

**MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK HELD MARCH 19, 2019**

A Regular Meeting of the Lower Alloways Creek Township Committee was held on March 19, 2019 with Mayor Ellen B. Pompper 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 the Annual Notice which was filed with the Lower Alloways Creek Township Clerk, forwarded to the South Jersey Times and posted on the Bulletin Board in the lobby of the Lower Alloways Creek Township Municipal Building in compliance with said Act.

FLAG SALUTE

Mayor Pompper led in the Flag Salute.

ROLL CALL OF COMMITTEE

Present: Mr. Bradway, Mr. Palombo, Mr. Venable and Mayor Pompper **Absent:** None

OTHERS IN ATTENDANCE

Also in attendance were - seven - (7) members of the public including, Lewis Fogg; Superintendent of Public Works, Police Chief Richard Venable, Solicitor; Linwood Donelson III and Township Clerk Ronald L Campbell Sr.

PAYMENT OF AUDITED VOUCHERS

Motion (Venable, Bradway) 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: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

REPORTS TO THE COMMITTEE

The Mayor requested that the minutes reflect that the February 2019 Monthly reports to the Township Committee have been received from the following Departments and are on file with the Clerk: Construction Office, Engineer, Finance, Municipal Court, Police Department, Public Works, Sewer and Tax Collector.

MINUTES

Motion (Venable, Bradway) to approve the Regular Meeting Minutes of the Township Committee Meeting held on February 19, 2018 and the Special Budget Meeting held March 5, 2019.

The motion to approve the Regular Meeting Minutes of the Township Committee Meeting held on February 19, 2018 and the Special Budget Meeting held March 5, 2019 passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

RESOLUTIONS

Motion (Venable, Bradway) for Resolution 2019- 44, a Resolution adopting a Green Grounds and Maintenance Policy.

Resolution 2019-44

A RESOLUTION ADOPTING A GREEN GROUNDS AND MAINTENANCE POLICY

WHEREAS, the Township Committee of the Township of Lower Alloways Creek desires to adopt a Green Grounds and Maintenance program to ensure that municipally maintained parks and landscaped areas are managed in the most resource-efficient and environmentally friendly manner, and;

WHEREAS, it shall be the goal of this policy to achieve a low-maintenance, eco-friendly Green Grounds and Maintenance Management Program in the following categories:

1. Efficient Landscape Design – to reduce maintenance and promote rainwater re-charging
2. Minimize Water Consumption – to reduce the volume and frequency of watering and promote the use of landscaping strategies, which use low-maintenance native and drought-tolerant plantings
3. Integrated Pest Management - to eliminate toxic chemicals, reduce chemical inputs of pesticides and fertilizers, and promote Integrated Eco-Friendly Pest Management strategies, and;

WHEREAS, the Township Committee's, Building & Grounds Committee along with the Superintendent of Public Works or his designee shall be responsible for implementation of this Policy, and;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Lower Alloways Creek desires that the following Green Grounds and Maintenance practices be implemented in the most resource-efficient manner:

- Compost landscape waste (e.g. leaves, prunings, etc) or use the waste as mulch.
- Use native species instead of exotic plants whenever possible.
- Minimize lawn areas to reduce required maintenance, and replace lawn areas with higher value landscaping.
- Design landscaping with stormwater management in mind. Consider property contours and create plantings that will slow water flows and filter runoff to improve groundwater recharge and prevent erosion.
- Significantly reduce or eliminate the use of conventional pesticides through an Integrated Pest Management program.
- Avoid excessive fertilizer use. Test soils, and then apply specific fertilizers to correct soil chemistry if needed instead of using a generic mix
- Improve operations with efficient watering schedules, improved irrigation equipment and rainwater capture. Water the landscape only when needed instead of setting schedules that are not sensitive to weather and species

The motion for Resolution 2019- 44 adopting a Green Grounds and Maintenance Policy passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Bradway, Venable) for Resolution 2019-45, a Resolution certifying compliance with the United States Equal Employment Opportunity Commission's "Enforcement guidance on the consideration of arrest and conviction records in employment decisions under Title VII of the Civil Rights Act of 1964".

Resolution 2019-46

A RESOLUTION CERTIFYING COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON

THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964”.

