GLOUCESTER TOWNSHIP COUNCIL MEETING

FEBRUARY 24, 2020

PLEDGE ALLEGIANCE TO THE FLAG

INVOCATION: Reverend Ken Carpinelli, Deacon

COMMENCEMENT STATEMENT: Mr. Mercado

ROLL CALL:

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

Mr. Carlamere, Solicitor
Mr. Cardis, Business Administrator
Mrs. Power, Township Clerk, RMC
Mr. Lechner, Community Development
Chief Harkins, Police
Mr. Chadwell, Township Engineer

BLACK HISTORY MONTH PROCLAMATION AND PRESENTATION:

Oluwakemi Akande	Eugene Cook	Carolyn Grace	Nyasia Hill
Delores Johnson	Shirley Johnson	Chandler Nandkumar	Troy Smith
Nardira Venable	Makai Warner		

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.

CHIEF HARKINS – Appointment of Special Class II Officer

BID REPORT: Hidden Mill Estates Punchlist Services (Rebid)
Lakeside Business Park Punchlist Services (Rebid)

ORDINANCES: FIRST READING – INTRODUCTION

O-20-03 AN ORDINANCE REPEALING AND REPLACING ARTICLE 10. (X.) AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

O-20-04 ORDINANCE OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING ORDINANCE O-12-26 ENTITLED THE LAKELAND COMPLEX PHASE 1(BLOCK 12301) REDEVELOPMENT PLAN IN ACCORDANCE WITH N.J.S.A. 40A:12A-1 ET SEQ., LOCAL REDEVELOPMENT AND HOUSING LAW

O-20-05 ORDINANCE ADOPTING REDEVELOPMENT PLAN FOR ENTIRETY OF BLOCK 12302, Lot 1, LAKELAND PHASE

ORDINANCES: SECOND READING – PUBLIC HEARING

O-20-01 ORDINANCE AMENDING BOND ORDINANCE O-14-02 OF THE TOWNSHIP OF GLOUCESTER, IN THE COUNTY OF CAMDEN, NEW JERSEY

O-20-02 CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2020

RESOLUTIONS:
CONSENT AGENDA

R-20:02-058 RESOLUTION AUTHORIZING PAYMENT OF BILLS

R-20:02-059 RESOLUTION REFERRING REDEVELOPMENT PLAN FOR ENTIRETY OF BLOCK 12302 LOT 1 TO THE GLOUCESTER TOWNSHIP PLANNING BOARD

R-20:02-060 RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF FINANCE

R-20:02-061 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY, CONFIRMING THE NAMING OF M & T GLOUCESTER PARTNERS, LLC AS REDEVELOPER FOR PREMISES KNOWN AS LOVE DRIVE AND ROUTE 42, BLOCK 13103 LOTS 2, 3, 3.01, 5, 6, 7, 8, 9, 10, 11, 12 AND 25 OF THE COLLEGE DRIVE REDEVELOPMENT AREA AND AUTHORIZING THE SIGNING OF AN AMENDED REDEVELOPMENT AGREEMENT

R-20:02-062 RESOLUTION AUTHORIZING REFUNDS OF ENCROACHMENT DEPOSITS

R-20:02-063 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER SUPPORTING RESPONSIBLE PET OWNERSHIP IN THE TOWNSHIP OF GLOUCESTER

R-20:02-064 RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF GLOUCESTER AND GARDEN STATE HIGHWAY PRODUCTS FOR THE HICKSTOWN ROAD CROSSWALK AND FLASHING PEDESTRIAN LIGHTS

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

ADJOURN

PROCLAMATION

Black History Month

WHEREAS, during the month of February we celebrate the cultural heritage, achievements, and immense contributions of African Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, in 1915, Dr. Carter Godwin Woodson, noted African American scholar and son of former slaves, founded the "Association for the Study of Negro Life and History", which was later renamed the "Association for the Study of African American Life and History" (ASALH); and

WHEREAS, Dr. Woodson initiated Black History Week, February 12, 1926, during the second week of February chosen to coincide with the birthdays of Frederick Douglas and Abraham Lincoln; and

WHEREAS, in 1976, as part of the Nation's bicentennial, Black History Week was expanded and became established as Black History Month, and is now celebrated all over North America; and

WHEREAS, the 2020 theme of Black History Month, as set by the "Association for the Study of African American Life and History" (ASALH), is "African Americans and the Vote." The year 2020 marks not only the centennial of the 19th Amendment, the culmination of the women's suffrage movement, but also the sesquicentennial of the 15th Amendment, adopted into the U.S. Constitution in 1870, granting African American men the right to vote after the Civil War; and

WHEREAS, this year also marks the 150th anniversary of the first African American, Hiram R. Revels, to serve in the Congress. Hiram R. Revels served a 1 year term in the Senate in 1870, where he fought for justice and racial equality at a time when African American men petitioned their legislatures and the U.S. Congress to be recognized as voters; and

WHEREAS, African American suffragists rallied not only within the larger women's movement, but within the larger African American voting rights movement. Through voting-rights campaigns and legal suits from the turn of the twentieth century to the mid-1960s, African Americans made their voices heard as to the importance of the vote;

NOW, THEREFORE, I, David R. Mayer, Mayor of the Township of Gloucester and I, Orlando Mercado, President of the Council of the Township of Gloucester do hereby proclaim February 2020 as Black History Month and encourage the African American community to make their voices heard through the power and right of voting in all elections and call upon educators, librarians, and all the people of the Township of Gloucester to observe this month with appropriate programs, ceremonies, and activities.

