TO MAKE APPLICATION TO THE STATE OF NEW JERSEY FOR MUNICIPAL ALLIANCE AGAINST ALCOHOL AND DRUG ABUSE GRANT FUNDS

R-16:12-330 RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF GLOUCESTER APPROVING A TEMPORARY USE PERMIT TO ATLANTIC CITY ELECTRIC FOR PREMISES LOCATED AT BLOCK 14002 LOT 26 FOR TEMPORARY STORAGE OF POLES, WIRES AND TRAILER

R-16:12-331 RESOLUTION TO CANCEL CAPITAL APPROPRIATION BALANCE PROJECTS

R-16:12-332 RESOLUTION TO CANCEL CAPITAL APPROPRIATION BALANCE OF PROJECTS

R-16:12-333 RESOLUTION TO ALLOW DISABLED VETERAN EXEMPTIONS FOR TAX YEAR 2016 AND TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES AND REFUND ANY OVERPAYMENTS

R-16:12-334 RESOLUTION TO AUTHORIZE THE TAX COLLECTOR TO GRANT SENIOR CITIZEN, DISABLED, OR VETERAN DEDUCTION FOR THE YEAR 2016 AS INDICATED AND TO ADJUST ANY BALANCE

R-16:12-335 RESOLUTION AUTHORIZING REFUNDING OF TAXES

R-16:12-336 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY AUTHORIZING THE ENTERING INTO A SHARED SERVICE AGREEMENT WITH THE BLACK HORSE PIKE REGIONAL BOARD OF EDUCATION FOR PROVIDING "BRINE SOLUTION", "SALT" AND TO INCLUDE "ASPHALT REPAIR SERVICES"

R-16:12-337 RESOLUTION AUTHORIZING THE ADVERTISING OF BIDS FOR THE 2016 ROAD IMPROVEMENT PROGRAM

GT E-GOV ACCESS

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.

POLLING OF DIRECTORS

POLLING OF COUNCIL

(If needed)
RESOLUTION TO EXCLUDE THE PUBLIC FROM DISCUSSION OF EXEMPTED SUBJECT MATTER AT A REGULAR OR SPECIAL SESSION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER PURSUANT TO N.J.S.A. 10:4-6 ET SEQ. OF THE OPEN PUBLIC MEETINGS ACT

ADJOURNMENT

GLOUCESTER TOWNSHIP POLICE

DEDICATED TO SERVICE • COMMITTED TO EXCELLENCE

W. HARRY EARLE
CHIEF OF POLICE
FBI NA #234

TO: Roe DiJosie
FROM: Chief Harry Earle
DATE: November 30, 2016
RE: Swearing in of Officers

I am requesting that the following officers be sworn in at the Council Meeting on December 12, 2016:

Lt. Timothy Kohlmyer
Lt. John Stollsteimer
Sgt. James Clark
Sgt. Edward O'Lano
Ptl. Stephen Centrone
Ptl. Shane Franz
Ptl. Anthony Grandinetti

Thank you for your assistance.

Professionally,

Chief Harry Earle

DISPATCH: 856-228-4500 • WEB: www.gtpolice.com • EMAIL: police@gtpolice.com
1261 Chews Landing Road, Blackwood, New Jersey 08012

Proclamation

Drive Sober or Get Pulled Over
2016 Year End Holiday
Crackdown

Whereas, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than $37 billion annually; and

Whereas, 29% of motor vehicle fatalities in New Jersey in 2014 were alcohol-related; and

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

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

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; and

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

Therefore, be is proclaimed that the Township Council of the Township of Gloucester declares it's support for the *Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown* from December 9, 2016 through January 1, 2017 and pledges to increase awareness of the dangers of drinking and driving.

Date: December 9, 2016

David Mayer, Mayor

Orlando Mercado, President of Council

O-16-16

ORDINANCE AMENDING CHAPTER 73, SECTION 73A ENTITLED, "STREET ADDRESS NUMBERING" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER FOR THE REDESIGNATION OF HILLCREST AVENUE (HILLTOP) TO HILLCREST LANE WITHIN THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, STATE OF NEW JERSEY

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 73-A of the Code of the Township of Gloucester be and is hereby amended as follows:

SECTION 1. That the following streets be redesignated as follows:

CURRENT STREET NAME	REDESIGNATED STREET NAME
Hillcrest Ave (Hilltop)	Hillcrest Lane
Intersecting at Old Black Horse Pike	Intersecting at Old Black Horse Pike

Pursuant to N.J.S.A. 40:67-1. et seq., said street and roadway in the Township of Gloucester, County of Camden be and is hereby designated.

SECTION 2. The appropriate officials of the Township of Gloucester be and are hereby authorized to modify or change any and all official records, maps and documents to reflect the said street name redesignation.

SECTION 3. Regulatory and warning signs shall be erected and maintained to affect the above redesignated street name change authorized by the Department of Transportation.

SECTION 4. All ordinances and provisions thereof inconsistent with the provisions the Ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 6. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: November 28, 2016

Adopted:

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

_____
MAYOR

O-16-17

ORDINANCE CREATING CHAPTER 80 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "CRANE REGULATIONS" WHICH WOULD REQUIRE A PERMIT TO OPERATE A CRANE IN THE TOWNSHIP OF GLOUCESTER

WHEREAS. The municipality recognizes that a consistent policy is necessary concerning the operation of cranes within the municipality which helps to preserve safety and prevent damage to personal property and real estate of properties located in the municipality; and

WHEREAS. There exists the need to create a standard by which care operators are governed in the municipality; and

WHEREAS. The licensing of crane operators is a matter of public safety; and

WHEREAS. Active cranes in the municipality operate in a dense environment, often in close proximity to residential units, office spaces and pedestrians, thus underscoring the need for professional crane operators who adhere to the highest standards of safety; and

WHEREAS. The Municipality wishes to enact legislation which will govern registration of cranes and use of cranes in the municipality.

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey creating Chapter 80 of the Code of the Township of Gloucester as follows:

SECTION 1. CHAPTER 80 "CRANE REGULATIONS"

80-1. Definitions

80-2 General Requirements

80-3. Registration of Cranes; Crane Inspection

804. Fee Schedule

80-5. Notification of Accident or Safety Issue - Required

80-6 Safety Equipment - Required

80-7 Administration; Enforcement

80-8 Unsafe Cranes

80-9. Violations and Penalties

ARTICLE I

80.1. Definitions

A. Board – means the Crane Operators License Advisory Board established pursuant to N.J.S.A. 45:26-3.

B. Certification – means certification from the National Commission for the Certification of Crane Operators or any other organization found by the Board to offer an equivalent testing and certification program meeting the requirements of the American Society of Mechanical Engineers ASME B30.5 and the accreditation requirements of the National Commission for Certifying Agencies.

C. Commissioner – means the Commissioner of Labor.

D. Crane – shall be defined in accordance with N.J.S.A. 45:26-1 through 45:26-17 (Licensure

Of Crane Operators Act), hereafter referred to as the Crane Operator Licensure Act and the 1926 OSHA Crane and Derricks in Constructions also known as OSHA Subpart CC.

E. Crane Operator – means individual engaged in the operation of a crane.

F. Crane Related Experience – means operating, inspecting, training and maintenance experience acceptable to the board.

G. Practical Examination – means an examination demonstrating the applicant's ability to safely operate a particular category or type of crane. Practical examinations shall be conducted for the following crane categories:

a. Lattice Boom Crawler Cranes (LBC)

b. Lattice Boom Truck Cranes (LBT)

c. Telescopic Boom Cranes (TLL, Swing Cab) and (TSS, Fixed Cab)

d. Tower cranes and Overhead cranes

2. General Requirements.

A. Five (5) days before any crane operator, contractor or other person or company initiates the use of a crane within the municipality a permit shall be obtained. In emergent situations the building inspector may waive this requirement in his or her own discretion if the operator meets the balance of requirements of this Ordinance.

B. The permit will be maintained with the Municipality as well as with the crane operator at all times; a copy of the permit shall be produced on the work site when requested.

C. The following must be provided to the Municipality in order to be granted a permit:

1. Copy of crane operator certificate from one of the following Organizations:

a. National Commission for the Certification of Crane Operators (NCCCO)

b. Operating Engineers Certification Program (OECP)

c. Crane Institute of America Certification

2. New Jersey Crane License

3. Current Medical Examiner's Card;

4. A copy of the most recent and current proof of inspection; (Crane owner)

5. Insurance required as follows:

a. Bodily Injury:

i. For any one (1) person in the amount of $500,000.00

ii. For any occurrence in the amount of $1,000,000.00

b. Property Damage:

i. For any one (1) accident in the amount of $500,000.00

ii. For any aggregate of occurrences in the amount of $2,000,000.

6. Proof that Crane Operator submits to a random drug testing program.

7. Proof of Completion of Signal Person Qualification or Certification course.

8. Upon receipt of a properly completed application and compliance with the requirements of this section, the building (construction) department shall issue or deny the requested permit within five (5) business days. If the application is denied the reasons for the denial are furnished to the application in writing.

3. Registration of Cranes; Crane Inspection

A. Licensure of crane operators, pursuant to N.J.S.A. 45:26-7. No person shall engage in the operation of a crane, offer himself for employment as a crane operator or otherwise act, attempt to act, present or represent himself as a crane operator unless licensed as such under the provisions of this act.

B. A crane operator's license shall be valid only in conjunction with a current certification and only in the specialty or specialties for which the crane operator is certified. The specialties are lattice boom crawler crane (LBC), lattice boom truck crane (LBT), telescopic boom cranes (TLL, Swing Cabs) & (TSS, Fixed Cab), Tower cranes and Overhead cranes.

C. To be eligible for a license as crane operator in the Municipality, an applicant shall fulfill the following requirements:

a. Be at least 18 years of age.

b. Receive certification from the National Commission for the Certification of Crane Operators or any other organization found by the board to offer an equivalent testing and certification program meeting the requirements of the American Society of Mechanical Engineers ASME B30.5 and the accreditation requirements of the National Commission for Certifying Agencies.

c. Have at least 1,000 hours of crane-related experience; and

d. Maintain a current medical examiner's certification card.