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Lower Alloways Creek in the county of Salem. hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

The motion for Resolution 2019-45 certifying compliance with the United States Equal Employment Opportunity Commission’s “Enforcement guidance on the consideration of arrest and conviction records in employment decisions under Title VII of the Civil Rights Act of 1964” passed a vote of the Township Committee as follows: 4-0

Ayes: Bradway, Venable, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2019-46, a Resolution to commit to the ideals and principles of “Complete Streets” by establishing a strategy of creating street corridors that accommodate road users of all ages and abilities.

RESOLUTION 2019-46

A RESOLUTION TO COMMIT TO THE IDEALS AND PRINCIPLES OF “COMPLETE STREETS” BY ESTABLISHING A STRATEGY OF CREATING STREET CORRIDORS THAT ACCOMMODATE ROAD USERS OF ALL AGES AND ABILITIES

WHEREAS, the Township of Lower Alloways Creek ("Township") is committed to creating street corridors that accommodate all road users of all ages and abilities for all trips; and,

WHEREAS, a Complete Street is defined as a means of providing safe access for all users, including pedestrians, bicyclists, transit vehicle users, and motorists, by designing and operating a comprehensive, integrated, equitable, connected multi-modal network of transportation options; and,

WHEREAS, the benefits of Complete Streets include:

- i) improving safety for pedestrians, bicyclists, children, older citizens, families, non-drivers, the mobility-challenged and other non-vehicular users of the roadway, as well as those who cannot afford a motor vehicle or choose to live motor vehicle free;
- ii) providing connections to bicycling and walking trip generators such as employment, schools, residential, recreation, transit, retail centers, public and civic facilities;

- iii)** promoting healthy lifestyles and increasing social connectivity and sense of community belonging;
- iv)** creating more livable and walkable communities;
- v)** reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions and improving air quality, water quality and storm water management;
- vi)** saving money by incorporating sidewalks, on-streets bicycle facilities, safe and convenient crossings and transit amenities into the initial design of a project, thus sparing the expense of retrofits later; and,
- vii)** stimulating economic prosperity through enhanced access to local businesses, increased property values and employment, and private investment, especially in retail districts, downtowns and tourist areas; and,

WHEREAS, the Mayor and Committee fully support these initiatives and wish to reinforce their commitment to creating a balanced, flexible, comprehensive, integrated, connected street network that accommodates all road users of all ages and abilities and for all trips. Implementation efforts of a Complete Streets policy will ensure the fair treatment, equitable funding and resource distribution, and meaningful involvement of all communities in all phases from selection, planning, and design to construction and long-term maintenance; and,

WHEREAS, a Complete Streets policy will be implemented through the planning, design, construction, maintenance, and operation of new and retrofit transportation facilities for the entire right-of-way.

WHEREAS, complete streets have the potential for improving physical and mental health either directly or indirectly in the following ways:

- a. Incorporating physical activity into our daily lives by increasing pedestrian activity and bicycle use.
- b. Reducing rates of several chronic diseases related to decreases in physical activity by accommodating walking and bicycling. Key impacted diseases include diabetes, heart disease, depression, and some cancers.
- c. Reducing rates of injury and death from traffic crashes by improved road safety for all users.
- d. Reducing rates of asthma and other respiratory issues due to improved air quality through emissions reductions and vegetative air filtration.
- e. Multiplying health and wellness benefits resulting from improved access to necessary amenities for vulnerable populations.
- f. Reducing the risk of illnesses related to water-borne pathogens resulting from improved storm water infiltration.
- g. Increasing the sense of social connectivity & sense of community belonging.
- h. Improving aesthetics through decorative and functional vegetation.
- i. Recognizing that flexibility and community context are needed when addressing the needs of pedestrians, bicyclists, public transit, and motorists.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Lower Alloways Creek, that all public street projects, both new construction and reconstruction in the Township of Lower Alloways Creek shall be designed and constructed

using Complete Streets policies where practical and safe. Complete Streets accommodates travel by pedestrians, bicyclists, and motorized vehicles and their passengers.

