

**MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD MONDAY, MAY 20, 2013**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on May 20, 2013 with Mayor Robert F. Breslin III calling the meeting to order at 7:30 p.m.

STATEMENT OF NOTICE GIVEN

The Township Clerk read the following statement.

This is a Regular Meeting of the Township Committee of the Township of Lower Alloways Creek being held in compliance with the "Open Public Meetings Act" N.J.S.A. 10:4-6. To insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which any business affecting them is discussed or acted upon. Advance written notice of this meeting was given by way of an Annual Notice, which was filed with the Lower Alloways Creek Township Clerk, forwarded to the News of South Jersey, posted on the Township's Website and the Bulletin Board in the lobby of the Lower Alloways Creek Township Municipal Building in compliance with said Act.

FLAG SALUTE Mayor Breslin led in the Flag Salute.

ROLL CALL OF COMMITTEE

Present: Mr. Bradway, Mrs. Pompper, Mr. Venable, and Mayor Breslin

Absent: Palombo

OTHERS IN ATTENDANCE:

Also in attendance were -2- (two) members of the Public and Jack Lynch, Superintendent of Public Works; Lewis Fogg, Public Works Foreman; David Sowers, Director of Public Safety and the Township Clerk Ronald L Campbell Sr.

APPROVAL OF AUDITED VOUCHERS

Motion (Bradway, Venable) that all properly audited vouchers be paid.

The motion to pay properly audited vouchers passed a vote of the Township Committee as follows: 4-0

Ayes: Bradway, Venable, Pompper and Breslin

Nays: none Abstain: none Absent: Palombo

MONTHLY REPORTS TO THE COMMITTEE

The Mayor requested that the minutes reflect that the April 2013 Monthly Reports to the Township Committee have been received from the following Departments and are on file with the Clerk: Police Department, Municipal Court, Tax Collector, Sewer Collector, Construction Office, Engineer, Animal Control (March) and Finance.

APPROVAL OF THE MINUTES

Motion (Pompper, Venable) to approve the minutes of the April 16, 2013 Regular Township Committee Meeting.

The motion to approve the minutes of the April 16, 2013 Regular Township Committee Meeting Minutes passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Venable Bradway and Breslin

Nays: none Abstain: none Absent: Palombo

RESOLUTIONS

Motion (Venable, Bradway) for Resolution 2013-56 A Resolution to reject all bids for a Wood Chipper received on April 10, 2013 and to re-authorize the receipt of Bids for the purchase of a Wood Chipper

RESOLUTION 2013-56

A RESOLUTION REJECTING BIDS AND AUTHORIZING THE REBID OF A CONTRACT FOR THE PURCHASE OF A “WOOD CHIPPER”

WHEREAS, the Township of Lower Alloways Creek duly advertised for the receipt of bids for a contract entitled, “Wood Chipper,” with bids advertised for receipt on April 10, 2013; and

WHEREAS, the Township received three bids from the following vendors:

- Cherry Valley Tractor Sales
- Modern Handling Equipment of NJ
- Garden State Bobcat

WHEREAS, review of the bids revealed that the bids were materially deficient because the specified warranty was not provided; and

WHEREAS, failure to comply with the technical specification set forth in the bid documents constitutes a material deviation that cannot be waived by the Township, requiring that all the bids be rejected

WHEREAS, the Township has determined to reject all bids received and re-advertise for bids;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Lower Alloways Creek, in the County of Salem and State of New Jersey, as follows:

1. The recitals set forth above are hereby incorporated into the body of this resolution;
2. The bids submitted are hereby rejected as defective;
3. The Township Purchasing Agent is authorized to re-advertise for bids for the Wood Chipper.

The motion for Resolution 2013-56 passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Pompper, and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Pompper, Venable) for Resolution 2013-57 A Resolution supporting Sustainable State Funding for Preservation and Stewardship of Open Space, Parks, Farmland and Historic Sites in New Jersey

RESOLUTION 2013-57

A Resolution Supporting Sustainable State Funding for Preservation and Stewardship of Open Space, Parks, Farmland and Historic Sites in New Jersey

WHEREAS, New Jersey has a long and successful history of preserving open space, parks, farmland, and historic sites; and