D. The crane operator must reside in the State of New Jersey. The crane operator should reside in the Municipality. If not, they should reside in the same County as the Municipality is located.

4. Fee Schedule

The permit fee for each crane shall be $100.00. Each permit is valid for sixty (60) days and may be extended and or renewed provided that compliance with the requirements of this Ordinance continues to be met. Fee for an extended or renewal permit is $50.00.

5. Notification of Accident or Safety Issue – Required.

The owner of the building shall immediately notify the Municipality of every accident causing personal injury or damage to property involving a construction crane covered by this chapter and shall afford a qualified authority for investigating such accident. It shall be unlawful to use such device until after an examination by a qualified authority has been made and approval of the equipment for continued use is granted. A full and complete report shall be filed with the Municipality.

6. Safety Equipment – Required

A. All crane equipment shall be kept is safe working condition at all times by the owner and licensee.

B. If any safety or operational aid used or required to be used in connection with the operation of a crane is not working properly, the person operating such crane shall immediately shut down the crane until such time that the required safety or operational aid is repaired or replaced and the crane is restored to property working order.

C. Any and all safety requirements promulgated by the Board, Commissioner or Municipality must be adhered to at all times.

D. Every crane shall be thoroughly inspected by a competent designated or authorized agent of the owner or lessee if such mobile crane, tower crane or derrick at intervals not exceeding one. Such inspection shall include but not be limited to all blocks, shackles, sheaves, wire rope, connectors and various devices on the master boom, controls and breaking mechanisms.

E. A written, dated and signed record of each such inspection shall be completed by the competent designated employee or authorized agent who made the inspection. The most recent record of such inspection shall be posted inside the cab of such crane and shall be filed with the municipality. Attached to such record of inspection Shall be a written designation naming the competent designated employee or authorized agent. Such attached designation shall be signed by the owner or lessee of such.

F. Every crane shall be inspected before being erected or operated for the first time on any job.

G. Adjustments and repairs to cranes shall be made only by competent designated persons.

7. Administration; Enforcement

A. The Township Council of the Township of Gloucester may from time to time amend the provisions of this Ordinance.

8. Unsafe Cranes

A. Any crane which is or hereafter becomes unsafe or otherwise dangerous to human life or public safety shall be taken down and or removed.

B. The crane owner and or operator from the job site shall file with the Township of Gloucester a report on the unsafe crane. The report shall state the nature of the unsafe condition.

C. If an unsafe condition is found, the owner, agent or operator of a crane shall provide a written notice that describes the unsafe condition and specifies the required repairs or improvements to be made to abate the unsafe condition.

D. Such order shall be deemed properly served if a copy is delivered to the owner personally or sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If a certified or registered letter is returned showing that the letter has not been delivered, a copy shall be posed in a conspicuous place in or on the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person

responsible for the crane shall constitute service of notice upon the owner.

E. To the extent that repairs, alterations or additions are made during the restoration of such equipment, such repairs, alterations or additions shall comply with all applicable codes.

F. Any person who refuses or neglects to comply with the requirements of an order to abate an unsafe condition shall be in violation of this Ordinance.

9. Violations; Penalties

A. Any person who operates a crane without meeting the requirements of this ordinance or any rule or regulation promulgated there under shall be subject to a fine of not less than $1,000.00 and no more than $10,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

B. Any person or company who employs an unlicensed person to operate a crane shall be subject to fine of not less than $2,000.00 nor more than $20,000.00 for each violation. Each day of illegal operation shall constitute a separate and distinct offense.

SECTION 2. 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 judgment 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: November 28, 2016

Adopted:

_____

PRESIDENT OF COUNCIL

ATTEST:

_____

TOWNSHIP CLERK

_____

MAYOR

O-16-18

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER AMENDING CHAPTER 67A, ARTICLE IV OF THE PROPERTY MAINTENANCE

WHEREAS, the Township Council of the Township of Gloucester hereby find that there is a need to regulate and control business and individuals that offer such services to residential and commercial property owners in order to prevent fraud, crime, and unethical and dishonest business practices for the general protection, health, and welfare of the residents of the Township of Gloucester.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey, that Chapter 67A, Article IV of the Township Code shall be amended to include the following subsections:

Section 1.

PURPOSE

It is the intent of the Township Council of the Township of Gloucester to regulate the appearance of the vacant and fire damaged structures within the Township of Gloucester in order to minimize the negative impact that vacant and fire damaged homes and structures have on the image of a neighborhood and/or our community as a whole.

Section 2

Registration Certificates

Any business or individual that offers services to a residential or commercial property owner, for the purpose of securing a vacant or fire damaged building or structure, shall be deemed a CANVASSER or SOLICITOR as recognized under Chapter 58, Article 1, of the Code of the Township of Gloucester. The application required under this Section shall be provided by the Township Clerk. Registration Certificate shall be valid for one year.

Section 3

Proof of Insurance and Fees

In addition to the Registration Certificate requirements set forth, businesses or individuals governed by this section shall also provide to the Township Clerk, at the time of registration, with proof of commercial general liability insurance providing for a minimum of $1,000,000 of insurance coverage. The applicant shall pay an annual Registration certificate fee of $25.00

Section 4

Insurance of Registration Certificate

Each business or individual, upon being so registered, shall be issued a Registration Certificate by the Township Clerk, upon which shall be affixed one photograph of the applicant and the signature of the Township Clerk or the Clerk's authorized representative.

Section 5

Possession of Certificate is Required

Each representative of a business or individual governed by this Section shall carry the original Registration Certificate at all times when providing services within the Township and shall exhibit same to any fire or police officer upon request.

Section 6

Regulations

(A) The following regulations apply to all structures that are being secured (boarded – up) by property owners, lien holders, insurance company or governmental agencies: Any boards or other materials that are used to secure windows, doors, or other openings in any

O-16-19

ORDINANCE AUTHORIZING EXECUTION OF TAX ABATEMENT AGREEMENT BETWEEN TOWNSHIP OF GLOUCESTER AND RRA-COLONY PARTNERS, LLC FOR PREMISES BLOCK 8401, LOT 10 PURSUANT TO C. 441, P.L. 1991 (N.J.S.A.40A:21-1 ET SEQ.) AND ORDINANCE NO. O-9-23

WHEREAS, C. 441, P.L. 1991, N.J.S.A. 40A:21-1, enables "qualified municipalities" to exempt from local property taxes certain industrial and commercial improvements and projects; and

WHEREAS, the Township of Gloucester is a qualified municipality authorized to enter into Tax Abatement Agreements with taxpayers for "projects" defined under said Act; and

WHEREAS, pursuant to said Act and authorization, the Township of Gloucester has duly adopted Ord. No. O-9-23 entitled, "Ordinance Providing for Tax Exemption and Abatement for Commercial and Industrial improvements and projects pursuant to N.J.S.A. 40A:21-1 et seq."; and

WHEREAS, a tax abatement application for a "project" pursuant to the aforesaid Act and Ordinance was filed by RRA-Colony Partners, LLC for premises known as Block 8401, Lot 10 on the Official Tax Map of the Township of Gloucester.

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

SECTION 1. The Tax Abatement Application of for a "project" for premises known as Block 8401, Lot 10 on the Tax Map of the Township of Gloucester pursuant to C. 441, P.L. 1991 (N.J.S.A. 40A:21-1 et seq.) and Ordinance No. O-9-23 be and is hereby approved for tax abatement in accordance with said application and the terms and provisions of an Agreement for Tax Abatement, a copy of which is attached hereto and made a part of this Ordinance.

SECTION 2. The Mayor and Township Clerk of the Township of Gloucester be and are hereby authorized to execute and deliver on behalf of the Township of Gloucester the Tax Abatement Agreement between the Township of Gloucester and RRA-Colony Partners, LLC for premises designated as Block 8401, Lot 10 on the Official Tax Map of the Township of Gloucester, a copy of said Agreement is attached hereto and made a part thereof.

SECTION 3. All ordinances and provisions thereof inconsistent with the provisions of this ordinance shall be and are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part,

clause or phrase shall be deemed to be severable from the remainder of this ordinance.

SECTION 5. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced: November 28, 2016
Adopted:

_____
PRESIDENT OF COUNCIL

_____
TOWNSHIP CLERK

_____
MAYOR

INDUSTRIAL OR COMMERCIAL TAX ABATEMENT AGREEMENT

Project: Senior Apartments
1601 Chews Landing Road
Laurel Springs, NJ 08021

Taxpayer: Michael Brown
400 Oaks Corporate Center
Oaks, PA 19456

Tax Map: Block 8401, Lot 10

This Agreement made this 29th day of November, 2016 by and between: The Township of Gloucester, a Municipal Corporation of the State of New Jersey, (hereinafter referred to as "Township"), located at 1261 Chews Landing-Clementon Road at Hider lane, P.O. Box 8, Blackwood, New Jersey 08012, Camden County, and RRA-Colony Partners, LLC, property located at 1601 Chews Landing Road, Laurel Springs, NJ 08021 (hereinafter referred to as "Taxpayer").

WHEREAS, the Township of Gloucester adopted general Ordinance No. O-9-23 pursuant to N.J.S.A. 40A:21-1 et seq. authorizing agreements providing for tax abatement of local real property taxes on commercial and industrial "projects" in order to provide gainful employment within the Township, to assist in the economic development of the Township, and to expand commerce within the Township and ultimately maintain and increase the tax base of the Township; and

WHEREAS, Taxpayer has applied for a tax abatement of real property taxes for the industrial or commercial "project" constructed or to be constructed on Block 8401, Lot 10, on the Tax Map of the Township of Gloucester; and

WHEREAS, Township Council of the Township of Gloucester authorize this Agreement between Township and taxpayer for tax abatement for the particular "project" on premises Block 8401, Lot 10.