BE IT FURTHER RESOLVED that the Planning Board, Zoning Board of Adjustment, and the Township Engineer should make Complete Streets practices and principles a standard part of everyday operations including planning and design studies, should approach every transportation project and program as an opportunity to improve public streets, public health, and the transportation network in the Township for all users, and should work in coordination with other departments, agencies, and jurisdictions including public health to achieve robust Complete Streets;

BE IT FURTHER RESOLVED that the Complete Streets policy as set forth above shall be implemented where practical and safe as follows:

- a. All Township streets shall be designed and constructed to include accommodations for pedestrians, bicyclists, public transit, and motorists. Complete Streets shall accommodate users of all ages and abilities.
- b. Recognizing the inter-connected multi-modal network of street grid, the Township will work with Salem County and state agencies through existing planning efforts to ensure Complete Streets principles are incorporated in a context sensitive manner.
- c. While Complete Streets principles are context sensitive, these features should be considered during the design, planning, maintenance and operations phases and incorporate changes into some retrofit and reconstruction projects. Departments shall reference current editions and best practices of New Jersey Roadway Design Manual; the AASHTO Guide for the Development of Bicycle Facilities; AASHTO Guide for the Planning, Design and Operation of Pedestrian Facilities; the Manual of Uniform Traffic Control Devices; the NACTO Urban Bikeway Design Guide and other design criteria as necessary, striving to balance all needs, when repaving or reconstructing streets.
- d. The Combined Planning Board / Zoning Board of Adjustment, along with their respective planning and engineering professionals, shall incorporate this Complete Streets policy into its reviews and recommendations of major site plan and development/redevelopment projects; that all initial planning and designing studies, environmental reviews and other project reviews for projects requiring funding or approval by the Township should (a) evaluate the effect of the proposed project on safe travel by all users, and (b) identify measures to mitigate any adverse impacts on such travel that are identified.

1. To facilitate timely implementation of the Complete Streets policy, the following steps shall be taken:

Within two years of the effective date of this Policy, the Township shall inventory, audit, and modify its procedures, policies, documents, training programs, performance measures and other guidance documents. This includes but is not limited to funding, planning, design, operating and maintaining transportation infrastructure.

- a. A this new policy will be distributed to all department heads and appropriate consultants within 90 days of adoption of this resolution.
- b. At least one training session about Complete Streets will be attended by appropriate staff and consultants of the Township within one year of adoption of this resolution.

c. Implementation and oversight of the new policy will be handled by the Township Manager, or such other person designated by the Township Manager and/or Township Committee.

2. The Township shall provide a good faith effort to collect, track, and monitor data to determine compliance with the Township's complete street policy using the following benchmarks:

- a. Mileage by of new and existing bicycle infrastructure including in communities of concern (e.g., bicycle lanes, bike parking, paths, and boulevards)
- b. Linear feet (or mileage) of new and existing pedestrian infrastructure (e.g., sidewalks, trails, transit amenities, etc.)
- c. Number of new and existing ADA-compliant infrastructure (e.g. curb ramps, pedestrian buttons, etc.)
- d. Number of new street trees
- e. Number of green street practices (e.g., rain gardens, bio swales, permeable pavement, etc.)
- f. Number of pedestrian and bicycle lighting improvements
- g. Bicycle and pedestrian counts
- h. Commute mode percentages (e.g., drive alone, carpool, transit, bicycle, and walk)
- i. The number and percentage of designated transit stops accessible via sidewalks and curb ramps
- j. The number and locations of motor vehicle crashes that are disproportionately above the average for the Township, the number and locations of all fatalities within the Township, and the location and causes (when they can be determined) for all motor vehicle crashes that involve pedestrian(s) and bicyclists anywhere in the township
- k. The total number and percentage of children walking or bicycling to school

3. A transportation project shall not be required to accommodate the needs of a particular user group if the Township Committee or their designee in consultation with the Township Engineer determines in writing that:

- a. The use of the transportation facility by the particular user group is prohibited by law or would create an unsafe condition;
- b. There is a demonstrated absence of both a current and future need to accommodate the category of user (absence of future need may be shown via demographic, school, employment, and public transportation route data that demonstrate, for example, a low likelihood of bicycle, pedestrian, or transit activity in an area over the next 20 years);
- c. The adverse impacts of accommodating the needs of the particular user group significantly outweigh the benefits.
- d. Non-motorized users are prohibited by law on the roadway or project area.
- e. Bicycle and pedestrian facilities are not required where they are prohibited by law or would create unsafe conditions.

f. Scarcity of population, travel and attractors, both existing and future, indicate an absence of need for such accommodations.

g. When the cost of incorporating new bicycle, pedestrian, and/or public transit facilities is excessive, defined as greater than 20% of the overall project cost, the need for and/or probable use of the facility shall be considered in making the determination as to whether or not an exception should be approved at this time or held for future consideration. This determination may occur during the budget and capital improvements program approval process or when project plans and specifications are being prepared.

h. The safety of a project is compromised by the inclusion of Complete Streets.