WHEREAS, the Green Acres Program has helped to preserve over 650,000 acres of land and supported more than 1,100 park development projects over the past 50 years; the State Agricultural Development Committee has preserved 200,000 acres of farmland over the past 30 years; and the Historic Trust has preserved 477 historic sites over the past 45 years; and

WHEREAS, all remaining funds for these programs under the Green Acres, Water Supply and Floodplain Protection, Farmland and Historic Preservation Bond Act of 2009 will be fully allocated by the end of 2013; and

WHEREAS, Lower Alloways Creek Township has been a direct beneficiary of, and partner to, these critical state preservation programs; and

WHEREAS, substantial unmet needs remain for additional land and water protection, park development, and farmland and historic preservation, for the health and welfare of our communities and residents; and

WHEREAS, it is imperative that a long-term, dedicated source of funding be established in order to:

- sustain open space, farmland, and historic preservation programs beyond the 2009 Bond Act
- improve and ensure proper stewardship of parks, preserved lands, and historic sites
- provide equitable access to quality parks and recreation in urban, suburban, and rural areas
- match and leverage local, county, and private funds for these purposes
- protect drinking water supplies, water quality, and alleviate costly flood damages
- preserve fish and wildlife habitat and provide public access for hunting and fishing
- revitalize cities and towns
- protect our quality of life and economic prosperity.

NOW, THEREFORE, BE IT RESOLVED on this 20 day of May, 2013, by the Township of Lower Alloways Creek, Salem County, State of New Jersey, that:

1. The Lower Alloways Creek Township Committee supports establishment of a long-term, dedicated source of state funding for these purposes.

A certified copy of this resolution be served upon Governor Chris Christie, Third District State Senator Stephen Sweeny and Assemblypersons John Burzichelli and Celeste Riley

The motion for Resolution 2013-57 passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Venable, Bradway and Breslin
Nays: none Abstain: none Absent: Palombo

Motion (Pompper, Venable) for Resolution 2013-58 **A Resolution of Municipal Support of the New Jersey Wildlife Action Plan**

The motion for Resolution 2013-58 was defeated by a vote of the Township Committee as follows: 0-4

Ayes: none Nays: Pompper, Venable, Bradway and Breslin
Abstain: none Absent: Palombo

Motion (Pompper, Bradway) for Resolution 2013-59 A Resolution of support for responsible pet ownership programs in the Township of Lower Alloways Creek.

RESOLUTION 2013-59

A RESOLUTION OF MUNICIPAL SUPPORT FOR RESPONSIBLE PET OWNERSHIP PROGRAMS IN THE TOWNSHIP OF LOWER ALLOWAYS CREEK

RECOGNIZING 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

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.

WHEREAS legislators and municipal officials report that the number of calls from citizens about animal related issues, rival any other issue(s), and;

WHEREAS there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey, and;

WHEREAS New Jersey was the first state in the nation to develop an innovative state-wide 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 (ACIs) 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 mandates 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, animal bites, and environmental contamination from animal feces, and;

WHEREAS stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for these animals, and;

WHEREAS it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats, and;

WHEREAS all dogs and cats are required to be licensed in the municipality where they are housed, and;

WHEREAS all municipalities are required to canvass their residents to locate unlicensed dogs, and;

NOW THEREFORE, we the municipality of Lower Alloways Creek, resolve to take the following steps with regard to our municipal responsibilities with the intent of making Lower Alloways Creek a truly sustainable community.

It is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

Authority of municipalities:

Pursuant to New Jersey Statutes, all municipalities must appoint a certified animal control officer who shall be responsible for animal control within the jurisdiction of the municipality, including providing emergency veterinary care for injured stray animals and coverage outside of normal working hours;

The municipality in which an animal facility is located is responsible for issuing the license for that facility to operate;

The NJ Vicious Dog Law establishes a state-wide standard for municipalities to effectively address situations of vicious or potentially dangerous dogs, regardless of breed;

The Animal Population Control Program provides for low-cost spaying and neutering for pet owners adopting dogs and cats from New Jersey shelters, pounds, and animal adoption referral agencies and pet owners participating in one of several Public Assistance Programs.

The Municipality pledges to:

- Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats, excepting stray and feral cats in managed TNR (Trap, Neuter, and Release) programs.
- Work to improve the enforcement of animal cruelty statutes.
- Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.
- Institute, as appropriate, cat licensing ordinances and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.
- Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services, public education, and pet-friendly rental and senior housing.
- Identify alternatives to euthanasia of adoptable companion animals, including utilizing foster homes, adoption networks and providing remedial behavior training services to existing and future owners.
- Assist in identifying resources to improve the conditions and increase the capacity of animal shelters and impoundment facilities and animal control services.