Dated: February 24, 2020

Orlando Mercado President of Council	David R. Mayer Mayor

GLOUCESTER TOWNSHIP POLICE

DEDICATED TO SERVICE • COMMITTED TO EXCELLENCE

David J. Harkins
CHIEF OF POLICE
FBI NA #247

TO: Mayor Mayer
FROM: Chief David Harkins
CC: Carla Geppi
SUBJECT: Request to Hire Brian Robinson as a Class II Special Law Enforcement Officer
DATE: February 19, 2020

I request to hire Brian Robinson as a Class II Special Law Enforcement Officer (SLEO). He will be appointed until December 31, 2020. Mr. Robinson will be replacing Dominic Coppola's position.

Thank you for your assistance.

Respectfully,

Chief David Harkins

DISPATCH: 856-228-4500 • WEB: www.gtpolice.com • EMAIL: police@gtpolice.com
1261 Chews Landing Road, Laurel Springs, New Jersey 08021

GLOUCESTER TOWNSHIP
HIDDEN MILL ESTATES – PUNCHLIST SERVICES
REBID
BIDS RECEIVED FEBRUARY 19 @ 10:00 AM

CONTRACTOR	BASE BID	ALTERNATE ADD NO. 1	ALTERNATE ADD NO. 2
Think Pavers	$162,905.00	$10,725.00	$12,000.00

Respectfully Submitted,

Michelle Botsford
Office of the Township Clerk

GLOUCESTER TOWNSHIP
LAKESIDE BUSINESS PARK – PUNCHLIST SERVICES
REBID
BIDS RECEIVED FEBRUARY 19 @ 10:30 AM

CONTRACTOR	BASE BID	ALTERNATE ADD NO. 1	ALTERNATE ADD NO. 2	ALTERNATE ADD NO.3
Charles Marandino LLC	$315,550.00	$15,500.00	$9,450.00	$3,500.00

Respectfully Submitted,

Michelle Botsford
Office of the Township Clerk

O-20-01

ORDINANCE AMENDING BOND ORDINANCE O-14-02 OF THE TOWNSHIP OF GLOUCESTER, IN THE COUNTY OF CAMDEN, NEW JERSEY

WHEREAS, on January 27, 2014, the Township of Gloucester, County of Camden, New Jersey ("Township") duly and finally adopted Bond Ordinance O-14-02 ("Bond Ordinance"), authorizing various improvements to the Township's Stormwater Drainage System and Redwood Street Culvert ("Prior Improvements"); and

WHEREAS, the Township has completed the Prior Improvements set forth in Section 7A of the Bond Ordinance and has a remaining unspent appropriation of $684,368; and

WHEREAS, the project costs for the Prior Improvements listed in Section 7B of the Bond Ordinance are greater than originally anticipated; and

WHEREAS, the Township desires to amend the Bond Ordinance to decrease the appropriation set forth in Section 7A by $684,368 and increase the appropriation set forth in Section 7B by same to allow for the completion of the Prior Improvements set forth in Section 7B of the Bond Ordinance.

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

Section 1. Section 7 of the Bond Ordinance is hereby amended and restated in its entirety to provide as follows:

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

	Purpose/Improvement	Estimated Total Cost	Down Payment	Amount of Obligations	Period of Usefulness
A.	Various Improvements to the Township's Storm Water Drainage System including, but not limited to, Pipe Replacement and Basin Rehabilitation; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the Loan Application on file in the Township Clerk's office.	$657,267	$0	$657,267	40 years
B.	Various Improvements to the Redwood Street Culvert; together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described in the Loan Application on file in the Township Clerk's office.	1,092,733	0	1,092,733	40 years
		$1,750,000	**$0**	**$1,750,000**	"

Section 2. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended applicable capital budget and applicable capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

Section 3. All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

Section 4. In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Introduction: February 10th , 2020

Adoption: Second Reading – Public Hearing to be held on February 24th , 2020

_____
Mayor
David R. Mayer

_____
President of Council
Orlando Mercado

ATTEST:

_____
Township Clerk, RMC
Nancy Power

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Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: GLOUCESTER TWP MUNICIPAL BLDG
Address: PO BOX 8
BLACKWOOD NJ 08012
USA

Ad No.: 0004053567
Pymt Method Invoice
Net Amt: $54.64

Run Times: 1
No. of Affidavits: 1

Run Dates: 02/13/20

Text of Ad:

Statement to be Published with Bond Ordinance After Introduction

Public notice is hereby given that the foregoing Bond Ordinance was introduced and passed on first reading at the Township Council meeting of the Township of Gloucester held on February 10, 2020. Further notice is given that said Bond Ordinance will be considered for final passage and adoption, after a public hearing thereon at a meeting of the Township Council of the Township of Gloucester to be held at the Gloucester Township Municipal Building, 1261 Chews Landing-Clementon Road at Hider Lane, Laurel Springs, New Jersey 08012 on February 24, 2020 at 7:30 p.m. During the week prior to and up to and including the date of said meeting, copies of said Bond Ordinance will be made available at the Township Clerk's Office in the Gloucester Township Municipal Building for members of the general public who request the same.

NANCY POWER, Township Clerk

Statement to be Published with Bond Ordinance After Final Adoption

The Bond Ordinance published herewith has been finally adopted on February 24, 2020 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement.
($24.64)

0004053567-01

O-20-02

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2020 (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A;4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and members of Township Council of the Township of Gloucester in the County of Camden finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and members of Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to $540,996.37 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and members of Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years;

NOW THEREFORE BE IT ORDAINED, by the Mayor and members of Township Council of the Township of Gloucester, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Gloucester shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to $1,893,487.30, and that the CY 2020 municipal budget for the Township of Gloucester be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: February 10th, 2020

Adopted: Second Reading – Public hearing scheduled for February 24th, 2020

_____
Mayor
David R. Mayer

_____
President of Council
Orlando Mercado

ATTEST:

_____
Township Clerk, RMC
Nancy Power

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Classified Ad Receipt
(For Info Only - NOT A BILL)

Customer: GLOUCESTER TWP MUNICIPAL BLDG
Address: PO BOX 8
BLACKWOOD NJ 08012
USA

Ad No.: 0004053579
Pymt Method Invoice
Net Amt: $98.64

Run Times: 1
No. of Affidavits: 1

Run Dates: 02/13/20

Text of Ad:

O-20-02

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR THE CALENDAR YEAR 2020
(N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A;4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and members of Township Council of the Township of Gloucester in the County of Camden finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and members of Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to $540,996.37 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and members of Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years;

NOW THEREFORE BE IT ORDAINED, by the Mayor and members of Township Council of the Township of Gloucester, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Gloucester shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to $1,893,487.30, and that the CY 2020 municipal budget for the Township of Gloucester be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Copies of this ordinance are available in the office of the Township Clerk. Monday through Friday, 8:00 am to 5:45 pm.

