

**GLOUCESTER TOWNSHIP COUNCIL MEETING
MAY 13, 2019
MUNICIPAL BUILDING, CHEWS LANDING NEW JERSEY**

Pledge Allegiance to the Flag

Invocation: Father Mike Matveenko

Statement: Mr. Mercado read a statement setting forth the time, date and place of this meeting, that it was properly advertised, posted and filed in the Office of the Township Clerk pursuant to the Open Public Meetings Act.

ROLL CALL: Mr. Hutchison
Mr. Owens
Mrs. Stubbs-abs.
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 Earle, Police
Mr. Chadwell, Township Engineer

R-19:05-124

**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**

WHEREAS, The Open Public Meetings Act of the State of New Jersey provides that certain matters may be discussed in “Executive Closed Session” without members of the public being permitted to attend, and

WHEREAS, The following items, pursuant to the Open Public Meetings Act, are permitted closed session discussion,

1. Confidential Matter under Federal or State Statute or Court Rule.
2. Matter which would jeopardize the receipt of Federal Funds.
3. Matter constituting unwarranted invasion of individual privacy.
4. Matter involving collective bargaining.
5. Matter involving purchase, lease or investment using public funds, or involving setting of bank rates.
6. Matters involving investigation of violations or possible violations of law. Any tactics and techniques utilized in protecting the safety and property of the public, provided that disclosure could impair such protection.
7. Matters involving Attorney Client privileges.
8. Matters involving personnel.
9. Matters involving proceedings which could result in civil penalty, suspension or loss of license.

NOW THEREFORE, be it Resolved by the Township Council of the Township of Gloucester that there exists a need to discuss Litigation and Personnel, in executive closed session, and that the public be and is hereby excluded from this discussion on May 13, 2019 at 7:30 pm.

BE IT FURTHER RESOLVED that disclosure to the public of the executive closed session matter shall not be made public until such matter has been resolved.

Adopted: May 13, 2019

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mr. Owens. Roll call vote: All in favor. Motion carried. 6-0.

Mr. Mercado stated the council is going into Closed Session to discuss personnel matters.

Roll call: All 6 council members present.

Mr. Mercado stated that the closed session discussion was concerning a worker's compensation claim settlement offer.

Mr. Hutchison made a motion to adjourn, seconded by Mr. Owens. Roll call vote: All in favor. Motion carried. 6-0.

Respectfully submitted,

Nancy Power
Township Clerk, RMC

President of Council
Orlando Mercado

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ROLL CALL: Mr. Hutchison
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Mrs. Trotto
Mr. Mercado

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

PROCLAMATION – “CLICK IT OR TICKET”
Mrs. Power, Township Clerk, read the Proclamation.

MINUTES:

Mr. Hutchison made a motion to waive the reading and accept the minutes of:

Executive Sessions: 4/1/2019

Regular Sessions: 4/8/2019 and 4/22/2019

seconded by Mr. Owens. Roll call vote: All in favor. Motion carried. 6-0.

PUBLIC PORTION:

Mr. Mercado opened the public portion.

Paul Krugg of Blackwood Estates asked Council, in regards to resolution 129 and 132, does the authorization in 129 have to be closed out for 2018 before opening for 2019. Mr. Carlamere stated these tax allowances are income based and that is what determines if the allowance continues for the following year. Mr. Krugg asked if resolution 132 is to allow for 2019. Mr. Mercado stated yes.

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

RESOLUTIONS:

CONSENT AGENDA

R-19:05-125

RESOLUTION TO ACCEPT A GRANT FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF JUVENILE JUSTICE COMMISSION, OFFICE OF THE ATTORNEY GENERAL – SUMMER EXPANSION PROGRAM

WHEREAS, the New Jersey Department of Law and Public Safety, Division of Juvenile Justice Commission, Office of the Attorney General, has awarded the Township of Gloucester a Juvenile Justice Commission Grant (#J-J:6-11-15) in the amount of \$6,500.00 for the purpose of a Summer Expansion Program approach from June 1, 2019 to September 30, 2019, and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Gloucester, Camden County, New Jersey, that the New Jersey Department of Law and Public Safety, Division of Juvenile Justice Commission, Office of the Attorney General, Summer Expansion Program Grant (#J-J:6-11-15) in the amount of \$6,500.00 is hereby gratefully accepted.