WITNESS: it is hereby agreed between the parties as follows:

1. Taxes on the land and on any improvements not the subject of tax abatement shall remain at all times at one-hundred percent (100%) assessment.

2. The construction or proposed construction in the application set forth as the "project" in accordance with the definition under N.J.S.A. 40A:21-9 shall be afforded an abatement of real property taxes as hereinafter provided.

3. The "project" as set forth in the application shall be completed as evidenced by issuance of a certificate of occupancy.

4. The taxes on the "project" as approved shall be abated on a tax Phase-In basis and in lieu of full property taxes, taxpayer shall pay to the Township an amount equal to a percentage

of taxes otherwise due according to the following schedule:

(1) In the first full calendar year after completion, no payment in lieu of taxes otherwise due;

(2) In the second calendar year, an amount not less than 30% of taxes otherwise due;

(3) In the third calendar year, an amount not less than 50% of taxes otherwise due;

(4) In the fourth calendar year, an amount not less than 70% of taxes otherwise due;

(5) In the fifth calendar year, an amount not less than 90% of taxes otherwise due.

The payments in lieu of taxes as required under the schedule shall be paid quarterly, together with and on the same date as the taxes on the land. In default of any payment of taxes or payments in lieu of taxes otherwise due under this Agreement for a period of 30 days, the township shall have the right to declare this Agreement cancelled and null and void.

It is agreed, notwithstanding any provision to the contrary, all payments in lieu of taxes otherwise due to the Township shall be paid on the quarterly due dates and if not paid by such date, the amount unpaid shall bear the highest rate of interest permitted in the case of unpaid taxes or tax lien on the land until the same is paid.

5. The "project" for which tax abatement is provided herein shall be subject to all applicable federal, state, county and local laws, regulations and ordinances on pollution control, workers safety, discrimination in employment, zoning, planning and building code requirements. Failure to comply with the foregoing shall be deemed a breach of the Agreement and the Agreement may be terminated in accordance with the procedure set forth in paragraph No. 6 of this Agreement.

6. This Agreement shall be governed by the terms of the Gloucester Township Ordinance granting tax abatement and N.J.S.A. 40A:21-1 et seq. If at any time prior to termination of this Agreement taxpayer ceases to operate or disposes of the property, or fails to meet the conditions for qualifying for abatement, then the tax which would have otherwise been payable for each year shall become due and payable from such property owner as if no abatement had been granted. Procedurally, the governing body shall notify the property owner and Tax Collector forthwith and the Tax Collector shall within 15 days thereof notify the owner of the property of the amount of taxes due.

The Taxpayer shall have the obligation to notify the Tax Assessor immediately upon the sale of the premises, a new lease agreement, or a change in any of the conditions upon which tax

abatement was granted in order that the Tax Assessor may determine whether, in fact, the Taxpayer is entitled to continue to receive the tax abatement. However, if the property is sold and it is determined by the Tax Assessor that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property for abatement, no tax shall be due, the abatement shall continue and this Agreement shall remain in effect.

7. The parties agree that should this Agreement or enabling Ordinance be declared invalid for any reason by a court of law or by any individual, body or agency of the State of New Jersey having jurisdiction there over, the full taxes on said property shall be due and owing as if no tax abatement was in effect.

8. This Agreement shall be in effect for a period of not more than five (5) years starting with the date of the completion of the "project".

IN WITNESS WHEREOF, the parties have caused these presence to be executed the day and year first above written.

TOWNSHIP OF GLOUCESTER

ATTEST: (Township Seal)

By:_____

MAYOR, DAVID R. MAYER

_____

TOWNSHIP CLERK

By:_____

Michael L. Brown

ATTEST: (Corporate Seal)

_____

WITNESS

O-16-20

ORDINANCE CREATING CHAPTER 47A OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "COMMUNITY CAT" ORDINANCE WHICH WOULD ESTABLISH REQUIREMENTS FOR CATS WITHIN THE TOWNSHIP OF GLOUCESTER

WHEREAS. The municipality recognizes that a policy is necessary concerning cats within the community of the Township of Gloucester; and

WHEREAS. There exists the need to manage the increasing population of cats within the community; and

WHEREAS. The Township has a responsibility to protect public health and safety by managing animal control issues that are safe and humane; and

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey creating Chapter 47A of the Code of the Township of Gloucester as follows:

SECTION 1. CHAPTER 47A "COMMUNITY CAT" ORDINANCE

47A-1. Definitions

47A-2 General Requirements

47A-3. Responsibility of Caregiver

47A4. Community Cat Management Initiatives/ TNR Program

47A5. Trapping of Cats by Non-Community Cat Caregivers

47A-6. Disposition Ear-Tipped Community Cats

47A-7 Resolution of Cat Complaint Procedures

47A-8 Enforcement of Community Cat Management Initiative/TNR Program

47A-9 Trapping Requirements

47A-10. Exemptions of Animals at Large

47A-11. Abandonment of Animal

ARTICLE I

47A.1. Definitions

A. Animal – means any live vertebrate creature including mammals, birds, reptiles, amphibians and fish, but not humans.

B. Animal Control Officer or ACO – means a person 18 years of age or older who has satisfactorily completed the course of study approved by the Commissioner of Health and Senior Services of the State of New Jersey and Police Training Commission as prescribed by paragraphs (1) through (3) of subsection a. of section 3 of N.J. P.L. 1983, c.525 (C.4:19-15.16a); or who has

been employed by the State of New Jersey in the capacity of, and with similar responsibilities to those required of, a certified animal control officer pursuant to the provisions of N.J. P.L.1983, c.525 for a period of three years before January 17, 1987.

C. Animal Rescue Organization – means an individual or group of individuals who, with or without salary or compensation, house and care for homeless animals in the home of an individual or in other facilities, with the intent of placing the animals in responsible, more permanent homes as soon as possible.

D. Animal Rescue Organization Facility – means the home or other facility in which an animal rescue organization houses and cares for an animal.

E. Animal Shelter – means any establishment where dogs, cats or other animals are received, housed and distributed, but not a pet store.

F. At Large – means that an animal is off the property of its owner and (i) the animal has entered upon the property of another person without authorization of that person, or (ii) the animal has entered onto public property, street or right-of-way, unless that animal is restrained by its owner, or a person caring for the animal on behalf of the owner, with a leash of no less than six feet in length, or other physical device, such that the animal is under the physical control of the owner or person caring for animal on behalf of the owner. Nothing in this definition is intended to prevent dogs being on training leashes or on a retractable leashes or being engaged in other appropriate activities under adequate, responsible adult supervision where care is taken to assure control as needed is available to prevent violations of this ordinance.

G. Cat – means a member of the species Felis Catus.

H. Cat of Licensing Age – means any cat which is not a community cat which has attained the age of seven months or, if age cannot be determined, a cat which possesses a set of permanent teeth.

I. Community Cat – means any free-roaming cat that may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be ferel. Community cats shall be distinguished from other cats by being sterilized and ear-tipped; community cats are exempt from licensing, stray and at-large provisions of this ordinance.

F. Community Cat Caregiver – means any person who in accordance with a community cat management/TNT program to trap, neuter, vaccinate for rabies, ear tip and return free roaming cats or feral cats:

1. Neuters, vaccinates for rabies, ear tips and returns one or more community cats;

2. Provides care, including food, shelter or medical care to the cat; or

3. Has temporary custody of the cat.

Free roaming cats cared for by the community may or not be ferel. A community cat caregiver shall not be considered to own, possess, keep or harbor a community cat.

G. Community Cat Colony – means a single community or a group of community cats that congregate together outside as a unit. Not every cat in a colony may be feral.

Any non-feral cats that congregate with a colony shall be deemed part of it.

H. Eartipping – means the straight-line cutting of the tip of one ear of a cat while the cat is anesthetized. Eartipping the left ear is the best and universally accepted practice, there may cats that may have been ear-tipped on the right ear.

I. Feral Cat – means a cat that is unsocialized to humans and has a temperament of extreme fear of, and resistance to, contact with humans. Feral cats are included in the definition of "community cats" as community cats and or may not be feral.

Feral Cats are:

1. Born in the wild; or

2. Offspring of socialized or feral cats and not socialized; or

3. Formerly socialized cats that have been abandoned and have reverted to an unsocialized state.

J. Foster Home – means placement by a n animal rescue organization of a cat or dog with an individual or group that is not an animal rescue organization for the purpose of temporarily caring for the cat or dog, without the individual or group assuming ownership, and with the intent of the individual or group relinquishing the cat or dog to the animal rescue organization or a suitable owner when one is located. A foster home may provide care to a cat or dog without the effect of the fostered cat counting toward a municipality's household pet limit and must comply with all the provisions in this ordinance.

K. Harbor – means the act of caring for and keeping an animal or the act of providing a premise or residence to which the animal returns for food, shelter or car, where the caregiver is providing the primary source of sustenance for the animal for at least ten days, whichever time is shorter.

Community cat caregivers do not harbor community cats for the purpose of this ordinance, but are subject to the provisions of this ordinance pertaining to community cats.

L. Kennels – means any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for the sale is carried on, except a pet shop.

M. Microchip – means an electronic animal identification device that is inserted into any animal,

typically on the back between the shoulder blades, by a veterinarian in accordance with professional medical standards.

N. Neuter – means to have a licensed veterinarian surgically sterilize the animal.

O. Nuisance – means disturbing the peace by:

1. Habitual or continuous howling barking, crying or screaming; or
2. The habitual and significant destruction, desecration or soiling of property against the wishes of the owner of the property, in particular, the creation of conditions leading to the excessive breeding of fleas or flies, odor or noises; or
3. Habitually chasing motor vehicle or other vehicles; or
4. Habitually chasing or otherwise molesting passerby; or
5. Habitually trespassing upon public or private grounds

Habitually means occurring on a least two separate occasions within a time period of one month; except that barking, howling, crying or screaming habitually, means making the sound persistently or continuously for at least 30 minutes occurring at least three separate times within a period of eight hours. Persistently or continuously means non-stop utterances for 30 consecutive minutes with interruption of less than 30 seconds at a time.