The motion for Resolution 2013-59 passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Bradway, Venable and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Pompper, Bradway) for Resolution 2013-60 A Resolution supporting Green Municipal Buildings.

RESOLUTION 2013-60

**A RESOLUTION ENDORSING THE ADOPTION OF GREEN BUILDING PRACTICES
MUNICIPAL BUILDINGS**

WHEREAS, buildings account for 39% of CO2 emissions – more than either the transportation or industrial sectors. In addition, buildings account for nearly 12% of potable

water use, 65% of waste output, and 71% of electricity consumption in the U.S. (U.S. Green Building Council).

WHEREAS, green building – also referred to as sustainable or high-performance building - is a collection of better design, construction, and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. There are many examples of green building programs and guidelines that have been propagated at national, state, and municipal levels. They commonly address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components of green building and sustainable development.

WHEREAS, the purpose of this resolution is to enhance the public welfare and assure that commercial, residential and civic development is consistent with the Township of Lower Alloways Creek’s desire to create a more sustainable community by incorporating green building measures into the design, construction, operation and maintenance of buildings.

WHEREAS, the Township of Lower Alloways Creek desires to set a leadership example in the area of green building through the implementation of energy efficiency audits and upgrades to the municipal building stock, continued procurement practices...etc. (e.g. improve water conservation, reduce light pollution, and increase construction waste recycling).

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek hereby implements a Green Building Policy that:

1. will consider opportunities to incorporate green building measures into the design, construction, operation and maintenance of municipal buildings and facilities.
2. it does encourage its employees and residents to recommend ways the Township can address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components of green building and sustainable development.
3. will encourage green design for commercial and residential buildings.

The motion for Resolution 2013-60 passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Bradway, Venable and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Pompper, Bradway) for Resolution 2013-61 A Resolution authorizing the auction of surplus items on Govedeals.com

RESOLUTION 2013-61

A RESOLUTION TO AUTHORIZE THE SALE OF SURPLUS PUBLIC PROPERTY ITEMS AT GOVDEALS.COM ONLINE AUCTION.

WHEREAS, The Township of Lower Alloways Creek has surplus public property items, which it no longer has need of for public service; and,

WHEREAS, N.J.S.A. 40A 11-36 authorizes municipalities to offer for sale, public property which is no longer needed for public service; and,

WHEREAS, the Township Committee does authorize the following items:

1. 21 Aluminum light fixtures w/ various rod lengths
2. Gateway Laptop Model 450 ROG
3. Aten CS-114A four computer KVM switch
4. Raritan CS4-OB4 two computer KVM switch
5. Various computer components, Power supply, cdrom, dvdrom, fans, keyboard and mouse
6. HP LaserJet 2300 - HP 10A & 98A Print Cartridges

be offered for auction online through Govdeals.com whose headquarters are located in Montgomery Alabama, pursuant to New Jersey Public Property Laws and Local Finance Notice 2008-09.

NOW, THEREFORE BE IT RESOLVED THAT the Township Committee of the Township of Lower Alloways Creek does authorize the sale of this surplus public property by online auction at Govdeals.com and does authorize the Purchasing Agent to negotiate with Govdeals.com as to the terms and conditions of their commission and any other particulars pertaining to the auction.

BE IT FURTHER RESOLVED that the terms and conditions of the online auction be available at the Municipal Clerk's Office and available through the auction website pursuant to Local Finance Notice 2008-09.

The motion for Resolution 2013-61 passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Bradway, Venable and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Bradway, Venable) for Resolution 2013-62 A Resolution to hire MAPSA Summer Camp Leader and Counselors

RESOLUTION 2013-62

A RESOLUTION TO HIRE SUMMER CAMP COUSELORS FOR THE 2013 SUMMER MAPSA CAMP PROGRAM

WHEREAS, the MAPSA Committee of the Township of Lower Alloways Creek Township has asked that Summer Camp Counselors be hired to assist with the summer camp, and;

WHEREAS, members of the MAPSA Committee have interviewed applicants for said positions and presented a recommendation to the Township Committee as to their desire, who be hired as a Summer Camp Recreational Leader and Summer Camp Counselors.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that the following persons be hired as a Summer Camp Recreational Leader at a rate of \$10.00/hr

Lisa Duffield

And Summer Camp Counselors for the MAPSA Summer Camp Program at the rate of \$7.43 / hr:

Bradley Duffield, Trisha Munyon and Steven Smith

As alternate Summer Camp Counselors; when and as needed for the MAPSA Summer Camp

Program at the rate of \$7.43 / hr:

Anna Poliski, Kathleen Poliski and Zac Peterson

BE IT FURTHER RESOLVED that this resolution be forwarded to the MAPSA Committee and Township CFO.