Adopted: May 13, 2019

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

R-19:05-126

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 \$ 8,962,687.30

CAPITAL ACCOUNT

Per attached computer read out of the claims presented in the amount of \$ 397,608.95

DEVELOPERS ESCROW

Per attached computer read out of the claims presented in the amount of \$ 11,236.25

TRUST

Per attached computer readout of the claims presented in the amount of \$ 88,042.17

ANIMAL

Per attached computer readout of the claims presented in the amount of \$ 12,311.58

MANUAL CHECKS

Per attached computer readout of the claims presented in the amount of \$ 508,505.05

Adopted: May 13, 2019

ATTEST:

Council President
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Mr. Owens stated he must abstain from 19-02121 invoice 4150857. Roll call vote: All in favor. Motion carried. 6-0.

R-19:05-127

RESOLUTION AUTHORIZING THE ADVERTISING OF BIDS FOR VARIOUS PUBLIC WORKS EQUIPMENT AND VEHICLES

WHEREAS, the 2019 Budget provides funds for the purchase of certain materials and supplies and equipment whose aggregate value will exceed \$40,000.00, and

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

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

One (1) 2019 Seven (7) Yard Dump Truck with Plow and Spreader

Two (2) 2019 Three (3) Yard Dump Trucks with Plow and Spreader

2019 White Goods Truck with Plow

2019 Automated Recycling Truck with Right Hand Stand Up Drive

Adopted: May 13, 2019

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

R-19:05-128

RESOLUTION AUTHORIZING REFUNDING OF TAXES

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

BLOCK	LOT	NAME AND ADDRESS	YEAR	AMOUNT	REASON
5902	11	Jeffrey and Ellen Reese 17 Poplar Ave. Blackwood, NJ 08012	2019	\$4,000.00	Overpayment
16004	1	Kurt and Susan Fago 30 Kendrick Ave. Sicklerville, NJ 08081	2019	\$2,370.50	Duplicate Payment
7505	2	Harold and Kathleen Nye 1523 Old Black Horse Pike Blackwood, NJ 08012	2019	\$2,214.42	Duplicate Payment

ADOPTED: May 13, 2019

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

R-19:05-129

RESOLUTION AUTHORIZING THE TAX COLLECTOR TO DISALLOW THE FOLLOWING SENIOR CITIZEN OR DISABLED OR SURVIVING SPOUSE DEDUCTIONS FOR THE YEAR 2018/2019

WHEREAS, the following Senior Citizens or Disabled or Surviving Spouse persons did not file an annual Post Tax Year Statement (PD-5) or,

WHEREAS, the Post Tax Year Statement was filed declaring income that exceeded the \$10,000 income limit or,

WHEREAS, the applicants entitled to this deduction have moved from the property that they resided at the time of application,

WHEREAS, four separate notices were mailed to these people in an attempt to have the proper forms returned in a timely manner,

AND, WHEREAS, all of these Senior Citizen, Disabled, or Surviving Spouse persons were mailed a Notice of Disallowance Form (PD-5) as required by N.J.S.A. 54:4-8.44a,

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Gloucester to disallow the deduction indicated for the Tax Year 2018/2019 as indicated.

BLOCK	LOT	NAME DEDUCTION	2018	2019	REASON
201	8	Fennimore Senior Citizen	250.00	250.00	No Form
204	11	Oxley Senior Citizen		250.00	Deceased
401	19	Carney Senior Citizen	250.00	250.00	No Form
801	29	Little Senior Citizen	250.00	250.00	No Form
1309	6	Kniffin Senior Citizen	250.00	250.00	No Form
1309	13	Giacobbe Senior Citizen	250.00	250.00	No Form
1309	13	Meeham Senior Citizen	250.00	250.00	No Form
3003	21	Carbone Senior Citizen		250.00	Deceased
3204	18	Von Hartleben	250.00	250.00	Income Over