P. Owner – means any person, household, form, corporation or other organization who:

1. Possesses, harbors, keeps, has control of, a legal title to, a property interest in or permanent custody of any animal regulated by this ordinance; or
2. For three days or more has temporary custody of, keeps, possesses, or exercises control over any animal.
3. A person must be at least 18 years of age or older to be considered the legal owner of an animal. If a person is under the age of 18 they are considered to be the custodian or caretaker of the animal, the parent or legal guardian shall be considered the legal owner of the animal.

i. For any one (1) accident in the amount of $500,000.00

ii. For any aggregate of occurrences in the amount of $2,000,000.

Q. Pet Shop – means any place of business which is not part of a kennel, wherein animals, including, but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes.

R. Physical Control – means adequate ability to manage the actions of the animal to prevent

the animal from engaging in biting, physical aggression towards people or animals, straying, being at-large or other behaviors regulated by this ordinance or state law through the use of a proper leash attached to an appropriate collar or harness. To maintain physical control, the owner of the animal must have the animal on a leash not to exceed sic feet at its maximum extension.

S. Pound – means an establishment for the confinement of dogs, cats or other animals seized or captured by a municipality or the agent of a municipality under the provisions of this ordinance, or otherwise. This term is often applies to a municipal animal control facility or a private or no-profit animal shelter that contracts with one or more municipalities to hold such animals.

T. Proper Shelter – means a structure that:

1. protects an animal from weather and is sufficiently ventilated and insulated to provide refuge from precipitation, wind, extreme temperature and direct sunlight; and
2. is fully enclosed with walls on three sides, with a fourth wall having an entrance way large enough to allow the animal to enter and exit comfortable, but not so large as to allow all heat to escape in cold temperatures; and
3. has a solid, waterproof roof; and
4. has a solid floor that does not sag under the animals weight; and
5. has a door or flap covering the entranceway during temperatures of 40 degrees or below; and
6. is positioned at a sufficient elevation to prevent water from running into the structure; and
7. is small enough to retain the animal's body heat in cold weather and large enough for the animal to stand turn around and lay down in comfortably; and
8. is sturdy and structurally sound and in good repair; and
9. if it contains bedding such bedding shall be clean and dry; and
10. is surrounded by an area of at least five (5) feet that is clear of debris, feces and urine.

U. Severe Injury – means any physical injury that results in one or more broke bones or one or more lacerations requiring sutures, or an injury requiring reconstructive or plastic

surgery.

V. Shelter – means any establishment where dogs or other animals are received, housed and distributed.

W. STRAY: "Stray" means any animal that is found to be at-large, whether lost by its owner or otherwise, or that is on the common areas of apartments, condominiums, trailer parks or other multi-residential premises, and that does not have identification tag and for which there is no identifiable owner. The term "stray" shall not be applied to community cats managed in accordance with this ordinance.

X. SUFFICIENT FOOD: "Sufficient food" means access to uncontaminated, palatable food, appropriate for the species of animal, on a regular, ongoing basis in quantities sufficient to maintain a regular body weight as determined by Purina Body Score System or a veterinarian.

Y. SUFFICIENT WATER: "Sufficient water" means access to clean, potable water on a regular, ongoing basis in quantities sufficient to prevent the animal from experiencing dehydration.

Z. TNR: "TNR" means Trap-Neuter-Return

A1. TNR PROGRAM: "TNR Program" means a program pursuant to which community feral and stray cats are humanely trapped, spayed or neutered, vaccinated against rabies, and returned to the location at which they were trapped. A cat may receive a microchip as part of a TNR Program.

B1. TRAP/HUMANE TRAP: "Trap" or "Humane Trap" means any trap used to capture stray dogs or cats that is constructed so that it does not harm the animal.

C1. VETERINARIAN: "Veterinarian" means an individual who is licensed to engage in the practice of veterinary medicine in the State of New Jersey.

47A-2 – General Requirements

No person shall keep an animal on a property in a manner that causes one or more of the following: unsanitary conditions; infestation by insects or rodents; physical conditions that endanger the health or safety of humans.

No person shall maintain or feed any animal, domesticated or wild, in a manner that causes one or more of the following: unsanitary conditions; infestation by insects or rodents; physical conditions that endanger the health or safety of humans.

Community cat colonies shall be permitted, and caregivers shall be entitled to maintain

them, in accordance with the terms and conditions of this chapter.

47A-3 – Responsibilities of Caregiver

1. The caregiver shall provide for those animals sufficient food; sufficient water; proper shelter and protection from weather; veterinary care as needed to prevent suffering; and humane care and treatment.

2. The caregiver shall exercise reasonable care to guard against the animal creating a nuisance.

47A-4 - Community Cat Management Initiatives /TNR Program

The Township of Gloucester believes that the safest place for pet cats is indoors. The Township also recognizes that feral and community cats, as defined in this chapter, are not, in the vast majority of cases, suitable to be taken indoors as pets, and their home is outdoors. The Township further recognizes the need for innovation in addressing the issues presented by community cats.

The Township of Gloucester finds that properly managed community cats are part of the solution to reducing the numbers of feral cats in the Township and the rate of euthanasia of cats in area shelters.

Community cat colonies shall be permitted in the Township of Gloucester as part of a community cat management/TNR Program in accordance with the following provisions:

1. Community Cat Caregivers - Community Cat Caregivers must ensure community cats are sterilized, vaccinated against the threat of rabies, and ear-tipped, and must cooperate with the Municipality to abate any nuisance.

2. Location of Community Cat Colonies - All managed community cat colonies must be maintained in compliance with trespassing and property laws.

3. Requirements for exemptions from certain provisions of this chapter:

All cats that are part of an approved TNR/community cat program pursuant to this Chapter 47A must be sterilized, vaccinated against the threat of rabies, and ear-tipped for easy identification. If these requirements are met the community cat is exempted from licensing, stray and at-large provisions of this ordinance.

47A- 5 - Trapping of Cats by Non-Community-Cat-Caregivers

Trapping of community cats by those who are not community cat caregivers as defined in this ordinance, animal control officers employed by the municipality, or members of law enforcement, is prohibited unless the person trapping the cats is doing so for the purpose of providing medical attention for a sick or injured cat or for the purpose of TNR. Persons

who trap free-roaming cats for the purpose of TNR must comply with the provisions of this ordinance.

47A-6 - Disposition Ear-Tipped Community Cats

An Animal Control Officer who has trapped a cat whose left ear has been tipped or which bears some other distinguishing mark indicating that it belongs to a feral cat colony shall transport the cat to contracted municipal shelter, where the cat will be scanned of a microchip. If registered microchip is found, the registered owner or caregiver will be contacted and advised the cat is located at the Camden County Animal Shelter.

The owner or caregiver shall be responsible for retrieving the cat from the Camden County Animal Shelter within 15 business days or advising the shelter if the owner or caregiver does not intend to retrieve the cat.

If a trapped community cat is suspected of being rabid, the animal shall be immediately reported to the executive officer of the local board of health and to the Department of Health and Senior Services, and shall be quarantined, observed, and otherwise handled and dealt with as appropriate for an animal suspected of being rabid or as required by the Department of Health and Senior Services for such animals.

47A - 7 - Resolution of Complaints Procedures

The requirements of this article notwithstanding, animal control officers and police officers may investigate any nuisance complaint. If an animal control officer or police officer determines that an ear- tipped community cat is causing a nuisance as defined by this article, the animal control officer or police officer shall attempt to contact the caregiver or owner. The caregiver or owner shall begin nuisance abatement procedures within 48 hours and make all reasonable efforts to resolve the nuisance in as short a time period as possible, not to exceed 60 days. If the caregiver or owner fails to resolve the nuisance, the animal control officer may remove the cat. If an animal control officer removes a community cat, the receiving municipal shelter or animal control must notify the community cat caregiver and allow the caregiver to retrieve the cat from the pound for adoption or relocation. If an animal control officer or police officer reasonably determines that a cat is injured or poses a significant threat to public health, the officer may reduce the time that the owner or caregiver has to resolve the complaint, as necessary to protect the cat and public health, before taking further action. In the case of an emergency, the animal control officer or police officer may remove the cat, but within 24 hours the animal control officer must provide the caregiver or owner with notice of the cat's whereabouts and allow the caregiver

or owner an opportunity to retrieve the cat for treatment, return, or relocation.

Factors to be considered during the nuisance abatement process shall include:

a.) Recognition of the value of wildlife;

b) Recognition of the value of TNR in managing community cat colonies;

c) The availability of devices and strategies to minimize nuisance behavior by community cats that may have caused the complaint.

47A-8 - Enforcement of Community Cat Management Initiative/TNR Program

The Township of Gloucester shall have the following rights:

The right to seize or remove cats from a colony which have not been vaccinated against rabies and which are demonstrating signs of the disease.

The right to seize or remove a cat from a colony which is creating a nuisance as defined in this ordinance, after the community cat caregiver have been given 60 days to abate the nuisance or remove and relocate the cat and have failed to do so. The caregiver must begin nuisance abatement procedures within 48 hours after being notified of a nuisance by an animal control officer and must take reasonable steps to resolve the nuisance in as short a time as possible, not to exceed 60 days.

The right to seize or remove a cat or colony of cats when the community cat caregiver regularly fails comply with the colony care requirements of this ordinance and the caregiver has not been able to obtain a replacement or substitute caregiver within 30 days of the Municipality or animal control officer notice to the caregiver or owner of failure to comply with this chapter. If one or more cats are in danger due to a caregiver's lack of compliance, the caregiver or owner may work with other local caregivers to find a suitable replacement caregiver or relocate the cats.