4. In any project, should the inclusion of pedestrian, public transit, and/or bicycle facilities prove detrimental to wetlands, floodplains, streams and/or historic/social resources, as determined by the Township Engineer, those facilities shall not be approved. Transportation projects shall consider sustainable design elements, including, but not limited to:

a. Green storm water infrastructure practices

b. Traffic Calming

c. Shade trees and other vegetation

d. Permeable pavements - including those made from recycled materials such as rubber, concrete, glass, and plastic

BE IT FURTHER RESOLVED that this resolution shall remain on file in the Township Clerk's Office and a copy be provided to the Township Public Works Department, Township Engineer, Salem County Freeholders, Salem County Division of Public Works and New Jersey Department of Transportation and New Jersey Transit.

The motion for Resolution 2019-46 to commit to the ideals and principles of "Complete Streets" by establishing a strategy of creating street corridors that accommodate road users of all ages and abilities passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: None Absent: none

Motion (Venable, Bradway) for Resolution 2019-47, a Resolution to establish an Environmentally Preferable Purchasing Policy.

2019-47

ENVIRONMENTALLY PREFERABLE PURCHASING POLICY (GREEN PURCHASING POLICY)

1.0 ENVIRONMENTALLY PREFERABLE PURCHASING (GREEN PURCHASING POLICY)

1.1 STATEMENT OF THE POLICY

It is the policy & practice of the Township of Lower Alloways Creek to:

- Institute practices that reduce waste by increasing product efficiency and effectiveness, and
- Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety to the greatest extent practicable, and

- Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, reduce greenhouse gas emissions, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests (FSC) when & where possible.

1.2 PURPOSE & OBJECTIVES OF THE POLICY

The goal of this policy is to encourage and increase the use of environmentally preferable products and services in the Township of Lower Alloways Creek. By including environmental considerations in purchasing decisions, Township of Lower Alloways Creek can promote practices that improve public and worker health, conserve natural resources, and reward environmentally conscious manufacturers, while remaining fiscally responsible.

The policy objectives are to:

- Conserve natural resources,
- Minimize environmental impacts such as pollution and use of water and energy,
- Eliminate or reduce toxics that create hazards to workers and our community,
- Support strong recycling markets,
- Reduce materials that are routinely land filled or disposed of,
- Increase the use and availability of environmentally preferable products that protect the environment,
- Identify environmentally preferable products & associated distribution systems,
- Reward manufacturers & vendors with contracts that reduce environmental impacts in their production & distribution systems or services,
- Collect & maintain up-to-date information regarding manufacturers, vendors and other sources for locating/ordering environmentally preferable products,
- Create a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals.

1.3 RESEARCH, EVALUATION & IMPLEMENTATION OF THE POLICY

The Township of Lower Alloways Creek Purchasing Office and members of the Green Team, which shall be composed of representatives from various Township departments/divisions, commissions/committees and volunteer organizations shall research, evaluate, and implement the environmental purchasing objectives. The Green Team Committee shall focus its research, evaluation and the implementation of the Green Policy in the following areas:

- Recycled Content Products (e.g. paper products, playground/recreation equipment, toner/printer cartridges, motor oils & lubricants, furniture, carpets & flooring materials, matting, plastic/composite lumber/building materials, trash bags, parking stops, ceiling tiles, etc...)
- Less Harmful & Non-toxic Materials & Processes (e.g. janitorial/cleaning products, pest management chemicals, phosphates, paint, solvents, fuels & lubricants, etc...)
- Energy & Water Efficient Products & Processes (e.g. solar applications, energy efficient lighting, energy star appliances, water saving devices, vehicles & motorized equipment, etc...)
- Natural Resource & Landscaping Management (e.g. integrated pest and vegetation management, drought tolerant/indigence plants & shrubs, recycled mulches & natural composts, etc...)
- Renewable Products (e.g. FSC certified forests products, renewable energy resources, etc...)
- Disposal & Pollution Reduction (e.g. integrated waste management, duplex copies, retread tires, reusable holiday trees, recycling programs for used ceiling tiles & flooring materials, etc...)
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- Packaging (e.g. bulk packaging, reusable boxes, recycled packing materials, shipping pallets, etc...)
- Green Building Program (e.g. using recycled products in the construction and renovation, disposal of building materials in an environmentally sensitive manner, designing and renovating for energy and resource conservation)