BLOCK	LOT	NAME DEDUCTION	2018	2019	REASON
		Senior Citizen			
5401	2	Hafner Senior Citizen	250.00		Income Over
7504	11	Fragala Senior Citizen	250.00	250.00	No Return
7804	10	Dunn Disabled	250.00		Income Over
8006	67	Calabrese Senior Citizen	250.00	250.00	No Form
8704	15	Pepe Senior Citizen		250.00	Deceased
9102	6	Taylor Senior Citizen	250.00	250.00	No Form
9102	11	White Senior Citizen		250.00	Deceased
9205	17	Scotese Senior Citizens	250.00	250.00	No Form
9401	12	O'Donnell Senior Citizen	250.00	250.00	Income Over
9903	14	Pollack Senior Citizen	250.00	250.00	No Form
10102	2	Massaro Senior Citizen		250.00	Moved
11103	7	Morris Disabled	250.00	250.00	No Form
12002	16	Heiser Senior Citizen	250.00	250.00	No Form
12402	4	Cardellia Disabled		250.00	Deceased
12618	13	Rahman Senior Citizen	250.00	250.00	Not Eligible
13103	27	Wright Senior Citizen	250.00	250.00	No Form
13402	11	Milano Senior Citizen	250.00		Income Over
13901	5	Wassey Disabled	250.00	250.00	No Form
15703	25	Levie Senior Citizen	250.00	250.00	No Form
16103	3	Satriano	250.00		No Form

		Senior Citizen			
16601	28	Moore Disabled	250.00	250.00	No Form
16604	27	Daily Senior Citizen	250.00	250.00	No Form
16605	18	Kohm Disabled	250.00	250.00	No Form
17608	25	Doyle Senior Citizen	250.00		Income Over
18801	20	Rivera Senior Citizen	250.00	250.00	Income Over
20202	9	Henry Senior Citizen	250.00	250.00	Income Over
20203	6	Palladino Senior Citizen	250.00		Income Over

ADOPTED: May 13, 2019

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

R-19:05-130

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 – FINAL FOR
THE GLOUCESTER TOWNSHIP VALLEYBROOK ATHLETIC COMPLEX
PARKING LOT EXPANSION, BLOCK 8015, LOT 2
CARDINAL CONTRACTING**

WHEREAS, it was necessary to make changes in the scope of work to be done in completing the Final Adjustment of As-Built Quantities,

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that Change Order No. 1 – FINAL is hereby authorized and approval is hereby granted to revise the contract cost from \$311,297.35 to \$300,093.10.

Adopted: May 13, 2019

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

R-19:05-131

RESOLUTION CONSIDERING APPLICATION OF BERTUCCI'S RESTAURANTS, LLC d/b/a BERTUCCI'S ITALIAN RESTAURANT FOR PERSON TO PERSON TRANSFER OF A PLENARY RETAIL CONSUMPTION LICENSE HELD BY BERTUCCI'S RESTAURANT CORP., DEBTOR IN POSSESSION LIQUOR LICENSE NO. 0415-33-040-002

WHEREAS, Bertucci's Restaurants, LLC, d/b/a Bertucci's Italian Restaurant has made application for Person to Person transfer of a Plenary Retail Consumption License held by Bertucci's Restaurant Corp., Debtor in Possession, and

WHEREAS, notice of said transfer has been duly published, and

WHEREAS, no objections have been filed, and

WHEREAS, the applicant has disclosed and the Division of Alcoholic Beverage Control has performed a Consolidated Fingerprint Investigation, and the Authority has reviewed the source of all funds used in the purchase of the license and the licensed business, and all additional financing obtained in connection with the licensed business, and

WHEREAS, the Authority has received a written and sworn affidavit by an authorized representative of both the transferor and transferee, affirming that the transferee is aware of all obligations outstanding to New Jersey Alcoholic Beverage manufacturers, wholesalers, and distributors, and that either the transferee has assumed any such obligations or the obligations have been or will be satisfied by the transferor out of the proceeds of the sale of the licensed business.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester, County of Camden, that the application of Bertucci's Restaurants, LLC d/b/a Bertucci's Italian Restaurant for a Person to Person Transfer of a Plenary Retail Consumption License be and is hereby approved.