47A – 9 - Trapping Requirements

It shall be unlawful for any person to use inhumane methods to capture dogs or cats. Traps and the trapping of dogs or cats must meet the following requirements:

1. Traps shall not be left unattended for more than two hours
2. Traps shall not be left set overnight unless traps are checked at least every two hours.
3. Traps shall not be left unattended for any length of time in temperatures below 45 degrees Fahrenheit or above 80 degrees Fahrenheit; in rain or snow; or in any other

O-16-21

ORDINANCE AMENDING CHAPTER 81 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 81 of the Code of the Township of Gloucester be and is hereby amended as follows:

SECTION 1. That Section 81-35B "Regulation for the Movement and the Parking of Traffic on Private Property Open to the Public to Which the Public is Invited (Retail Business)" be and is hereby amended to read as follows:

Property:

COMMERCE SQUARE I and II
Blackwood-Clementon Road (C.R. 534) & Kelly Drivers Lane

Regulations:

1. General Parking:

   A. All vehicles must park in designated areas and between the lines provided.

   B. Parking of vehicles, trailers, buses and recreational vehicles over three Tons Gross Vehicle Weight (GVW) is **prohibited at all times** except for deliveries.

   C. Parking of vehicles, boats or trailers with the intent to display for sale is prohibited at all times.

   Violators are subject to fine up $1,000.00, subject to towing at owner's expense and/or imprisonment in the county jail for a term not to exceed ninety (90) days or by a period of community service not to exceed ninety (90) days.

COMMERCE SQUARE III

Blackwood-Clementon Road (C.R. 534)

Regulations:

1. General Parking:

   A. All vehicles must park in designated areas and between the lines provided.

   B. Parking of vehicles, trailers, buses and recreational vehicles over three Tons Gross Vehicle Weight (GVW) is **prohibited at all times** except for deliveries.

   C. Parking of vehicles, boats or trailers with the intent to display for sale is prohibited at all times.

Violators are subject to fine up $1,000.00, subject to towing at owner's expense and/or imprisonment in the county jail for a term not to exceed ninety (90) days or by a period of community service not to exceed ninety (90) days.

1370 BLACKWOOD-CLEMENTON ROAD (C.R. 534) (former East Side Mario's)
Block 13303, Lot 2

Regulations:

1. General Parking:

   A. All vehicles must park in designated areas and between the lines provided.

   B. Parking of vehicles, trailers, buses and recreational vehicles over three Tons Gross Vehicle Weight (GVW) is **prohibited at all times** except for deliveries.

   C. Parking of vehicles, boats or trailers with the intent to display for sale is prohibited at all times.

   Violators are subject to fine up $1,000.00, subject to towing at owner's expense and/or imprisonment in the county jail for a term not to exceed ninety (90) days or by a period of community service not to exceed ninety (90) days.

K-MART/CHERRYWOOD SHOPPING CENTER
Blackwood-Clementon Road (C.R. 534) & Little Gloucester Rd. (C.R. 759)

Regulations:

1. General Parking:

   A. All vehicles must park in designated areas and between the lines provided.

   B. Parking of vehicles, trailers, buses and recreational vehicles over three Tons Gross Vehicle Weight (GVW) is **prohibited at all times** except for deliveries.

   C. Parking of vehicles, boats or trailers with the intent to display for sale is prohibited at all times.

   Violators are subject to fine up $1,000.00, subject to towing at owner's expense and/or imprisonment in the county jail for a term not to exceed ninety (90) days or by a period of community service not to exceed ninety (90) days.

SECTION 2. 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 judgment 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:
Adopted:

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

_____
MAYOR

O-16-22

ORDINANCE AMENDING CHAPTER 15 OF THE CODE OF THE TOWNSHIP OF GLOUCESTER ENTITLED, "POLICE DEPARTMENT" OF THE CODE OF THE TOWNSHIP OF GLOUCESTER

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey that Chapter 15 of the Code of the Township of Gloucester be and is hereby amended as follows:

SECTION 1. That Chapter 15 "Police Department" be and is hereby amended to read as follows:

§ 15-3. Establishment.

A Police Department is hereby established in the Township of Gloucester, as an executive and enforcement function of the Township Government in accordance with Article X, Section 2.51 of the Gloucester Township Organizational Ordinance of 1982 (Chapter 2 of the Code of the Township of Gloucester).

The Police Department shall consist of the Chief of Police, A Deputy Chief of Police, Captains and such superior officers, officers of lesser rank, patrolmen and other personnel as may be, from time to time, authorized and funded by Township Council. The Chief of Police shall be appointed by the Mayor with the advice and consent of Township Council in accordance with Civil Service Rules and Regulations and he shall receive such compensation as shall be fixed from time to time by general salary ordinance.

§ 15-4. Line of Authority.

Township Council.

The Township Council and individual members thereof shall act in all matters relating to the police function in the municipality as a body, or through the Mayor; however, nothing herein contained shall prevent the appointment by the governing body of committees or commissions to conduct investigations of the operation of the Police force, and the delegation to such committees or commissions of such powers of inquiry as the governing body deems necessary or to conduct such hearing or investigation authorized by law. The Township Council may from time to time, by Ordinance and subject to law, prescribe the powers, functions and duties of the Chief of Police and other members of the Police Department as shall be deemed necessary for the effective government of the force. The Township Council also shall adopt general rules and regulations governing the Police Department and the discipline of its members as may be approved by the

Mayor.

B. Mayor.

Subject to State Statute, the Mayor as chief executive officer shall be the appropriate authority to direct and supervise the Chief of Police who shall be responsible for the day to day operation of all police functions of the municipal government. The Mayor, with the approval of Township Council, shall establish policies relating to the government, control, discipline and function of the police department and shall approve, prior to adoption, the rules and regulations for government of the police force and the discipline of its members as hereinafter provided. The Mayor or other executive or administrative officer charged with the general administrative responsibilities within the Township may, at any time, examine the operations of the police force or the performance of any officer or member thereof; and in an emergency situation, the Mayor may act or provide for the health, safety or welfare of the municipality through special emergency directives.

C. Chief of Police.

The direct supervision of the Police Department shall be vested in the Chief of Police, who shall see that the laws of the State of New Jersey and the Ordinances of the Township of Gloucester are faithfully executed and enforced. He shall recommend to the Mayor such measures as he shall deem necessary or expedient for the welfare of the Township and the organization, operation and development of the Police Department.

He shall be directly responsible to the Mayor for the efficiency and routine day to day operations thereof and he shall, pursuant to policies established by the Mayor:

(a) Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel;

(b) Have, exercise, and discharge the functions, powers and duties of the force;

(c) Prescribe the duties and assignments of all subordinates and other personnel;

(d) Delegate such of his authority as he may deem necessary for the efficient operation of the force to be exercise under his direction and supervision;

(e) Report a least monthly to the Mayor in such form as shall be prescribed by the Mayor on the operation of the force during the preceding month, and make such other reports as may be requested by the Mayor.

The Chief of Police shall be the chief administrator of the Police Department and directly responsible to the Mayor for the enforcement of the duties of all personnel in the Department, all policy and all rules and regulations regarding the Department. He shall be responsible for the

keeping of a daily log of all activities of the Department, including, but not limited to, assignments to duty of all members and employees of the Department, arrests, investigations, accidents, crimes, complaints, warrants and all important and pertinent data related to the duties and activities of the Department.

D. Deputy Chief of Police.

The Deputy Chief of Police shall carry out and be responsible for fulfilling all of the functions of the Chief of Police should the Chief of Police be unavailable.

E. Captains.

Captains shall be in charge of the Divisions within the Department (Operations, Administration, and Community Services) and shall be responsible for both the operational and administrative functions of the same subject to the supervision of the Chief of Police.

Captains may be assigned other duties which may be required by the Chief of Police.

SECTION 2. 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 judgment 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: December 12, 2106

Adopted:

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

_____
MAYOR

O-16-23 ORDINANCE OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING ORDINANCE O-03-03 LAND DEVELOPMENT REGARDING FENCES, GARAGES, HOME OCCUPATIONS, FEES, ETC.

BE IT ORDAINED by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey, that Ordinance O-03-03, known as the "Land Development Ordinance" be and is hereby amended, as follows:

SECTION 1. That Article IV, Zoning District Regulations, Section 401, General regulations, Subsection D(3), Non-Conforming Lots, titled "Expansion of building on undersized lot" be repealed and amended, as follows:

3. Reconstruction or expansion of building on undersized lot.

   a. Any existing lot on which a building or structure is located containing a permitted use in the zoning district and which lot does not meet the minimum lot size, frontage or depth may be reconstructed if damaged by fire, explosion, flood, windstorm, or act of God without any appeal for variance relief provided:

      i. The proposed building does not violate any other requirements of this Ordinance including, but not limited to, height, yard setbacks, building, and lot coverage for the zoning district.

         1. Multi-family dwellings and/or nonresidential uses may require site plan approval as per §801, Site Plan and Subdivision Approval Required.

   b. Any existing lot on which a building or structure is located containing a permitted use in the zoning district and which lot does not meet the minimum lot size, frontage or depth may have additions to the principal building and/or construction of an accessory building without any appeal for variance relief provided:

      i. The addition does not violate any other requirements of this Ordinance including, but not limited to, height, yard setbacks, building and lot coverage for the zoning district.

SECTION 2. That Article IV, Zoning District Regulations, Section 401, General regulations, Subsection E(4), Accessory Buildings, titled "Location and setback of accessory buildings" be repealed and amended, as follows:

4. <u>Location and setback of accessory buildings and structures</u>. An accessory building or structure may be erected in side and rear yard areas only and shall be set back from property lines as required in Article IV. In the event that no accessory building or structure setback is established in the particular district, the setback requirements for principal buildings shall apply. However, the minimum setback for any building and structure including but not necessarily limited to concrete, pavement, patio pavers and similar structures shall be at least three (3) feet.

SECTION 3. That Article IV, Zoning District Regulations, Section 422, Additional Uses and Structures Permitted in Residential Districts, Subsection 422.G, titled "Home Occupations" be repealed and amended, as follows:

G. HOME OCCUPATIONS. Home occupations shall be divided into the classes of minor home occupation and major home occupation. Minor home occupations shall be permitted upon application and grant of a zoning permit certifying compliance with subsection -1 below. Major home occupations shall be permitted upon application and grant of a conditional use permit by the Planning Board certifying compliance with subsection -2, below, which shall be conditional use permit criteria. This subsection shall not alleviate individuals or business establishments from obtaining any license or other permit required by municipal, county or state regulation, regardless of whether the use is a minor or major home occupation.