The motion for Resolution 2013-62 passed a vote of the Township Committee as follows: 4-0

Ayes: Bradway, Venable, Pompper, and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Venable, Pompper) for Resolution 2013-63 A Resolution acknowledging additional funding for Senior & Disabled Transportation Services for the year 2013

RESOLUTION 2013-63

A RESOLUTION ACKNOWLEDGING ADDITIONAL FUNDING OF \$ 58,428.50 FOR SPECIALIZED TRANSPORTATION SERVICES FOR THE YEAR 2013

WHEREAS, the County of Salem has notified the Township of Lower Alloways Creek that additional funding has been provided to the Salem County Specialized Transportation Services in the amount of \$58,428.50 for the year 2013, and;

WHEREAS, the Salem County Office on Aging, administrator for the Transportation Program has requested that a Change Order be signed by Lower Alloways Creek Township.

NOW THEREFORE BE IT RESOLVED that the Township of Lower Alloways Creek does acknowledge and approve such Change Order to the Salem County Specialized Transportation Services contract in the amount of \$58,428.50, which will be divided among the four participating municipalities.

BE IT FURTHER RESOLVED that, the Mayor be authorized to sign the Change Order document for the Township of Lower Alloways Creek.

The motion for Resolution 2013-63 passed a vote of the Township Committee as follows: 3-0-1

Ayes: Venable, Pompper, and Breslin

Nays: none Abstain: Bradway Absent: Palombo

Motion (Pompper, Bradway) for Resolution 2013-64 A Resolution appointing Marita K. McCarthy- Carll as LAC / Elsinboro Joint Court Administrator.

RESOLUTION 2013-64

**A RESOLUTION TO APPOINT MARITA K. McCARTHY - CARLL
AS MUNICIPAL COURT ADMINISTRATOR FOR THE JOINT MUNICIPAL COURT OF THE
TOWNSHIP'S OF LOWER ALLOWAYS CREEK AND ELSINBORO, COUNTY OF SALEM, STATE
OF NEW JERSEY**

WHEREAS, the term for the Court Administrator for the Joint Municipal Court of the Township's of Lower Alloways Creek and Elsinboro will expire May 31, 2013, and;

WHEREAS, the Township's of Lower Alloways Creek and Elsinboro, County of Salem, State of New Jersey desires to appoint a Municipal Court Administrator, and;

WHEREAS, the Administration Committee of the Township of Lower Alloways Creek, Township Committee does recommend

MARITA K. McCARTHY – CARLL

be re-appointed as Municipal Court Administrator for the Joint Municipal Court of Lower Alloways Creek and Elsinboro Townships.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek that MARITA K. McCARTHY - CARLL be re-appointed as Municipal Court Administrator of the Joint Municipal Court of the Townships’ of Lower Alloways Creek and Elsinboro for a term beginning June 1, 2013 and ending on May 31, 2016.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Vicinage 15, Municipal Division Manager, Carole A. Cummings, Esq. and Elsinboro Township

The motion for Resolution 2013-64 passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Bradway, Venable and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Pompper, Bradway) for Resolution 2013-65 A Resolution canceling non-negotiated checks issued by the LAC- Elsinboro Municipal Court Administrator

RESOLUTION 2013 -65

A RESOLUTION CANCELING NON-NEGOTIATED CHECKS ISSUED BY THE LAC/EL SINBORO MUNICIPAL COURT

WHEREAS, the LAC & Elsinboro Municipal Court, located in and operated through the Township of Lower Alloways Creek has issued check(s) which have not been negotiated; and

WHEREAS, the checks issued by the LAC & Elsinboro Municipal Court, more particularly identified in this Resolution, have been issued in connection with summons issued in Lower Alloways Creek Township, and are stale and should be cancelled and voided; and