I hereby certify that the foregoing Ordinance was introduced and passed by the Township Council of the Township of Gloucester at meeting held on February 10, 2020, and will be considered for final passage after second reading and public hearing at a meeting to be held on February 24, 2020 at 7:30 pm at the Municipal Building, Chews Landing, New Jersey

Nancy Power,
Township Clerk, RMC

Township Clerk, RMC
Nancy Power

($68.64)

0004053579-01

O-20-03

AN ORDINANCE REPEALING AND REPLACING ARTICLE 10. (X.) AFFORDABLE HOUSING PROCEDURAL AND ELIGIBILITY REQUIREMENTS OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS

BE IT ORDAINED, by the Mayor and Council of the Township of Gloucester, Camden County, New Jersey, that Article 10 of the Code of the Township of Gloucester is hereby amended to include provisions addressing Gloucester's constitutional obligation to provide for its fair share of low- and moderate-income housing, as directed by the Superior Court and consistent with N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C. 5:80-26.1, et seq., as amended and supplemented, and the New Jersey Fair Housing Act of 1985. This Ordinance is intended to provide assurances that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy those units. This Ordinance shall apply except where inconsistent with applicable law.

The Gloucester Township Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Housing Element and Fair Share Plan has been endorsed by the Council. This Ordinance implements and incorporates the adopted and endorsed Housing Element and Fair Share Plan and addresses the requirements of N.J.A.C. 5:93-1, et seq., as amended and supplemented, N.J.A.C.5:80-26.1, et seq. as amended and supplemented, and the New Jersey Fair Housing Act of 1985.

Section 1. Monitoring and Reporting Requirements

The Township of Gloucester shall comply with the following monitoring and reporting requirements regarding the status of the implementation of its Housing Element and Fair Share Plan:

1. Beginning on June 8, 2019, and on every anniversary of that date through June 8, 2025, the Township shall provide annual reporting of its Affordable Housing Trust Fund activity to the New Jersey Department of Community Affairs, Council on Affordable Housing, or Local Government Services, or other entity designated by the State of New Jersey, with a copy provided to Fair Share Housing Center (FSHC) and posted on the municipal website, using forms developed for this purpose by the New Jersey Department of Community Affairs (NJDCA), Council on Affordable Housing (COAH), or Local Government Services (NJLGS). The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.

2. Beginning on June 8, 2019, and on every anniversary of that date through June 8, 2025, the Township shall provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, using forms previously developed for this purpose by COAH or any other forms endorsed by the Special Master and FSHC.

3. By July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Township will post on its municipal website, with a copy provided to FSHC, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to FSHC, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the Court regarding these issues.

4. By July 8, 2021, and every third year thereafter, as required by N.J.S.A. 52:27D-329.1, the Township will post on its municipal website, with a copy provided to FSHC, a status report as to its satisfaction of its very low income requirements, including its family very low

income requirements. Such posting shall invite any interested party to submit comments to the municipality and FSHC on the issue of whether the municipality has complied with its very low income and family very low income housing obligations.

Section 2. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

"Act" means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

"Adaptable" means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

"Administrative agent" means the entity designated by the Township to administer affordable units in accordance with this Ordinance, N.J.A.C. 5:93, and UHAC (N.J.A.C. 5:80-26).

"Affirmative marketing" means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

"Affordability average" means the average percentage of median income at which new restricted units in an affordable housing development are affordable to low- and moderate-income households.

"Affordable" means, a sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.A.C. 5:93-7.4, and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

"Affordable housing development" means a development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Township's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable housing development.

"Affordable housing program(s)" means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

"Affordable unit" means a housing unit proposed or created pursuant to the Act and approved for crediting by the Court and/or funded through an affordable housing trust fund.

"Agency" means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

"Age-restricted unit" means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development wherein the unit is situated are 62 years of age or older; or 2) at least 80 percent of the units are occupied by one person who is 55 years of age or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

"Alternative living arrangement" means a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

"Assisted living residence" means a facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to

the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

"Certified household" means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

"COAH" means the Council on Affordable Housing, as established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.).

"DCA" means the State of New Jersey Department of Community Affairs.

"Deficient housing unit" means a housing unit with health and safety code violations that requires the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

"Developer" means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1, et seq.

"Inclusionary development" means a development containing both affordable units and market rate units. This term includes, but is not limited to: new construction, the conversion of a non-residential structure to residential use and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

"Low-income household" means a household with a total gross annual household income equal to 50 percent or less of the regional median household income by household size.

"Low-income unit" means a restricted unit that is affordable to a low-income household.

"Major system" means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and load bearing structural systems.

"Market-rate units" means housing not restricted to low- and moderate-income households that may sell or rent at any price.

"Median income" means the median income by household size for the applicable housing region, as adopted annually by COAH or a successor entity approved by the Court.

"Moderate-income household" means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the regional median household income by household size.

"Moderate-income unit" means a restricted unit that is affordable to a moderate-income household.

"Non-exempt sale" means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

"Random selection process" means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

"Regional asset limit" means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by duly adopted Regional Income Limits published annually by COAH or a successor entity.