The Committee is aware that the evaluation and implementation phases of the project will require changes in awareness, behaviors, practices and operating procedures. To the extent possible, it is the Committee's intention to have a participative process as it researches, evaluates and implements the policy recommendations. It is also the Committee's intention to meet annually after implementation to monitor and evaluate the Township of Lower Alloways Creek's progress in this area.

1.4 SPECIFICATIONS

1.4.1 Source Reduction

- * To the extent practicable the Township of Lower Alloways Creek shall institute practices that reduce waste and result in the purchase of fewer products whenever practicable and cost-effective, but without reducing safety or overall workplace quality.

1.4 SPECIFICATIONS (CONTINUED)

1.4.1 Source Reduction (Continued)

- * To the extent practicable the Township of Lower Alloways Creek shall purchase remanufactured products such as toner/printer cartridges, retread tires, furniture, equipment and automotive parts whenever practicable, but without reducing safety, quality or effectiveness.
- * To the extent practicable the Township of Lower Alloways Creek shall require all equipment bought after the adoption of this policy to be compatible with source reduction goals as referred to in the policy, when & where practicable.
- * All buyers shall consider short-term and long-term costs in comparing product alternatives, when feasible. This includes the evaluation of the total costs expected during the lifetime of the product, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance, disposal costs and expected lifetime compared to other alternatives.
- * Products that are durable, long lasting, reusable or refillable shall be preferred whenever available & practicable.
- * To the extent practicable the Township of Lower Alloways Creek requests vendors to eliminate excess packaging or to utilize the minimum amount necessary for product protection, to the greatest extent practicable.
- * Packaging that is reusable, recyclable or compostable shall be preferred, when suitable uses and programs readily exist.
- * Vendors shall be encouraged to take back and reuse wooden pallets and other shipping and packaging materials when & where practicable.
- * Suppliers of electronic equipment, including but not limited to computers, monitors, printers, fax machines and photocopiers, shall be required to take back the equipment for reuse or environmentally safe recycling when the Township of Lower Alloways Creek discards or replaces such equipment, whenever & where practicable.

- * To the extent practicable the Township of Lower Alloways Creek shall consider provisions in contracts with suppliers of non-electronic equipment that require suppliers to take back equipment for reuse or environmentally safe recycling when the Township of Lower Alloways Creek discards or replaces such equipment, whenever practicable.
- * All documents shall be printed and photocopied on both sides (duplex) to reduce the use and purchase of photocopy paper, whenever & where practicable.

1.4 SPECIFICATIONS (CONTINUED)

1.4.2 Recycled Content Products

- * All products for which the United States Environmental Protection Agency (U.S. EPA) has established minimum recycled content standard guidelines in the Agency's Comprehensive Procurement Guidelines, such as those for printing paper, photocopy paper, janitorial paper products, construction, landscaping, parks and recreation, transportation, vehicles, miscellaneous and non-paper office products, shall contain the highest postconsumer content practicable to the application, but no less than the minimum recycled content standards established by the U.S. EPA Guidelines.
- * Photocopiers and printers purchased or leased by the Township of Lower Alloways Creek shall be compatible with the use of recycled content and remanufactured products.
- * To the extent practicable, the Township of Lower Alloways Creek shall purchase re-refined lubricating and industrial oil for use in its vehicles and other motorized equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment.

- * When specifying asphalt concrete, aggregate base or Portland Cement Concrete for road construction projects, the Township of Lower Alloways Creek shall utilize recycled, reusable or reground materials when & where practicable.
- * To the extent practicable the Township of Lower Alloways Creek shall specify and purchase recycled content transportation products, including signs, traffic cones, parking stops, delineators, channelizers and barricades, which shall contain the highest postconsumer content practicable, but no less than the minimum recycled content standards established by the U.S. EPA Comprehensive Procurement Guidelines.
- * All pre-printed recycled content papers intended for distribution that are purchased or produced shall contain a statement that the paper is recycled content of a minimum of thirty (30%) percent recycled postconsumer content. Whenever feasible, the statement should indicate the percentage of postconsumer recycled content that the paper contains.