WHEREAS, this resolution is a result of a written request by the LAC & Elsinboro Municipal Court Administrator dated April 22, 2013 and this action was approved and read into the court record by the Honorable Judge Nicholas Lacovara on April 22, 2013;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lower Alloways Creek, County of Salem and State of New Jersey as follows:

- 1. The checks hereinafter listed and which were previously issued by the LAC & Elsinboro Municipal Court (regular account), on behalf of Lower Alloways Creek Township are hereby cancelled and made void and of no effect:

Summons #	Payee	Amount	Date Issued	Check No.
039639	Shuman	\$1.00	Ck. 1641	07/22/09
039653	Hogate	\$1.00	Ck. 1642	07/31/09
039844	Garcia	1\$.00	Ck. 1649	08/24/09
000793	Irvine	\$1.00	Ck. 1791	09/06/11
000570	Summiel	\$2.00	Ck. 1799	09/14/11

033704 Maldonado	\$0.20	Ck. 1800	09/27/11
001087 Melton	\$5.00	Ck. 1829	01/30/12
001063 Allen	\$1.00	Ck. 1828	01/25/12

2. A true copy of this Resolution shall be forwarded to the Treasurer / Chief Financial Officer of Lower Alloways Creek Township and the LAC & Elsinboro Municipal Court, on behalf of Lower Alloways Creek Township for their direction and guidance.

The motion for Resolution 2013-65 passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Bradway, Venable and Breslin

Nays: none Abstain: none Absent: Palombo

Motion by Mr. Breslin for a Proclamation honoring Fredrick Pratta for his years of service to the LAC School District, the motion received no second.

ORDINANCE (PUBLIC HEARING)

Ordinance 2013-06 An ordinance amending previous ordinances fixing the compensation to be paid to appointed officers and Employees of the Township of Lower Alloways Creek

Mayor Breslin opened the meeting to a Public Hearing on Ordinance 2013-06 amending previous ordinances fixing the compensation to be paid to appointed officers and Employees of the Township of Lower Alloways Creek

No one from the Public had any comments.

Mayor Breslin closed the Public Hearing on Ord 2013-06

Motion (Pompper, Bradway) for final adoption of Ordinance 2013-06 an ordinance amending previous ordinances fixing the compensation to be paid to appointed officers and Employees of the Township of Lower Alloways Creek

ORDINANCE 2013-06

AN ORDINANCE AMENDING PREVIOUS ORDINANCES FIXING THE COMPENSATION TO BE PAID TO THE APPOINTED OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK

BE IT ORDAINED by the Township Committee of the Township of Lower Alloways Creek, in the County of Salem and the State of New Jersey, that an Ordinance Fixing the Compensation to be Paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek for 2013 is hereby amended to provide rates of Salary and Wage compensation as follows:

	2013	Frequency
Chief Financial Officer	\$35,601.00	Biweekly
Construction Code Official	\$5,871.00	Biweekly
Emergency Management Deputy Coordinator	\$4,808.00	Biweekly
Part Time Police Officer	18.41 /hr	Biweekly
Purchasing Agent	\$35,601.00	Biweekly
Tax Assessor	\$20,600.00	Monthly
Tax Collector	\$19,033.00	Biweekly
Township Clerk	64,117.00	Biweekly

SECTION 1. Other provisions that may increase any one individual's compensation include, but are not limited to: overtime, extended shifts, night shift differential, holidays, longevity and other provisions in agreements with the Township of Lower Alloways Creek or stated in the Municipal Employees Policy Manual.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith to the extent of such inconsistencies be and the same are hereby repealed to the extent of such inconsistency.

SECTION 3. This Ordinance shall take effect and become operative upon its final passage and publication as required by law. The provisions of this Ordinance shall remain in full force and effect until amended or repealed.

Public Hearing on this Ordinance shall be on May 20, 2013 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock's Bridge, New Jersey.

This Ordinance which was introduced for First Reading on April 16, 2013 shall be published by Title in the News of South Jersey and placed on the Township's Bulletin Board giving notice of said Public Hearing as required by Law.