1. Minor home occupation. A minor home occupation shall meet the criteria within this subsection. The criteria for a minor home occupation are as follows:

   a. The use shall be conducted entirely within the primary dwelling or accessory building associated with it and shall be clearly incidental and secondary to the residential use of the premises and not change the residential character thereof and result in no incompatibility of the surrounding residential uses.

   b. No more than fifty percent (50%) of the first floor or basement area or two hundred fifty (250) sf., whichever is less, of the dwelling unit or accessory building on the same lot may be used for the minor home occupation.

   c. No display of products shall be visible from the street and no outdoor storage of equipment or materials used for the home occupation, nor shall any article be sold or offered for sale on the premises.

   d. No more than two clients, patrons, or customers may be on the premises for business or professional purposes at any one time.

   e. The residential character of the lot and building shall not be changed.

   f. No sounds emanating from the minor home occupation use shall be audible outside the residence or accessory structure, if applicable.

   g. No Home Occupation or equipment shall be used which will cause light, glare, noise, odor, vibration, or interference with radio and television reception in neighboring dwellings nor create nuisances by its operation.

   h. The minor home occupation shall not employ any person not resident on the premises in the performance of the occupation.

   i. No sign identifying or advertising the minor home occupation shall be permitted.

   j. Deliveries shall be limited to package (e.g., United Parcel Service) services or utilization of the owner's passenger vehicle and shall occur no more than once a day.

   k. No additional off-street parking to accommodate the minor home occupation shall be allowed.

   l. The minor home occupation shall not be open for customers, clients or patrons before 8:00 am on weekdays and 9:00 am on weekends nor after 6:00 p.m. on any day of the week.

   m. All residences having an approved Home Occupation shall comply with the land development ordinance and Township Code.

2. Major home occupation. A major home occupation shall meet the criteria within this subsection. The criteria for a major home occupation are as follows:

   a. The use shall be conducted entirely within the primary dwelling or accessory building associated with it and shall be clearly incidental and secondary to the residential use of the premises and not change the residential character thereof and result in no incompatibility of the surrounding residential uses.

   b. No more than fifty percent (50%) of the first floor or basement area or four hundred fifty (450) sf., whichever is less, of the dwelling unit or accessory building on the same lot may be used for the home occupation.

   c. No display of products shall be visible from the street and no outdoor storage of equipment or materials used for the home occupation, nor shall any article be sold or offered for sale on the premises.

   d. The residential character of the lot and building shall not be changed.

   e. No sounds emanating from the home occupation use shall be audible outside the residence or accessory building, if applicable.

   f. No Home Occupation or equipment shall be used which will cause light, glare, noise, odor, vibration, or interference with radio and television reception in neighboring dwellings nor create nuisances by its operation.

g. No major home occupation shall employ more than one non-resident of the premises.

h. One non-illuminated sign attached to a facade of the building, or, fence or wall, not to exceed two square feet, may be permitted identifying the major home occupation.

i. The major home occupation shall not reduce the parking or yard requirements of the dwelling.

j. Where parking is provided, no more than three (3) parking spaces per property, including required residential parking, shall be allowed. All parking associated with the home occupation shall be screened from view of any public street and adjacent properties using a combination of hedging, landscaping or fencing.

k. Deliveries shall be limited to package (e.g., United Parcel Service) services or utilization of the owner's passenger vehicle and shall occur no more than once a day.

l. The major home occupation shall not be open for customers, clients or patrons before 8:00 a.m. on weekdays and 9:00 a.m. on weekends nor after 6:00 p.m. on any day of the week.

m. No more than two clients, patrons, or customers may be on the premises for business or professional purposes at any one time.

n. All residences having an approved Home Occupation shall comply with the land development ordinance and Township Code.

3. Prohibited home occupations. The following uses are specifically prohibited as home occupations:

a. Automobile, motorcycle, lawn mower, or other motorized vehicle, boat, trailer, sales, repair, refurbishing, painting, detailing or servicing.

b. Barber shops and beauty salons.

c. Bed and breakfast accommodation.

d. Body piercing and tattooing.

e. Medical and dental offices.

f. Real estate office.

g. Spray painting and refinishing operations.

h. Taxi and limousine service.

i. Home occupations primarily involving public assembly.

j. Dispatch center where persons come to a site and are dispatched to other locations.

k. Rental businesses.

l. Excavating, landscaping, general contractors, and similar businesses.

m. Welding, machine shops, and similar fabrication businesses.

n. Veterinary clinics.

o. Kennels.

p. Towing services.

q. Sale, lease, trade, repair or other transfer of firearms or ammunition.

r. Sale and use of hazardous materials in excess of consumer quantities that are packaged for consumption by individual households for personal or household use.

s. Any other use deemed to be detrimental or inconsistent with the residential character of the neighborhood as determined by the Director of the Department of Community Development & Planning or designee.

SECTION 4. That Article IV, Zoning District Regulations, Section 402.F, ER – Environmental Residential District, Section 403.F, R-1 – Residential District, Section 404.F, R-2 – Residential District, Section 405.F, R-3 – Residential District, Section 406.F, R-4 – Residential District Section 407.F, RA – Residential District, Section 409.F, SCR – Senior Citizen Residential District, Section 410.G, GCR – Golf Course Residential District, Section 412.D, OR – Office Residential District, Section 414.F, CR – Commercial Residential District rows and columns within the table titled "Accessory Buildings Minimum Yard Depths and Height Limitations be deleted.

SECTION 5. That Article IV, Zoning District Regulations, Section 422, Additional Uses and Structures Permitted in Residential Districts, Subsection 422.H, titled "Off Street Parking and Private Garages" be repealed and amended, as follows:

H. PRIVATE GARAGES. Private garages for residential districts that permit private garages as an accessory use shall conform to the following requirements:

1. A private garage in a residential district shall be permitted only when used as an accessory building to a dwelling on the same lot.
2. No accessory dwelling shall be part of any garage.
3. A private garage may be either a separate building or it may be attached to as an integral part of the dwelling.
4. A detached private garage shall comply with the following requirements:
    a. Shall not exceed eight hundred (800) square feet.
    b. Shall not exceed fourteen (14) feet building height as defined by §202, Definitions.
    c. Shall not exceed nine (9) feet side wall height measured from the finish floor.
5. The area the private garage shall not exceed that of the principal building.
6. Only one private garage per residentially used lot shall be permitted.
7. Garages shall conform to the following setback requirements:
    a. Front yard: Not Permitted.
    b. Side yard: ten (10) feet minimum.
    c. Rear yard ten (10) feet minimum.

SECTION 6. That Article IV, Zoning District Regulations, Section 422, Additional Uses and Structures Permitted in Residential Districts, Subsection 422.L, titled "Residential Tool Shed" be repealed and amended, as follows:

L. RESIDENTIAL TOOL SHED. Private residential tool sheds shall comply with the following regulations:

1. A shed shall comply with the following general requirements:
    a. Shall not exceed one hundred sixty-eight (168) sf.
    b. Shall not exceed twelve (12) feet in height as defined by §202, Definitions.
    c. Shall not exceed nine (9) feet side wall height measured from finish floor.
    d. No more than one tool shed per lot shall be permitted.
2. A shed shall conform to the following setback requirements:
    a. Front yard: Not permitted.
    b. Side yard: three (3) feet minimum if one hundred (100) sf. or less in floor area and five (5) feet minimum if larger.
    c. Rear yard: three (3) feet minimum if one hundred (100) sf. or less in floor area and five (5) feet minimum if larger.

SECTION 7. That Article IV, Zoning District Regulations, Section 424, Driveways (Residential) be and amended to add the following:

H. No driveway shall be located closer than three (3) feet to a side or rear property line, except in the event that a driveway is shared among two individual properties or in instances approved by the Director of Community Development & Planning.

I. No curb cut to a single family or two-family dwelling shall exceed twenty-four feet (24) feet in width at the right-of-way line.

SECTION 8. That Article IV, Zoning District Regulations, Section 425, Fences, Hedges, Walls be repealed and amended, as follows:

A. GENERAL REGULATIONS. Fences, hedges and walls shall not project past the front wall of the building or the side wall of a corner building, except as noted below.

B. INTERSECTION REGULATIONS.

1. At or near an intersection of two (2) or more streets, no fence, hedge, wall, shrubbery or other similar matter shall be permitted to obstruct the view of motorists traveling on either intersecting street, regardless of the regulations specified below.

2. In the case of fences, walls or hedges in front yards, the heights shall not be more than thirty-six (36) inches in residential districts or upon which is located a residential use, except on corner lots where it shall not be more than thirty (30) inches. These height limitations shall be applicable for a sight triangle distance of seventy-five (75) feet from the point of intersection of the face of curblines or edges of pavement, whichever applies.

C. OTHER HEIGHT RESTRICTIONS.

1. Fences, hedges and walls parallel with side and rear lot lines on land that is either zoned for a residential use or upon which is located a residential use may be erected, altered or reconstructed to a height not to exceed six (6) feet above ground level.

2. Reserved.

3. Fences, hedges and walls enclosing residential property having a height that is greater than thirty-six (36) inches, or thirty (30) inches on corner lots shall comply with the following setbacks. The purpose of this requirement is to maintain a clear sight distance for the safety of vehicular traffic movements on public rights-of-ways and in and out of driveways.

a. Corner Lots:

(1) On the street side parallel with the front door to the building the fence shall be setback at least twenty (20) feet from the front property line or the distance of the front of the building, whichever is greater.

(2) On the secondary street parallel with the side of the building the fence shall be setback at least fifteen (15) feet from the front property line.