1.4.3 Energy & Water Savings

- * Where applicable, energy-efficient equipment shall be purchased with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.
- * When practicable, the Township of Lower Alloways Creek) shall replace inefficient interior lighting with energy-efficient equipment and bulbs.
- * When practicable, the Township of Lower Alloways Creek shall replace inefficient exterior lighting, street lighting and traffic signal lights with energy-efficient equipment and bulbs. Exterior lighting shall be minimized when and where possible to avoid unnecessary lighting of architectural and landscape features while providing adequate illumination for safety and accessibility.

1.4 SPECIFICATIONS (CONTINUED)

1.4.3 Energy & Water Savings (Continued)

- * All products purchased by the Township of Lower Alloways Creek and for which the U.S. EPA Energy Star certification is available shall meet Energy Star certification, when practicable and available. When Energy Star labels are not available, Township of Lower Alloways Creek shall choose energy-efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.
- * To the extent practicable the Township of Lower Alloways Creek shall purchase water-saving/conservation products. This includes, but is not limited to, high-performance fixtures such as toilets, low-flow faucets and aerators, and upgraded landscape irrigation systems.

1.4.4 Green Buildings & LEED IM Ratings

All building and renovations undertaken by the Township of Lower Alloways Creek shall follow Green Building Practices for design, construction, and operation, where appropriate and practicable, as described in the LEED IM Rating System. Architects and engineers for procured for said work shall be required to have LEED certified members on their staff assigned to the project when & where practicable.

1.4.5 Landscaping & Hardscaping

All landscape renovations, construction and maintenance performed by the Township of

Lower Alloways Creek), including workers and contractors providing landscaping services for the Township of Lower Alloways Creek shall employ sustainable landscape management techniques for design, construction and maintenance whenever & where possible, including, but not limited to, integrated pest management (IPM), grass recycling, drip irrigation, composting, and the procurement and use of mulch and compost that give preference to those products produced from regionally generated plant debris and/or food and sludge waste programs.

Plants should be selected to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted to them, and perennials rather than annuals for color variations should be utilized. Native and drought-tolerant plants that require no or minimal watering once established are preferred over others when & where practicable.

Hardscapes and landscape structures constructed of recycled content materials are encouraged to be utilized. The Township of Lower Alloways Creek shall limit the amount of impervious surfaces in the landscape, when & where practicable. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

1.4.6 Toxics & Pollution

To the extent practicable, the Township of Lower Alloways Creek shall purchase, or require janitorial contractors to supply, industrial and institutional cleaning products that meet and/or exceed the Green Seal Certification Standards for environmental preferability and performance.

To the extent practicable, the Township of Lower Alloways Creek shall purchase, or require janitorial contractors to supply, vacuum cleaners that meet the requirements of the Carpet and Rug Institute “Green Label” Testing Program — Vacuum Cleaner Criteria, are capable of capturing 96% of particulates 0.3 microns in size, and operate with a sound level less than 70dBA. Where possible and as applicable, other janitorial cleaning equipment shall be capable of capturing fine particulates, removing sufficient moisture so as to dry within twenty-four (24) hours, operate with a sound level less than 70dBA, and use high-efficiency, low-emissions engines.

The use of chlorofluorocarbon, Halon & Freon containing refrigerants, solvents and other products shall be phased out and new purchases of heating/ventilating/air conditioning, refrigeration, insulation and fire suppression systems shall not contain them.

All surfactants & detergents shall be readily biodegradable and, where practicable, shall not contain phosphates.

When maintaining buildings and landscapes, Township of Lower Alloways Creek shall manage pest problems through prevention and physical, mechanical and biological controls. The Township of Lower Alloways Creek may either adopt and implement an organic pest management policy and practices or adopt and implement an Integrated Pest Management (IPM) policy and practices using the least toxic pest control method as a last resort.