Introduction: April 16, 2013

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRADWAY			Y			
MR. PALOMBO	M		Y			
MRS. POMPPER		S	Y			
MR. VENABLE				N		
MAYOR BRESLIN			Y			

Final: May 20, 2013

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRADWAY		S	Y			
MR. PALOMBO						A
MRS. POMPPER	M		Y			
MR. VENABLE			Y			
MAYOR BRESLIN			Y			

Ordinance 2013-07 An ordinance amending section 5.07 known as "Conditional Uses" of the Land Use Code of the Township of Lower Alloways Creek.

Mayor Breslin opened the meeting to a Public Hearing on Ordinance 2013-07 an ordinance amending section 5.07 known as "Conditional Uses" of the Land Use Code of the Township of Lower Alloways Creek.

No one from the Public had any comments.

Mayor Breslin closed the Public Hearing on Ord 2013-07

Motion (Bradway, Breslin) for final adoption of Ordinance 2013-07 an ordinance amending section 5.07 known as "Conditional Uses" of the Land Use Code of the Township of Lower Alloways Creek.

(1) Only LLW generated by a duly licensed nuclear generating facility(ies) existing within the Township on the date of adoption of this ordinance may be stored.

(2) Storage of LLW must take place

- (a) On the site of the nuclear generating facility(ies)
- (b) Within the nuclear security fence
- (c) Within the Nuclear Regulatory Commission licensed exclusion area of a reactor site, as defined in 10 CFR 100.3(a)

LD-150

Rev. Ord. Supp. 10/0 1

LAND DEVELOPMENT

LD 5.07

(3) There shall be no more than one (1) LLW storage facility permitted in the Township.

(4) The maximum dimensions of an LLW storage facility shall be:

- (a) Area: twenty thousand (20,000) square feet
- (b) Height: fifty (50) feet
- (c) Storage capacity: sixty-five thousand seven hundred fifty (65,750) cubic feet

(5) The LLW storage facility must be designed and constructed in accordance with applicable NRC regulations and guidelines and any other federal and/or state agency(ies) which have jurisdiction over the storage of LLW.

(6) Provided there is a legally available storage or deposit site for low level radioactive waste, at least fifty (50%) percent of the low level radioactive waste accumulated in the storage facility shall be removed from the Township annually.

(7) Any owner or operator of a low level radioactive waste storage facility existing in the Township on the date of adoption of this ordinance shall be required to make application to the Planning Board for conditional use approval within sixty (60) days of the date of the adoption of this ordinance.

~~(8) Any approval granted by the Planning Board for the storage of low level radioactive waste shall terminate no later than five (5) years from the date of approval by the Planning Board.~~

(8) Nothing in this section shall apply to the exclusive Federal regulatory authority granted to the nuclear regulatory authority by the Atomic Energy Act at 42 U.S.C.A. 2021 and the Federal regulations promulgated thereto over radiological safety and protection against radiological hazards. See 42 U.S.C.A. 2021(k).

~~2. Storage of spent nuclear fuel or radioactive waste of any kind in the Industrial District.~~

~~a. Intent. It has been determined that there may be a need for onsite, temporary storage of spent~~

~~nuclear fuel or radioactive waste of any kind generated by the duly licensed nuclear facilities existing in the Township.~~

~~b. The storage of spent nuclear fuel and radioactive waste of any kind shall be permitted only if it complies with the following conditions and standards:~~

~~(1) Only spent nuclear fuel produced by a duly licensed nuclear generating facility existing within the Township on the date of this ordinance* may be stored and only at that same generating facility which produced it.~~

LD-151

Rev. Ord. Supp. 10/01

LD 5.07

CODE OF LOWER ALLOWAYS CREEK

~~(2) Temporary storage of spent nuclear fuel must take place~~

~~— (i) On the site of the nuclear generating facility~~

~~— (ii) Within the nuclear security fence~~

~~— (iii) Within the Nuclear Regulatory Commission licensed exclusion area of a reactor site, as defined in 10 CFR 100.333(a).~~

~~(3) Such temporary storage may only be permitted until such time as space becomes available in a spent fuel depository outside the Township or until any means of spent fuel disposal becomes available outside the Township to the operator of that generating facility, whichever happens first, after allowing for normal spent fuel cooling time.~~

~~(4) Each generating nuclear facility separately licensed for operation by the Nuclear Regulatory Commission shall be treated as a separate generating facility for purposes of this chapter and for this conditional use. For example, under this section, no spent nuclear fuel produced by the Salem II Nuclear Generating Station may be stored or temporarily retained at the Salem I Nuclear Generating Station at any time, or vice versa, nor may spent fuel or radioactive waste produced by any other nuclear generating facilities located outside or inside the Township be stored or temporarily retained at Salem I, Salem II, or Hope Creek generating facilities.~~