(a) Buildings angled on the lot the front door setback requirement noted above shall apply to the street address.

b. Interior Lots:

(1) Fence shall be setback at least twenty (20) feet from the front property line or the distance of the front of the building, whichever is greater.

c. Exception

(1) Fence height outside the seventy-five (75) foot sight triangle on corner lots or along the frontage of interior lots may be increased

not to exceed four (4) feet if the fence is more than fifty (50%) percent open as determined by the Zoning Officer.

4. Any fence or wall enclosing non-residential property shall be limited to eight (8) feet in height except within the front yard where the height shall be limited to six (6) feet.

5. Notwithstanding these regulations, the following exceptions to the height regulations shall be permitted.

   a. A dog run or privacy area may have fencing a maximum of seven (7) feet in height provided such area is located in rear yard areas only and is set back from any lot line at least fifteen (15) feet.

   b. A tennis court shall be, located in rear yard areas only, may be surrounded by a fence a maximum of fifteen (15) feet in height; said fence to be set back from any lot line the distances required for principal buildings in the zoning district as stipulated in this Article.

D. CLEAR SIGHT DISTANCE. In no case shall a fence, hedge or wall be permitted, unless the Zoning Officer determines that such fence, hedge or wall does not impair necessary visibility for safe traffic movement.

E. ERECTION WITHIN PROPERTY LINES; ENCROACHMENT. All fences, hedges, walls and/or shrubbery shall be erected within the property lines, and no fence, hedge, wall and/or shrubbery shall be erected so as to encroach upon a public right-of-way; and no fence, hedge, wall and/or shrubbery shall be erected so as to encroach upon any recorded easement, unless, in the discretion of the Zoning Officer such encroachment will not defeat or interfere with the purpose of the easement and an appropriate release and waiver is presented as part of the application. The applicant shall be required, as part of the application.

   1. To secure the signed consent of the Responsible Authority that the encroachment into the easement is not objected to.

   2. To sign a release acknowledging that if the fence, etc. does defeat or interfere with the easement, that the applicant agrees to remove it, and

   3. To hold the Township free and harmless from liability.

F. FINISHED SIDE. The finished side of all fencing shall face outwardly and no fencing shall be installed so as to change or add to the natural flow of surface water onto adjoining or adjacent property.

G. MAINTENANCE. All fences, hedges, walls and/or shrubbery shall be maintained in a safe, sound and upright condition.

H. UNSAFE FENCES AND WALLS; NOTICE TO REMOVE OR REPAIR. If the Zoning Officer, upon inspection, determines that any fence, wall or any portion of any fence or wall is not being maintained in a safe, sound or upright condition, he shall notify the owner of such fence or wall, in writing, of his findings and state briefly the reasons for such findings and order such fence or wall or portion of such fence or wall repaired or removed within fifteen (15) days of the date of the written notice.

I. WALLS FOR RETAINING EARTH EXCEPTED. These restrictions shall not be applied so as to restrict the erection of a wall for the purpose of retaining earth.

J. RESIDENTIAL SWIMMING POOL. A private residential swimming pool area shall be surrounded by a fence at least four (4) feet, but no more than six (6) feet, in height (*see* Chapter 75 for additional standards)

K. LANDSCAPE PLAN. Fencing and walls for all uses requiring site plan approval shall be considered within the overall context of a landscape plan that considers the function and aesthetic quality of the fencing or wall.

L. PROHIBITED TYPES. No fence or wall shall be erected of wire, including but not limited to hardware cloth, livestock wire, and barbed wire, topped with metal spikes, broken bottles and glass, corrugated metal, cloth, snow fencing that is fabric or natural wood nor constructed of any material not commonly used for fencing or in any manner which may be dangerous to persons or animals and shall be of identical materials and design along a lot line, except that barbed wire may be used on any

fencing securing high voltage or telecommunications facilities from trespass; livestock wire may be used for securing livestock on properties approved as a farm use; and chain link is an approved type of fencing.

M. LIMITATIONS ON CHAIN LINK. Chain link fences on residential properties shall not exceed a four (4) feet height and are prohibited from having privacy screens including but not limited to slats, weaves, cloths, or other prohibited materials as determined by the Zoning Officer.

SECTION 9. That Article VII, Development Application Review Procedures, Section 709, titled "Appeal of Zoning Board Decision" be repealed and amended, as follows:

A. RIGHT OF APPEAL. Any interested party may appeal any final decision of the Zoning Board of Adjustment Superior Court, as provided for by law.

SECTION 10. That Article VIII, Application Submission Requirements, Section 801, Site Plan and Subdivision Approval Required, Subsection A(2), title "Site Plan" be repealed and amended, as follows:

2. Site plan approval is not required to permit a change of use that involves an existing structure if there is an existing site plan approval on file and the change of use does not necessitate any new construction with the exception of minor interior renovations; does not require any site improvements effecting bulk and/or setback regulations or revisions to adopted design standards such as parking and access; and does not require use variance approval under the provisions of *N.J.S.A.* 40:55D-70d.

SECTION 11. That Article IX, FEES, GUARANTEES, INSPECTIONS, AND OFF-TRACT IMPROVEMENTS, Section 901, titled "Application and Escrow Fees" be amended to add the following category:

PRELIMINARY OR FINAL SUBDIVISION OR SITE PLAN APPROVAL EXTENSION

Filing Fee	$50.00
Escrow Fee:	$250.00

SECTION 12. That Article IX, FEES, GUARANTEES, INSPECTIONS, AND OFF-TRACT IMPROVEMENTS, Section 902, Affordable Housing Fees and Procedures, Subsection D, Residential Development Fess, subparagraph (2)(c)(4), titled "Eligible exactions" be repealed and amended to add the word "Reserved."

SECTION 13. 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 14. If any section, subsection or part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of the ordinance.

SECTION 15. This Ordinance shall take effect immediately after final passage and publication as required by law.

Introduced:

Adopted:

ATTEST: PRESIDENT OF COUNCIL

TOWNSHIP CLERK, RMC

MAYOR

R-16:12-324

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED BY THE Township Council of the Township of Gloucester, in the County of Camden, that the following bills are approved by the Township Council in accordance with the provisions of Ordinance 0-82-16 and certified by the Chief Financial Officer that the claims are proper obligation of the township, that adequate funds are available to honor these claims in the account indicated and the claim should be paid:

CURRENT ACCOUNT Per attached computer readout of the claims presented in the amount of	$ 6,946,140.81
CAPITAL ACCOUNT Per attached computer read out of the claims presented in the amount of	$ 175,372.99
TRUST Per attached computer readout of the claims presented in the amount of	$ 22,924.90
ANIMAL TRUST Per attached computer readout of the claims presented in the amount of	$ 6,584.60
MANUAL CHECKS Per attached computer readout of the claims presented in the amount of	$ 374,774.34

Adopted: December 12,2016

_____
PRESIDENT COUNCIL

ATTEST:

_____

TOWNSHIP CLERK

R-16:12-325

RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the Township has received a grant in the amount of $9,400.00 Emergency Management Grant.

NOW THEREFORE, BE IT RESOLVED that the Township of Gloucester hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2016 CY Budget in the amount of $9,400.00 which item is now available as revenue from the receipt of the Emergency Management Grant.

BE IT FURTHER RESOLVED that a like sum of $9,400.00 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"
Emergency Management Grant $9,400.00

BE IT FURTHER RESOLVED that the Township CFO email certified copy of this resolution to the Director of Local Government Services for approval.

ADOPTED: December 12, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

R-16:12-326

RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the Township has received a grant in the amount of $217,000.00 Delaware Valley Regional Planning Commission (DVRPC).

NOW THEREFORE, BE IT RESOLVED that the Township of Gloucester hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2016 CY Budget in the amount of $217,000.00 which item is now available as revenue from the receipt of the Delaware Valley Regional Planning Commission (DVRPC).

BE IT FURTHER RESOLVED that a like sum of $217,000.00 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"
Delaware Valley Regional Planning Commission (DVRPC) $217,000.00

BE IT FURTHER RESOLVED that the Township CFO email certified copy of this resolution to the Director of Local Government Services for approval.

ADOPTED: December 12, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

R-16:12-327

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 numbers:

20161772	16 Hidden Dr	$238.00
20162076	6 Kohomo Ave	$288.00
20161615	8 Morrison Dr	$238.00
20161779	6 Del Sordo Dr	$288.00
	TOTAL:	1,052.00

Payable to: Sunrun, Inc
Attn: Stacey Williams-Ewan
20 West Stowe Rd, Ste 2
Marlton, NJ 08053

ADOPTED: December 12, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK, RMC

Township Of Gloucester
Construction Department
1261 Chews Landing Road, Blackwood, NJ 08012
(856) 374-3500
Fax (856) 232-6229

To: Council

From: Bernie Shepherd, Construction Official

Re: Refund Request for: Sunrun, Inc
Attn: Stacey Williams-Ewan
20 West Stowe Rd, Ste 2
Marlton, NJ 08053

November 29, 2016

This letter is a request for a refund for the following permits:

20161772	*16 Hidden Dr*	*$238.00*
20162076	*6 Kohomo Ave*	*$288.00*
20161615	*8 Morrison Dr*	*$238.00*
20161779	*6 Del Sordo Dr*	*$288.00*
	TOTAL:	*1,052.00*

The contractor obtained the permits but the homeowners have canceled the jobs with them. This is a request to be placed on the December 12, 2016 meeting date.

Thank You,

Bernie

Bernie Shepherd

R-16:12-328

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 20152140 in the amount of $288.00.

Payable to: Solar City Corp.
Attn: Mike Curran
1001 Lower Landing Rd #601
Blackwood, NJ 08012

ADOPTED: December 12, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK, RMC

Township Of Gloucester
Construction Department
1261 Chews Landing Road, Blackwood, NJ 08012
(856) 374-3500
Fax (856) 232-6229

To: Council

From: Bernie Shepherd, Construction Official

Re: Refund Request for: Solar City Corp
Attn: Mike Curran
1001 Lower Landing Rd #601
Blackwood, NJ 08012

November 29, 2016

This letter is a request for a refund for permit #2015-2140, 42 Whitall Dr, in the amount of $288.00. The contractor obtained the permit but the homeowner then canceled the job with them and applied for a permit with a different contractor. This is a request to be placed on the December 12, 2016 meeting date.