When maintaining buildings, the Township of Lower Alloways Creek shall utilize products with the lowest amount of volatile organic compounds (VOCs), highest recycled

content, and low or no formaldehyde or lead when practicable when purchasing materials such as paint, carpeting, flooring materials, adhesives, furniture, filing cabinetry, ceiling tiles, coving, moldings and casework.

To the extent practicable, the Township of Lower Alloways Creek shall reduce or eliminate its use of products that contribute to the formation of dioxins and furans. This includes, but is not limited to:

- Photocopier paper, paper products, and janitorial paper products that are unbleached or that are processed without chlorine or chlorine derivatives, whenever & where possible and that possess a minimum of thirty (30%) percent recycled postconsumer waste content.
- Prohibiting purchase of products that use halogens, polyvinyl chloride (PVC), lead, phthalates and asbestos such as, but not limited to, office binders, chair/floor mats, casework, moldings, furniture, carpeting, flooring materials, ceiling tiles and medical supplies whenever & where practicable.

To the extent practicable, the Township of Lower Alloways Creek shall purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, Township of Lower Alloways Creek shall give preference to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs.

To the extent practicable, the Township of Lower Alloways Creek shall specify that desktop computers, notebooks and monitors purchased shall meet, at a minimum, all Electronic Product Environmental Assessment Tool (EPEAT) environmental criteria designated as “required” as contained in the IEEE 1680 Standard for the Environmental Assessment of Personal Computer Products, whenever practicable.

When replacing vehicles, the Township of Lower Alloways Creek shall consider less-polluting alternatives to diesel such as bio-based fuels, hybrids, electric batteries, and fuel cells, as may be available for the application.

1.4.7 Forest Conservation

To the extent practicable, the Township of Lower Alloways Creek shall not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When possible, Township of Lower Alloways Creek shall give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council (FSC) certification.

To the extent practicable, the Township of Lower Alloways Creek encourages the purchase or use of previously utilized and/or salvaged wood and wood products whenever practicable & where available.

1.4.8 Bio-Based Products

Vehicle fuels made from non-wood, plant-based contents such as vegetable oils are encouraged whenever practicable and available.

Paper and construction products made from non-wood, plant-based contents such as agricultural crops and residues are encouraged whenever practicable.

Bio-based plastic products that are biodegradable and compostable, such as bags, film,

food and beverage containers, and cutlery, are encouraged whenever practicable.

Compostable plastic products purchased shall meet American Society for Testing and Materials (ASTM) standards as found in ASTM D6400-04. Biodegradable plastics used as coatings on paper and other compostable substrates shall meet ASTM D6868-03 standards.

Proof of compliance with ASTM standards for compostable, biodegradable and degradable plastic products shall be provided by vendors of such products, upon request. One acceptable proof of compliance for compostable plastic products shall be the certification by the Biodegradable Products Institute (BPI).

1.5 PRIORITIES

The health & safety of workers & citizens is of the utmost importance and takes precedence over all other policies and practices.

To the extent practicable, the Township of Lower Alloways Creek has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio-based.

Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, or are not available at a reasonable price in a reasonable period of time.

Nothing contained in this policy shall be construed as requiring the Township of Lower Alloways Creek department, purchaser or contractor to take any action that conflicts with local, state or federal requirements.

1.6 IMPLEMENTATION OF THE POLICY

The Business Administrator, Purchasing Manager/Agent, Director of Finance, Director of Public Works and other responsible directors/managers shall implement this policy in coordination with other appropriate Township of Lower Alloways Creek) personnel.

As applicable, successful bidders shall certify in writing that the environmental attributes claimed in competitive bids are accurate. In compliance with New Jersey State Law, vendors shall be required to specify the minimum or actual percentage of recovered and postconsumer material in their products, even when such percentages are zero.

Upon request, buyers making the selection from competitive bids shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.

Vendors, contractors and grantees shall be encouraged to comply with applicable sections of this policy for products and services provided to the Township of Lower Alloways Creek, where practicable.

1.7 PROGRAM EVALUATION

The Business Administrator, Purchasing Manager/Agent, Director of Finance, the “Green Team” Committee and other positions responsible for implementing this policy, shall periodically meet and evaluate the success of this policy’s implementation.

1.8 DEFINITIONS

“American Society for Testing & Materials” means ASTM International, an open forum for the development of high quality, market relevant international standards use around the globe.

“Bio-Based Products” means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials.