~~(5) The temporary storage facility for spent nuclear fuel of any kind must be designed and constructed in accordance with applicable NRC regulations and guidelines and any other Federal and/or State agency(ies) which have jurisdiction over the storage of spent nuclear fuel.~~

~~(6) Any owner or operator of a storage facility for spent nuclear fuel existing in the Township on date of adoption of this ordinance* shall be required to make application to the Planning Board for conditional use approval within ninety (90) days of the date of the adoption of this ordinance.*~~

~~(7) Any approval granted by the Planning Board for the storage of spent nuclear fuel or radioactive waste of any kind shall terminate no later than five (5) years from the date of the approval by the Planning Board.~~

~~(Ord. No. 99-5; Ord. No. 99-9; Ord. No. 2001-6)~~

~~*Editors Note: Ordinance No. 2001-6, codified herein, was adopted July 17, 2001.~~

THIS ORDINANCE shall take effect according to law following review by the Lower Alloways Creek Township Planning Board for consistency with the Master Plan.

This Ordinance, which was introduced for First Reading on April 16, 2013, shall be published by Title in the News of South Jersey and placed on the Township's Website and Bulletin Board giving notice of said Public Hearing as required by Law.

Public Hearing on this Ordinance shall be on May 20, 2013 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock's Bridge, New Jersey.

Introduction: April 16, 2013

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRADWAY		S	Y			
MR. PALOMBO	M		Y			
MRS. POMPPER			Y			
MR. VENABLE			Y			
MAYOR BRESLIN			Y			

Final: May 20, 2013

COMMITTEE MEMBER	MOVE	SECOND	YES	NO	ABSTAIN	ABSENT
MR. BRADWAY	M		Y			
MR. PALOMBO						A
MRS. POMPPER			Y			
MR. VENABLE			Y			
MAYOR BRESLIN		S	Y			

OLD BUSINESS: None

NEW BUSINESS:

Motion (Pompper, Bradway) to approve a maintenance contract with MorphoTrack, Inc. in the amount of \$ 2,633.69 to provide support for the Police Department's Live Scan Equipment.

The motion to approve a maintenance contract with MorphoTrack, Inc. in the amount of \$ 2,633.69 passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Bradway, Venable and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Bradway, Pompper) to approve the purchase of medical supplies and equipment from Emergency Medical Products for the Ambulance / Rescue Squad in the amount of \$ 2,715.53.

The motion to approve the purchase of medical supplies and equipment from Emergency Medical Products for the Ambulance / Rescue Squad in the amount of \$ 2,715.53 passed a vote of the Township Committee as follows: 4-0

Ayes: Bradway, Pompper, Venable, and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Pompper, Venable) to approve a lease agreement with Dolores Hutchinson for Unit C-18 at the Leisure Arms Complex.

The motion to approve a lease agreement with Dolores Hutchinson for Unit C-18 at the Leisure Arms Complex passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Venable, Bradway and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Pompper, Venable) to authorize the Public works Department to spread shells for the Hancocks House walk ways.

The motion to authorize the Public works Department to spread shells for the Hancocks House walk way passed a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Venable, Bradway and Breslin

Nays: none Abstain: none Absent: Palombo

CORRESPONDENCE Clerk distributed letter regarding the completion of foreclosure proceedings on several properties, of which the Township held the Tax Lien. Mr. Rosenberger gave a brief overview of how the Township may proceed to sell the properties. Mr. Rosenberger stated that the Township could auction the properties or offer the properties to adjoining property owners at the assessed value. The consensus of the Committee was that the Clerk would provide the locations, acreage, dimensions and values of all municipal properties, for the Committee to review and determine its path forward.

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS

Public Works

Mr. Lynch reported that the Alloways Creek Neck Road paving is completed, with only some minor items to be finished. The Public Works Department is working on some Shooting Range issues. Mr. Lynch reported that the solar installations at the Ambulance Building and Public Works Garage are now producing electric for us.

Public Safety

Mr. Sowers stated that Focus Traffic Patrols have been conducted during the outage. Mr. Sowers commented that an ad was run advertising for Part-Time Police Officers and only three resumes were received and he feels they do not qualify.