Thank You,

Bernie

Bernie Shepherd

R-16:12-329

RESOLUTION AUTHORIZING GLOUCESTER TOWNSHIP TO MAKE APPLICATION TO THE STATE OF NEW JERSEY FOR MUNICIPAL ALLIANCE AGAINST ALCOHOL AND DRUG ABUSE GRANT FUNDS

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

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

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

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

1. The Township Council does hereby authorize submission of a strategic plan for the Gloucester Township Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR $ 39,826.26 Cash Match $ 9,956.57 In-Kind Match $ 29,869.70

2. The Gloucester Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Adopted: December 12, 2016

_____
President of Council

Attest:

_____
Township Clerk

R-16:12-330

RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF GLOUCESTER APPROVING A TEMPORARY USE PERMIT TO ATLANTIC CITY ELECTRIC FOR PREMISES LOCATED AT BLOCK 14002 LOT 26 FOR TEMPORARY STORAGE OF POLES, WIRES AND TRAILER

WHEREAS. Atlantic City Electric has made application for a Zoning Permit for temporary storage at premises owned by Camden County College and located at Block 14002 Lot 26, and

WHEREAS. Section 1105 of the Gloucester Township Land Development Ordinance requires a Temporary Use Permit to be first approved by the Governing Body of the Township of Gloucester, and

WHEREAS. A copy of the Zoning Permit Application, location of the intended storage area and a copy of the Lease Agreement with Camden County College has been provided, and

WHEREAS. The temporary storage is for an initial period of seven months and is located in an area to be properly secured by fencing and not located at roadway frontage.

NOW THEREFORE, IT IS HEREIN RESOLVED by the Township Council of the Township of Gloucester as follows;

a. A temporary use permit for storage of poles, wires, and trailer for a period of seven months (commencing December 1st 2016) is hereby approved, which may be extended with notice to Township council.
b. The permit area is located at Block 14002 Lot 26.
c. The storage area shall be secured by fencing with a locking gate.

Adopted: December 12, 2016

ATTEST:

_____
President of Council

_____
Township Clerk

R-16:12-331

RESOLUTION TO CANCEL CAPITAL APPROPRIATION BALANCE OF PROJECTS

WHEREAS, a General Capital Improvement appropriation balance remains dedicated for a project now completed and,

WHEREAS, it is necessary to formally cancel said unexpended debt balances may be credited to Deferred Charges to Future Taxation - Unfunded and,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Gloucester, that the following unexpended balances of the General Capital Fund appropriations be cancelled.

Cancel Unexpended Appropriation Balances

Ordinance #	Description	Amount
11-21	4 Wheel Drive Vehicle	$19,202.85
12-06	Various Capital Improvements	$2,847.00
14-01	Various Capital Improvements	$477.00
	Total	**$22,526.85**

Adopted: December 12, 2106

ATTEST:

President of Council

Township Clerk

R-16:12-332

RESOLUTION TO CANCEL CAPITAL APPROPRIATION BALANCE OF PROJECTS

WHEREAS, a General Capital Improvement appropriation balance remains dedicated for a project now completed and,

WHEREAS, it is necessary to formally cancel said unexpended debt balances may be credited to Reserve to Pay Debt Service and,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Gloucester, that the following unexpended balances of the General Capital Fund appropriations be cancelled.

Cancel Unexpended Appropriation Balances

Ordinance #	Description	Amount
10-17	Reconstruction of Hockey rinks	$22,639.60
10-23	Various Capital Improvements	$3,070.86
11-03	Various Capital Improvements	$621.52
12-06	Various Capital Improvements	$255,086.39
12-07	Various Capital Improvements	$30,156.27
12-28	Various Drainage Projects	$157,681.88
12-29	Various Capital Improvements	$21,238.86
	Total	**$490,495.38**

Adopted: December 12, 2016

ATTEST:

President of Council

Township Clerk

R-16:12-333

RESOLUTION TO ALLOW DISABLED VETERAN EXEMPTIONS FOR TAX YEAR 2016 AND TO AUTHORIZE THE TAX COLLECTOR TO CANCEL TAXES AND REFUND ANY OVERPAYMENTS

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

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

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

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the Tax Collector is authorized to grant said exemption, cancel property taxes as stated for 2016 and first half 2017 and refund any resulting credit balances.

Block	Lot	Name	Comment	Amount to be Credited
14404	15	Torre Hawkins	Add Disabled Veteran Tax Exemption	$1143.57 – 2016 2 mon $3430.73 – 2017 1st Half
17904	17	Noell Williams	Add Disabled Veteran Tax Exemption	$721.91 – 2016 1 mons. $4754.75 – 2017 1st Half

ADOPTED: December 12, 2016

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President of Council

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Township Clerk

R-16:12-334

RESOLUTION TO AUTHORIZE THE TAX COLLECTOR TO GRANT SENIOR CITIZEN, DISABLED, OR VETERAN DEDUCTION FOR THE YEAR 2016 AS INDICATED AND TO ADJUST ANY BALANCE

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

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

WHEREAS, the Assessor has reviewed and approved said application and adjusted the records for 2016,

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the Tax Collector is authorized to grant said deduction and/or adjust any resulting balances for the year 2016 and refund any balances for the amounts indicated.

Block	Lot	Name	Comment	Amount of Deduction
3306	17	Mary Lane	Add Widow of Vet Deduction 2016	250.00
8001	1C0203	James D'Alessandro	Add Senior Citizen Deduction 2016	250.00
8701	23	Alice Sinclair	Add Widow of Vet Deduction 2016	250.00
11603	12	Tyler Kern	Add Veteran Deduction 2016	250.00
13308	26	Rita Badessa	Add Senior Citizen Deduction 2016	250.00
16701	17	Clinton Thompson	Add Veteran Deduction 2016	250.00
19706	17	Leon Tynes	Add Veteran Deduction 2016	250.00

ADOPTED: December 12, 2016

President of Council

Township Clerk

R-16:12-335

RESOLUTION AUTHORIZING REFUNDING OF TAXES

BE IT RESOLVED by the Township Council of the Township of Gloucester to authorize the refunding of the following credit balances:

BLOCK	LOT	NAME AND ADDRESS	YEAR	AMOUNT	REASON
13801	9	Core Title 1300 Route 73, Suite 112 Mt. Laurel, NJ 08054 Attn: Diana Locantore	2016	$56.56	Overpayment
15703	212	Mary Ann Pierce 1224 Thackery Ct. Marlton, NJ 08053	2016	$894.29	Duplicate Payment
18503	29	CitiMortgage, Inc. P.O. Box 23689 Rochester, NY 14692 Attn: Tony Miranda	2016	$817.07	Duplicate Payment
20901	68	Sun West Mortgage Co. 18000 Studebaker Rd., Suite 200 Cerritos, CA 90703 Attn: Tax Team	2016	$2,251.56	Overpayment
21001	17	Robert and Michele Ott 33 Mulberry St. Sicklerville, NJ 08081	2016	$1,969.67	Duplicate Payment

ADOPTED: December 12, 2016

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Council President

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Township Clerk

R-16:12-336

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER AMENDING A SHARED SERVICE AGREEMENT WITH THE BLACK HORSE PIKE REGIONAL BOARD OF EDUCATION TO PROVIDE "BRINE SOLUTION", "SALT" AND TO INCLUDE "ASPHALT REPAIR SERVICES"

WHEREAS. The Township Council desires to amend the shared services agreement to provide the Regional Board of Education "Brine Solution", "Salt" and to include "Asphalt Repair Services" for street/parking lots.

WHEREAS. The Township Council desires to amend the shared services agreement to include providing "Asphalt Repair Services" for Regional streets/parking lots and the Regional Board of Education is in agreement with amending the shared services agreement to include providing, "Asphalt Repair Services" for street/parking lots.

NOW THEREFORE, BE IT RESOLVED, by the Township Council that the Township of Gloucester amend the present Shared Services Agreement to provide "Brine Solution", "Salt and to include "Asphalt Repair Services" for street/parking lots.

Adopted: December 12, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK

D. All other Terms and Conditions contained in the original Shared Services Agreement for "Brine Solution", "Salt" and "Pot Hole Repair Services" shall continue and remain in full force and effect and remain unchanged by this Amending Agreement.

IN WITNESS WHEREOF. The parties have caused this agreement to be duly executed and delivered by their respective officers thereunto duly authorized and have caused their respective seals to be hereunto affixed and duly attested all as to the date first above written.

ATTEST:

_____
Rosemary DiJosie
Township Clerk

TOWNSHIP of GLOUCESTER

by_____
David R. Mayer
Township Mayor

BLACK HORSE REGIONAL BOARD
OF EDUCATION

ATTEST

_____

by_____

SCHEDULE "A"

1. The Black Horse Pike Regional Board of Education shall schedule all brine solution and Salt pick up through the Gloucester Township Department of Public Works.

2. Brine Solution and Salt will be billed at the current rate and availability of brine solution per gallon and salt per ton which will include a 15% Township administration charge.

3. Asphalt Repair Services will be billed at the current rate cost.

R-16:12-337

RESOLUTION AUTHORIZING THE ADVERTISING OF BIDS FOR THE 2016 ROAD IMPROVEMENT PROGRAM

WHEREAS, the 2016 Budget provides funds for the purchase of certain materials and supplies and equipment whose aggregate value will exceed $40,000.00, and

WHEREAS, the State Statutes require that items exceeding $40,000.00 be properly advertised and bids received.

NOW, THEREFORE, BE IT RESOLVED that the Advertising of Bids is hereby authorized, in accordance with the respective specifications for the following items:

2016 ROAD IMPROVEMENT PROGRAM

Adopted: December 12, 2016

_____
PRESIDENT OF COUNCIL

ATTEST:

_____
TOWNSHIP CLERK