"Rehabilitation" means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

"Rent" means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

"Restricted unit" means a dwelling unit, whether a rental unit or an ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

"UHAC" means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26, et seq.

"Very low-income household" means a household with a total gross annual household income equal to 30 percent or less of the regional median household income by household size.

"Very low-income unit" means a restricted unit that is affordable to a very low-income household.

"Weatherization" means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for purposes of a rehabilitation program.

Section 3. Applicability

1. The provisions of this Ordinance shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Township of Gloucester pursuant to the Township's most recently adopted Housing Element and Fair Share Plan.

2. Moreover, this Ordinance shall apply to all developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units, and also including projects funded with Low Income Housing Tax Credits.

Section 4. Alternative Living Arrangements

1. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:

a. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;

b. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).

2. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30 year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.

3. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

Section 5. Phasing Schedule for Inclusionary Zoning

In inclusionary developments, the following schedule for the issuance of certificates of occupancy for the required affordable housing units relative to the issuance of certificates of occupancy for the permitted market units shall be followed:

Maximum Percentage of Market-Rate Units Completed (COs Issued)	Minimum Percentage of Low- and Moderate-Income Units Completed (COs Issued)
25	0
25+1	10
50	50
75	75
90	100

Section 6. New Construction

1. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:

a. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit. At least 13 percent of all restricted rental units shall be very low income units (affordable to a household earning 30 percent or less of regional median income by household size). The very low income units shall be counted as part of the required number of low income units within the development.

b. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be very low or low-income units.

c. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:

1) The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;

2) At least 30 percent of all low- and moderate-income units shall be two bedroom units;

3) At least 20 percent of all low- and moderate-income units shall be three bedroom units; and

4) The remaining units may be allocated among two and three bedroom units at the discretion of the developer.

d. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. This standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

2. Accessibility Requirements:

a. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free SubCode, N.J.A.C. 5:23-7 and the following:

b. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:

1) An adaptable toilet and bathing facility on the first floor; and

2) An adaptable kitchen on the first floor; and

3) An interior accessible route of travel on the first floor; and

4) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and

5) If not all of the foregoing requirements in b.1) through b.4) can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit, but if all of the terms of paragraphs b.1) through b.4) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and

6) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a, et seq.) and the Barrier Free SubCode, N.J.A.C. 5:23-7, or evidence that Gloucester has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:

a) Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.

b) To this end, the builder of restricted units shall deposit funds within the Township of Gloucester's Affordable Housing Trust Fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.

c) The funds deposited under paragraph 6)b) above shall be used by the Township of Gloucester for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.

d) The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Township of Gloucester for the conversion of adaptable to accessible entrances.

e) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free SubCode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township's Affordable Housing Trust Fund in care of the Township Treasurer who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.

f) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free SubCode, N.J.A.C. 5:23-7.

3. Design:

a. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.

b. In inclusionary developments, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.

4. Maximum Rents and Sales Prices:

a. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD and using calculation procedures approved by the Court. Income limits for all units that are part of the Township's Housing Element and Fair Share Plan and for which income limits are not already established through a federal program exempted from the UHAC pursuant to N.J.A.C. 5:80-26.1, shall be updated by the Township annually within 30 days of the publication of determinations of median income by the Department of Housing and Urban Development ("HUD") as follows:

1) Regional income limits shall be established for the region that the Township is located within based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the Township's housing region. This quotient represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

2) The income limits are the result of applying the percentages set forth in paragraph (a) above to HUD's determination of median income for the fiscal year 2017, and shall be utilized until the Township updates the income limits after HUD has published revised determinations of median income for the next fiscal year.

3) The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)(3) shall be calculated by the Township annually by taking the percentage increase of the income limits calculated pursuant to paragraph (a) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.

In establishing sale prices and rents of affordable housing units, the Township's administrative agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established pursuant to the process defined above:

(a) The resale prices of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region determined pursuant to the above methodology. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.

(b) The rent levels of very-low-, low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the Northeast Urban Area, upon its publication for the prior calendar year. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.

b. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted rental units shall be affordable to households earning no more than 52 percent of median income.

c. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 13 percent of all low- and moderate-income rental units shall be affordable to very low-income households, which very low-income units shall be part of the low-income requirement.

d. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.

e. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:

1) A studio shall be affordable to a one-person household;

2) A one-bedroom unit shall be affordable to a one and one-half person household;

3) A two-bedroom unit shall be affordable to a three-person household;

4) A three-bedroom unit shall be affordable to a four and one-half person household; and

5) A four-bedroom unit shall be affordable to a six-person household.

f. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:

1) A studio shall be affordable to a one-person household;

2) A one-bedroom unit shall be affordable to a one and one-half person household; and

3) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.

g. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

h. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate size household, including an allowance for tenant paid utilities, as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

i. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the Administrative Agent be lower than the last recorded purchase price.

j. The rents of very low-, low- and moderate-income units may be increased annually based on the permitted percentage increase in the Housing Consumer Price Index for the Northeast Urban Area. This increase shall not exceed nine percent in any one year. Rent increases for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.

Section 7. Utilities

1. Affordable units shall utilize the same type of heating source as market units within an inclusionary development.

2. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by HUD for the Section 8 program.

Section 8. Occupancy Standards

In referring certified households to specific restricted units, the Administrative Agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:

1. Provide an occupant for each bedroom;

2. Provide children of different sexes with separate bedrooms;

3. Provide separate bedrooms for parents and children; and

4. Prevent more than two persons from occupying a single bedroom.

Section 9. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

1. Control periods for newly constructed restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, except as modified by the terms of the settlement agreement between the Township of Gloucester and Fair Share Housing Center (FSHC), as said settlement agreement may be further amended and supplemented, and each newly constructed restricted ownership unit shall remain subject to the requirements of this Ordinance for a period of at least fifty (50) years, until Gloucester takes action to release the unit from such requirements; prior to such action, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, except as modified by the terms of the settlement agreement between the Township of Gloucester and Fair Share Housing Center (FSHC), as said settlement agreement may be further amended and supplemented.

2. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.

3. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value without the restrictions in place.

4. At the time of the initial sale of the unit, the initial purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the restrictions set forth in this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

5. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.

6. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all Code standards upon the first transfer of title following the removal of the restrictions provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

Section 10. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

1. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.

2. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.

3. The master deeds of inclusionary developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers.

4. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of approved capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom. See Section 13.

Section 11. Buyer Income Eligibility

1. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.

2. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the Township Council, and subject to the Court's approval, permit a moderate-income purchaser to buy a low-income unit if and only if the Administrative Agent can demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit.

3. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.

4. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's eligible monthly income.

Section 12. Limitations on Indebtedness Secured by Ownership Unit; Subordination

1. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall apply to the Administrative Agent for a determination in writing that the proposed indebtedness complies with the provisions of this Section, and the Administrative Agent shall issue such determination prior to the owner incurring such indebtedness.

2. With the exception of First Purchase Money Mortgages, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of the unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).

Section 13. Capital Improvements To Ownership Units

1. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.

2. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

Section 14. Control Periods for Restricted Rental Units

1. Control periods for newly constructed restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, except as modified by the terms of the settlement agreement between the Township of Gloucester and Fair Share Housing Center (FSHC), as such settlement agreement may be further amended and supplemented, and each newly constructed restricted rental unit shall remain subject to the requirements of this Ordinance for a period of at least fifty (50) years, until Gloucester takes action to release the unit from such requirements. Prior to such action, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, except as modified by the terms of the settlement agreement between the Township of Gloucester and Fair Share Housing Center (FSHC), as such settlement agreement may be further amended and supplemented.

2. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Gloucester. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.

3. A restricted rental unit shall remain subject to the affordability controls of this Ordinance despite the occurrence of any of the following events:

a. Sublease or assignment of the lease of the unit;

b. Sale or other voluntary transfer of the ownership of the unit; or

3. The entry and enforcement of any judgment of foreclosure on the property containing the unit.

Section 15. Rent Restrictions for Rental Units; Leases

1. A written lease shall be required for all restricted rental units and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.

2. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.

3. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

4. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least 15% of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

Section 16. 100% Affordable Projects

1. All 100% affordable projects, including projects funded through Low Income Housing Tax Credits, shall comply with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et. seq., except as modified by the terms of the settlement agreement executed between the Township of Gloucester and Fair Share Housing Center (FSHC), as such settlement agreement may be further amended and supplemented. All such projects shall be required to have an initial thirty (30) year affordability control period plus a fifteen (15) year extended use period.

Section 17. Tenant Income Eligibility

1. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:

a. Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of the regional median household income by household size.

b. Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of the regional median household income by household size.

c. Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of the regional median household income by household size.

2. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income household, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:

a. The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;

b. The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;

c. The household is currently in substandard or overcrowded living conditions;

d. The household documents the existence of assets with which the household proposes to supplement the rent payments; or

e. The household documents reliable anticipated third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.

3. The applicant shall file documentation sufficient to establish the existence of the circumstances in 1.a. through 2.e. above with the Administrative Agent, who shall counsel the household on budgeting.

Section 18. Municipal Housing Liaison

1. Section 18 of this ordinance creates the position of Municipal Housing Liaison. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Gloucester, including the following responsibilities which may not be contracted out to the Administrative Agent:

a. Serving as Gloucester's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;

b. Monitoring the status of all restricted units in Gloucester's Fair Share Plan;

c. Compiling, verifying, submitting and posting all monitoring reports as required by the Court and by this Ordinance;

d. Coordinating meetings with affordable housing providers and Administrative Agents, as needed; and

e. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing at least annually and more often as needed.

2. The Township of Gloucester shall appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for overseeing the Township's affordable housing program, including overseeing the administration of affordability controls on the affordable units and the affirmative marketing of available affordable units in accordance with the Township's Affirmative Marketing Plan; fulfilling monitoring and reporting requirements; and supervising Administrative Agent(s). Gloucester shall adopt a Resolution appointing the person to fulfill the position of Municipal Housing Liaison. The Municipal Housing Liaison shall be appointed by the governing body and may be a full or part time municipal employee. The Municipal Housing Liaison shall be approved by the Court and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.

3. Subject to the approval of the Court, the Township of Gloucester shall designate one or more Administrative Agent(s) to administer and to affirmatively market the affordable units constructed in the Township in accordance with this Ordinance. An Operating Manual for each affordable housing program shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Court. The Operating Manual(s) shall be available for public inspection in the office of the Township Clerk, in the office of the Municipal Housing Liaison, and in the office(s) of the Administrative Agent(s). The Municipal Housing Liaison shall supervise the work of the Administrative Agent(s).

Section 19. Administrative Agent

An Administrative Agent shall be an independent entity serving under contract to and reporting to the municipality. ***The fees of the Administrative Agent shall be paid by the owners of the affordable units for which the services of the Administrative Agent are required.*** The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in UHAC, including those set forth in Sections 5:80-26.14, 16 and 18 thereof, which includes:

1. Affirmative Marketing:

a. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Gloucester and the provisions of N.J.A.C. 5:80-26.15; and

b. Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

2. Household Certification:

a. Soliciting, scheduling, conducting and following up on interviews with interested households;

b. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;

c. Providing written notification to each applicant as to the determination of eligibility or non-eligibility;

d. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;

e. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;

f. Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Gloucester when referring households for certification to affordable units; and

g. Notifying the following entities of the availability of affordable housing units in the Township of Gloucester: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Camden County and Southern Burlington County Branches of the NAACP, the Supportive Housing Association of New Jersey, and the New Jersey Housing Resource Center.