Mr. Sowers stated that the LAC Police Department aided the Pennsville Police, with the passing of Chief Bruce P. Maahs and participated at his services.

Animal Control

Mr. Fisher stated that a fourth rabies case had been confirmed.

Fire Department

Mr. Hinchman wanted to know if we could enforce “driveway clearances for Emergency Vehicles” if notice was given to homeowners. Mr. Hinchman stated that they would make an effort to get to every emergency call, but that emergency vehicles could be damaged and need expensive repairs. Mr. Rosenberger stated that we could notice the owners of such properties, but enforcement was a different issue, perhaps someone does not have the means to have the bushes and trees trimmed back. Mr. Rosenberger stated that he believed most homeowners would cooperate after being made aware of the concern, if able. Mr. Rosenberger will compose a form

letter to be sent to residents regarding access to their properties. The Fire Department and Ambulance Squad should submit the addresses to the Clerk and a letter will be sent to the property owner.

Mr. Venable had no report.

Mrs. Pompper reported that there was a good turn out for the last Log Cabin Open House this past weekend, it will be open again the third Sunday in September, October and November. Mrs. Pompper stated that the Township would be submitting re-certification documentation for Sustainable NJ in June.

Mr. Bradway asked if it would be possible to use a spare vehicle, for those that are attending EMT classes to use to and from classes. Mr. Bradway stated that these people are volunteers and spend a lot of time in classes at their own expense and it would be nice if the Township provided them with a vehicle for this purpose. Mr. Sowers offered the spare chief's car, which is only used by officers attending training courses. Mr. Fogg offered any of several spare cars for this purpose.

Mayor Breslin asked if there has been any progress on the Basketball Court here at the municipal complex. Mr. Fogg stated that the contractor was to come out and do a mark out soon. Mayor Breslin commented that there must be a way for the Township to have some type of credit card, so the Purchasing Agent does not have use his own personal card for purchases. This really needs to be looked into, find out information from the auditor and reported back to the Committee as to why we can not or for a way we can secure a card.

Motion (Breslin, Bradway) to change the June Monthly Township Committee Meeting, from the third Tuesday, to Monday, the 17th and authorize the advertising of same.

The motion to change the June Monthly Township Committee Meeting, from the third Tuesday, to Monday, the 17th and authorize the advertising of same passed a vote of the Township Committee as follows: 4-0

Ayes: Bradway, Breslin, Pompper and Venable

Nays: none Abstain: none Absent: Palombo

PUBLIC COMMENT No one from the Public indicated that they wished to make any comments.

CLOSED SESSION

Motion (Bradway, Venable) to convene into a Closed Session of Business 8:30 pm

RESOLUTION 2013- 66 A RESOLUTION FOR A CLOSED SESSION

BE IT RESOLVED, by the Township Committee of the Township of Lower Alloways Creek that a portion of the meeting of the Township Committee be closed to the public to enable the Township Committee to discuss, and where appropriate, take action concerning the following matter(s) as permitted by N.J.S.A. 10:4-12:

____ 4. Any collective bargaining agreement, or the terms and conditions, which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

____ 7. Any pending or anticipated litigation or contract negotiation other than in (4) above in which the public body is, or may become a party. Any matter falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

More specifically, the matter to be discussed involves the following:

A. Contracts

BE IT FURTHER RESOLVED, that the matters discussed will be available for public inspection

A. At such time the matter is concluded

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that this Closed Session is expected to continue for fifteen (15) Minutes and that further business by the Committee will not take place at its conclusion.

The motion for the Closed Session of Business passed a vote of the Committee as follows: 4-0

Ayes: Bradway, Venable, Pompper, and Breslin

Nays: none Abstain: none Absent: Palombo

Motion (Bradway, Venable) to come out of the Closed Session of business. 9:05 pm

The motion to come out of the Closed Session of Business passed a vote of the Township Committee as follows: 5-0

Ayes: Bradway, Venable, Pompper, and Breslin

Nays: none Abstain: none Absent: Palombo

BUSINESS AFTER CLOSED SESSION - NONE

ADJOURNMENT

Motion (Pompper, Bradway) to adjourn the meeting at 9:06 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the May 20, 2013 Meeting were approved at a meeting held June 17, 2013

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

By: _____
Mayor, Robert F. Breslin III