Adopted: May 13, 2019

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

R-19:05-132

RESOLUTION TO AUTHORIZE THE TAX COLLECTOR TO GRANT SENIOR CITIZEN, DISABLED, OR VETERAN DEDUCTION FOR THE YEAR 2019 AS INDICATED AND TO ADJUST ANY BALANCE

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

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

WHEREAS, the Assessor has reviewed and approved said application and adjusted the records for 2019,

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Gloucester that the Tax Collector is authorized to grant said deduction and/or adjust any resulting balances for the year 2019 and refund any balances for the amounts indicated.

Block	Lot	Name	Comment	Amount of Deduction
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12203	1	Phuong Diec	Add Senior Citizen Deduction 2019	250.00
17701	28	Michael Patrick	Add Senior Citizen Deduction 2019	250.00

ADOPTED: May 13, 2019

ATTEST:

President of Council
Orlando Mercado

Township Clerk, RMC
Nancy Power

Mr. Hutchison made a motion to adopt, seconded by Mrs. Trotto. Roll call vote: All in favor. Motion carried. 6-0.

PUBLIC PORTION:

Mr. Mercado opened the public portion. Denise Coyne of Chews Landing Road asked Council if there were rules in regards to sober living facilities. Mr. Carlamere stated possibly zoning restrictions, but he would have to do some research. Ms. Coyne asked if these facilities can be located in residential areas without special licensing. Mr. Lechner stated he was not sure what was meant by a sober living facility. Ms. Coyne stated they are homes where people come from rehab and are able to live in this home with a pledge to remain sober. Mr. Mercado stated these facilities are permitted to operate within the township and there is no prohibiting ordinance. Mrs. Power stated these facilities are licensed with the State of New Jersey and not with municipalities. Mr. Hutchison stated the township would be preemptive by the state due to the existing legislation. Paul Krugg of Blackwood Estates asked Councilman Owens why he abstains from specific invoices in a resolution. Mr. Owens stated a conflict of interest. Mr. Krugg stated his street was paved and thanked Council for their quick response to his concerns. Mike Delduke of Erial stated he is a twenty year resident, his son is on the township police force, and he is concerned about the lack of a contract for the police department. Mr. Delduke asked Council what they are going to do about the lapse in the police contract. Mr. Mercado stated council is the legislative branch of the government and is not involved with negotiations for the township's seven bargaining units. Mr. Mercado hopes this is resolved as soon as possible. Mr. Mercado stated he feels safe here because of the men and women in the back of the room. Mr. Mercado stated that despite the lapse in the contract, steps are still taking place. The township is keeping money in reserve to pay for those increases once an agreement is reached and council will be happy to ratify and approve. Anthony Shraveletti of Glendora asked Council how long the police have been without a contract. Mr. Cardis stated since December 31, 2016. There being no further comment, the public portion was closed.

POLLING OF DIRECTORS:

Chief Earle stated that four officers from Gloucester Township participated in the Police Unity Tour by riding their bikes to Washington, DC.

POLLING OF COUNCIL:

Mr. Hutchison thanked everyone for coming out this evening and thanked Chief Earle for all he and the police do for the township. Mr. Owens thanked the men and women of the police department for all they do to keep the township safe. Mrs. Winters thanked the police department for all they do. Mr. Mignone thanked the police department for making the residents feel safe. Mrs. Trotto thanked everyone for coming out, thanked the police department for everything they do and thanked Chief Earle for his department and leadership. Mr. Mercado thanked everyone for coming out. Mr. Mercado announced that St. Agnes' Carnival is the 16, 17, and 18th of May. Mr. Mercado stated the Field of Dreams is 11:00 am

every Saturday at the Valleybrook Fields and this Sunday, May 19th, 12-5pm is the first annual Arts District Festival.

Mr. Hutchison made a motion to adjourn, seconded by Mr. Owens. Roll call vote: All in favor. Motion carried. 6-0.

Respectfully submitted,

Nancy Power
Township Clerk, RMC

President of Council
Orlando Mercado