3. Affordability Controls:

a. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;

b. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;

c. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Camden County Register of Deeds or Camden County Clerk's office after the termination of the affordability controls for each restricted unit;

d. Communicating with lenders regarding foreclosures; and

e. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.

4. Resales and Rerentals:

a. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rerental; and

b. Instituting and maintaining an effective means of communicating information to low- (or very low-) and moderate-income households regarding the availability of restricted units for resale or re-rental.

5. Processing Requests from Unit Owners:

a. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;

b. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;

c. Notifying the municipality of an owner's intent to sell a restricted unit; and

d. Making determinations on requests by owners of restricted units for hardship waivers.

6. Enforcement:

a. Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;

b. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

c. Posting annually, in all rental properties (including two-family homes), a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;

d. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;

e. Establishing a program for diverting unlawful rent payments to the municipality's Affordable Housing Trust Fund; and

f. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Township Council and the Court, setting forth procedures for administering the affordability controls.

7. Additional Responsibilities:

a. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

b. The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet the Court-approved monitoring and reporting requirements in accordance with the deadlines set forth in this Ordinance.

c. The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

Section 20. Affirmative Marketing Requirements

1. The Township of Gloucester shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court,that is compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.

2. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is intended to target those potentially

eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs marketing activities toward Housing Region 5 and is required to be followed throughout the period of restriction.

3. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 5, comprised of Gloucester, Burlington, and Camden Counties.

4. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and re-rentals. The Administrative Agent designated by the Township of Gloucester shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units.

5. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

6. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.

7. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy.

8. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.

9. In addition to other affirmative marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units in Gloucester, and copies of the application forms, to the following entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Camden County and Southern Burlington County Branches of the NAACP, the Supportive Housing Association of New Jersey, and the New Jersey Housing Resource Center.

10. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner.

Section 21. Enforcement of Affordable Housing Regulations

1. Upon the occurrence of a breach of any of the regulations governing an affordable unit by an Owner, Developer or Tenant, the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.

2. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action(s) against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

a. The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation or violations of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is adjudged by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:

1) A fine of not more than $500.00 per day or imprisonment for a period not to exceed 90 days, or both, provided that each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not a continuation of the initial offense;

2) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Gloucester Affordable Housing Trust Fund of the gross amount of rent illegally collected;

3) In the case of an Owner who has rented a low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.

b. The municipality may file a court action in the Superior Court seeking a judgment that would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any such judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- or moderate-income unit.

1) The judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have his right to possession terminated as well as his title conveyed pursuant to the Sheriff's sale.

2) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for the full extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

3) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.

4) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

5) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.

6) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

Section 22. Appeals

Appeals from all decisions of an Administrative Agent appointed pursuant to this Ordinance shall be filed in writing with the Court.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any Reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law.

Introduced: February 24, 2020

Adopted: Second Reading Public Hearing will be scheduled for March 9th, 2020 (Pending Introduction Approval)

_____
Mayor
David R. Mayer

_____
President of Council
Orlando Mercado

_____
Township Clerk, RMC
Nancy Power

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Mayor and Council at a meeting held on _____, _20__.

_____
Township Clerk, RMC
Nancy Power

O-20-04

ORDINANCE OF THE TOWNSHIP OF GLOUCESTER, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AMENDING ORDINANCE O-12-26 ENTITLED THE LAKELAND COMPLEX PHASE 1(BLOCK 12301) REDEVELOPMENT PLAN IN ACCORDANCE WITH N.J.S.A. 40A:12A-1 ET SEQ., LOCAL REDEVELOPMENT AND HOUSING LAW

BE IT ORDAINED, by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey, that Ordinance **O-12-26 ,** known as the Lakeland Complex Phase I (Block 12301) Redevelopment Plan as prepared by the Camden County Improvement Authority on July 26, 2005 is hereby amended, as follows:

SECTION 1. That the Redevelopment Plan Land Use Element is hereby amended to add the following as paragraph four under the heading "Development/Design Standards":

"In accordance with the Gloucester Township Housing Element and Fair Share Plan and the Settlement Agreement with the Fair Share Housing Center, multi-family housing is a permitted and preferable use, in accordance with the development standards to permit senior mid-rise residential developments, as described on page 14 of the Lakeland Phase I Redevelopment Plan and within (SCR_LL) Section 409.

SECTION 2. That the Redevelopment Plan Development/Design Standards section is hereby amended to add the following to Implementation Recommendations:

- "Permit Multi-Family Housing within Block 12301"

SECTION 3. That the Redevelopment Plan Senior Mid-Rise Design Standards section is hereby amended:

"SENIOR/VETERANS/MULTI-FAMILY MID-RISE DESIGN STANDARDS

All Phase 1 redevelopment area family mid-rise residential development shall be comply with the following requirements:

25 DU/acre with required 20% set-aside for low and moderate income families in accordance with the Township's Housing Element and Fair Share Plan."

SECTION 4. 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 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: February 24, 2020
Adopted: Final Adoption and Public Hearing will be held on the 9TH of March, 2020 (Pending Introduction Approval)

_____
Mayor
David R. Mayer

_____
President of Council
Orlando Mercado

_____
Township Clerk, RMC
Nancy Power

O-20-05

ORDINANCE ADOPTING REDEVELOPMENT PLAN
FOR ENTIRETY OF BLOCK 12302, Lot 1, LAKELAND PHASE 2

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"), authorizes municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Township's Planning Consultant prepared a Redevelopment Plan for the entirety of BLOCK 12302, Lot 1; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Redevelopment Plan was referred to the Gloucester Township Planning Board ("Planning Board") for a consistency review with the master plan and to provide an opportunity for the Planning Board to make recommendations concerning any inconsistency with the master plan and concerning any other matters the Planning Board deems appropriate; and

WHEREAS, the Township Council has reviewed and considered the recommendations of the Planning Board regarding the proposed amendments to the Redevelopment Plan; and

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

Section 1. The Redevelopment Plan for the entirety of BLOCK 12302, Lot 1 (the "Redevelopment Plan") is hereby adopted.

Section 2. The Redevelopment Plan meets the criteria, guidelines, and conditions set forth at N.J.S.A. 40A:12A-7 and is otherwise in conformance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Section 3. The Redevelopment Plan is consistent with the Township of Gloucester's Master Plan or is designed to effectuate the Master Plan.

Section 4. The Redevelopment Plan shall constitute an overlay of existing zoning and the Official Zoning Map is hereby amended to reflect the overlay zone as set forth in the Redevelopment Plan.

Section 5. If any provision of this Ordinance shall be help invalid by any court of competent jurisdiction, the same shall not affect the other provisions of this Ordinance except so as far as the provision so declared invalid shall be severable from the remainder of the portion thereof.

Section 6. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed.

Section 7. This Ordinance shall take effect immediately upon adoption and publication according to law.

Introduced: February 24, 2020

Adoption: Second Reading and Public Hearing will be held on the 9th of March (Pending Introduction Approval)

_____
Mayor
David R. Mayer

_____
Township Clerk, RMC
Nancy Power

_____
President of Council
Orlando Mercado

R-20:02-058

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	$	2,362,297.37
CAPITAL ACCOUNT Per attached computer read out of the claims presented in the amount of	$	424,628.35
DEVELOPERS ESCROW Per attached computer read out of the claims presented in the amount of	$	18,679.75
TRUST Per attached computer readout of the claims presented in the amount of	$	23,983.18
ANIMAL Per attached computer readout of the claims presented in the amount of	$	748.00
MANUAL CHECKS Per attached computer readout of the claims presented in the amount of	$	10,253,860.47

Adopted: February 24, 2020

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

R-20:02-059

RESOLUTION REFERRING REDEVELOPMENT PLAN FOR ENTIRETY OF BLOCK 12302 LOT 1 TO THE GLOUCESTER TOWNSHIP PLANNING BOARD

WHEREAS, on the 22nd of March, 2004 the Township of Gloucester designated the entirety of blocks **BLOCK 12302 LOT 1** as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., pursuant to Resolution R-04:03-090; and

WHEREAS, the Township's Planning Consultant has prepared the attached Redevelopment Plan for the entirety of **BLOCK 12302 LOT 1** (the "Redevelopment Plan"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, prior to adoption, the Redevelopment Plan must be referred to the Planning Board for a consistency review with the master plan and to provide an opportunity for the Planning Board to make recommendations concerning any inconsistency with the master plan and concerning any other matters the Planning Board deems appropriate within 45 days of referral.

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

1. A copy of the Redevelopment Plan shall be transmitted to the Gloucester Township Planning Board for its review and recommendations pursuant to N.J.S.A. 40A:12A-7.

2. Staff and consultants to the Township are hereby authorized and directed to take all other administrative actions to implement this Resolution as are necessary and appropriate to accomplish its goals and intent.

3. This Resolution shall be effective immediately.

Adopted: February 24, 2020

_____
President of Council
Orlando Mercado

_____
Township Clerk, RMC
Nancy Power

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Gloucester, County of Camden, State of New Jersey, at a regular meeting held on .

_____
Township Clerk

R-20:02-060

RESOLUTION AUTHORIZING REFUNDS FROM THE DEPARTMENT OF FINANCE

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

#13113GRADING
235 Woodland Avenue
Block 6301 Lot 4
Select Modular Homes, Inc.
1860 N. Black Horse Pike
Williamstown, NJ 08094
Balance from unexpended escrow: $47.75

Adopted: February 24, 2020

_____
President of Council
Orlando Mercado

ATTEST:

_____
Township Clerk, RMC
Nancy Power

Interoffice
Memorandum

To: Township Council
From: Linda Clark
Date: February 18, 2020
Subject: Refund of Escrow Fees

Select Modular Homes, Inc. requested to be refunded the remainder of their unexpended escrow. As a result please release their escrow in the amount of $47.75. Thank You

#13113GRADING
235 Woodland Avenue
Block 6301 Lot 4
Select Modular Homes, Inc.
1860 N. Black Horse Pike
Williamstown, NJ 08094
Balance from unexpended escrow: $47.75

R-20-02-061

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER, CAMDEN COUNTY, NEW JERSEY, CONFIRMING THE NAMING OF M & T GLOUCESTER PARTNERS, LLC AS REDEVELOPER FOR PREMISES KNOWN AS LOVE DRIVE AND ROUTE 42, BLOCK 13103 LOTS 2, 3, 3.01, 5, 6, 7, 8, 9, 10, 11, 12 AND 25 OF THE COLLEGE DRIVE REDEVELOPMENT AREA AND AUTHORIZING THE SIGNING OF AN AMENDED REDEVELOPMENT AGREEMENT

WHEREAS, pursuant to provision of the Redevelopment and Housing Law of the State of New Jersey, N.J.S.A. 40A:12A-1, et seq., the Township Council of the Township of Gloucester did direct the Planning Board of the Township of Gloucester to conduct a preliminary investigation to determine an area in need of redevelopment in accordance with the Redevelopment and Housing Law of the State of New Jersey; and

WHEREAS, the Planning Board did conduct a preliminary investigation in accordance with the guidelines set forth N.J.S.A. 40A:12A-6, held public hearings, and determined that the designated area is an area in need of redevelopment, and

WHEREAS, the Township Council of the Township of Gloucester did adopt the Redevelopment Area of the Township of Gloucester by Ordinance, and in accordance with the provisions of the Local redevelopment and Housing Law of the State of New Jersey, did designate itself as the Redevelopment Entity, and

WHEREAS, the Redeveloper did submit a proposal for the development of the property; and

WHEREAS, The Redevelopment and Housing Law authorizes the Township Council, as the Redevelopment Entity, to name a Redeveloper and to contract with a Redeveloper for any area of planning, construction or the undertaking of any project within the designated redevelopment area; and

WHEREAS, the Township Council and Redeveloper have engaged discussions concerning the construction of improvements to property within the Redevelopment Area; and

WHEREAS, the Redeveloper has agreed to redevelop premises Love Drive, Blackwood, New Jersey 08012 Being Block 13103 Lots 2, 3, 3.01, 5, 6, 7, 8, 9, 10, 11, 12 and 25, within the Redevelopment Area as indicated.

NOW THEREFORE, It is herein resolved by the Township Council of the Township of Gloucester as follows,

1. M&T Gloucester Partners, LLC, owner, intended ground lessee and/or intended property owner, is hereby designated Redeveloper for the area known and described as Love Drive, Blackwood, New Jersey 08012. Being Block 13103 Lots 2, 3, 3.01, 5, 6, 7, 8, 9, 10, 11, 12 and 25, all within the College Drive Redevelopment Area District.

2. The Mayor of the Township of Gloucester, or other Official of the Township of Gloucester as may be designated, is hereby authorized to enter into a Redevelopment Agreement for the planning, construction, development or the undertaking of any project within the designated redevelopment area.

Adopted: February 24, 2020

_____
President of Council
Orlando Mercado

ATTEST:

_____
Township Clerk, RMC
Nancy Power

R-20-02-062

RESOLUTION AUTHORIZING REFUNDS OF ENCROACHMENT DEPOSITS

BE IT RESOLVED by the Township Council of the Township of Gloucester that the following inspection fee escrow encroachment deposits be and are hereby authorized to be refunded:

Mark F. Paoli 725 Amherst Road Audubon, NJ 08106-1203	APPLICATION: 201620 ESCROW: 192117 PERMIT: 10830 AMOUNT: $150.00

Adopted: February 24, 2020

_____
President of Council
Orlando Mercado

ATTEST:

_____
Township Clerk, RMC
Nancy Power

R-20:02-063

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF GLOUCESTER SUPPORTING RESPONSIBLE PET OWNERSHIP IN THE TOWNSHIP OF GLOUCESTER

WHEREAS, the Township of Gloucester recognizes that cats and dogs are an integral and valuable part of all communities and contribute to the well-being of humans, whether as companions, service animals, or therapy pets; and

WHEREAS, understanding that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners; and

WHEREAS, there are approximately 3.3 million dogs and 3.2 million cats that enter United States animal shelters nationwide every year; and

WHEREAS, New Jersey was the first state in the nation to develop an innovative statewide spay/neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries; and

WHEREAS, state responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal facilities) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services; and

WHEREAS, The New Jersey Society to Prevent Cruelty to Animals (NJSPCA) and municipal Animal Cruelty Investigators (ACI's) are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws; and

WHEREAS, New Jersey mandated training requirements for animal control officers and Animal Cruelty Investigators; and

WHEREAS, New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities; and

WHEREAS, approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized at a rate of around 3000 every month; and

WHEREAS, free roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animals bites, and environmental contamination from animal feces; and

NOW, THEREFORE BE IT RESOLVED, the Township Council of the Township of Gloucester will follow the Gloucester Township Code Book Chapter 47, entitled Pets and Animal Abuse, in regard to our municipal responsibilities with intent on making the Township of Gloucester a truly sustainable community.

Adopted: February 24, 2020

_____
President of Council
Orlando Mercado

ATTEST:

_____
Township Clerk, RMC
Nancy Power

R-20:02-064

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN THE TOWNSHIP OF GLOUCESTER AND GARDEN STATE HIGHWAY PRODUCTS FOR THE HICKSTOWN ROAD CROSSWALK AND FLASHING PEDESTRIAN LIGHTS

WHEREAS, the Township Council of the Township of Gloucester, County of Camden, determined that there is a need for the Hickstown Road Crosswalk and Flashing Pedestrian Lights, and

WHEREAS, sufficient funds have been provided, and

WHEREAS, the Township Council received bids or quotes

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the proper Township Officials are hereby authorized to enter into an agreement with Garden State Highway Products for the Hickstown Road Crosswalk and Flashing Pedestrian Lights in the amount of $ 28,548.75 which was the lowest bid or quote received.

Adopted: February 24, 2020

_____
President of Council
Orlando Mercado

ATTEST:

_____
Township Clerk, RMC
Nancy Power

REMINGTON & VERNICK ENGINEERS

RVE HQ:
232 Kings Highway East
Haddonfield, NJ 08033
O: (856) 795-9595
F: (856) 795-1882

February 5, 2020

Nancy Power, Clerk
Township of Gloucester
P.O. Box 8
Blackwood, NJ 08012-0008

Re: Quote Award
Hickstown Road Crosswalk and Flashing Pedestrian Lights
Our File #04-15-T-802

Dear Ms. Power:

Our office solicited quotes from the following five (5) contractors:

Garden State Highway Products	$28,548.75
Diehl Electric	$28,586.75
Techna-Pro Electric	$32,351.50
Glendale Excavation	NO BID
R. Moslowski Excavating, Inc.	NO BID

The lowest quote received was submitted by Garden State Highway Products, 301 Riverside Drive, Millville, New Jersey 08332, in the amount of $28,548.75; therefore, we recommend the project be awarded to **Garden State Highway Products**, at their quote of $28,548.75. A copy of their quote is attached. The award should be contingent upon the approval of your solicitor and monies being available.

Sincerely,

REMINGTON & VERNICK ENGINEERS, INC.

Anthony N. Chadwell, P.E., C.M.E.

ANC/mcb

Enclosures

cc: Thomas Cardis, Administrator; Kevin Bucceroni, DPW; David Carlamere, Esq.