“Biodegradable Plastic” means the degradation of the plastic must occur as a result of the action of naturally occurring microorganisms.

“Biodegradable Products Institute” (BPI) is a multi-stakeholder association of key individuals and groups from government, industry and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). BPI does not create standards but certifies products that demonstrate they meet the requirements in ASTM D6400 or D6868, based on testing in an approved laboratory.

“Buyer” means anyone authorized to purchase or contract for purchases on behalf of the Township of Lower Alloways Creek or its subdivisions.

“The Carpet & Rug Institute” (CRI) is the national trade association representing the carpet and rug industry. CRI has developed and administered the “Green Label” indoor air quality testing and labeling program for carpet, adhesives, cushion materials and vacuum cleaners.

“Chlorine Free” means products processed without chlorine or chlorine derivatives.

“Compostable Plastic” means plastic that is biodegradable during composting to yield carbon dioxide, water and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues.

“Contractor” means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract with the Township of Lower Alloways Creek or serves in a subcontracting capacity with the Township of Lower Alloways Creek or with an entity having a contract with the Township of Lower Alloways Creek for the provision of any goods or services.

“Degradable Plastic” means plastic that undergoes significant changes in its chemical structure under specific environmental conditions.

“Dioxins & Furans” are a group of chemical compounds that are classified as persistent, bioaccumulative, and toxic by the U.S. Environmental Protection Agency (EPA).

“Energy Star” means the U.S. EPA’s energy efficiency product labeling program.

“Energy Efficient Product” means a product that is in the upper twenty-five (25%) percent of energy efficiency for all similar products, or that is at least ten (10%) percent more efficient than the minimum level that meets Federal standards and guidelines.

“Electronic Product Environmental Assessment Tool” (EPEAT) is a procurement tool to help institutional purchasers in the public and private sectors evaluate, compare and select desktop computers, notebooks and monitors based on their environmental attributes.

“Federal Energy Management Program” is a program of the Department of Energy that issues a series of *Product Energy Efficiency Recommendations* that identify recommended efficiency levels for energy-using products.

“Forest Stewardship Council” (FSC) is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.

“Green Building Practices” means a whole-systems approach to the design, construction, and operation of buildings and structures that helps mitigate the environmental, economic, and social impacts of construction, demolition, and renovation. Green Building Practices such as those described in the LEED IM Rating System, recognize the relationship between natural and built environments and seeks to minimize the use of energy, water, and other natural resources and provide a healthy productive environment.

“Green Seal” is an independent, non-profit environmental labeling organization. Green Seal standards for products and services meet the U.S. EPA’s criteria for third-party certifiers. The Green Seal is a registered certification mark that may appear only on certified products.

“Integrated Pest Management (IPM)” is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and non-target organisms, and the environment.

“LEED IM Rating System” means the most recent version of the Leadership in Energy and Environmental Design (LEED™) Commercial Green Building Rating System, or other related LEED IM Rating System, approved by the U.S. Green Building Council and designed for rating new and existing commercial, institutional, and high-rise residential buildings.

“Organic Pest Management” prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those products on the approved list of New Jersey Certified Organic Foods (NJOF).

“Postconsumer Material” means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.

“Practical” & “Practicable” mean whenever possible and compatible with local, state and federal law, without reducing safety, quality, or effectiveness and where the product or service is available at a reasonable cost in a reasonable period of time.

“Preconsumer Material” means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Preconsumer material does not include mill and manufacturing trim, scrap or broke which is generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.

“Recovered Material” means fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes pre-consumer and postconsumer material but does not include excess resources of the manufacturing process.

“Recycled Content” means the percentage of recovered material, including pre-consumer and postconsumer materials, in a product.

“Recycled Content Standard” means the minimum level of recovered material and/or postconsumer material necessary for products to qualify as “recycled products.”

“Recycled Product” means a product that meets Township of Lower Alloways Creek recycled content policy objectives for postconsumer and recovered material.

“Remanufactured Product” means any product diverted from the supply of discarded materials by

refurbishing and marketing said product without substantial change to its original form.

“Reused Product” means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.

“Source Reduction” refers to products that result in a net reduction in the generation of waste compared to their previous or alternate version and includes durable, reusable and remanufactured products; products with no, or reduced, toxic constituents; and products marketed with no, or reduced packaging.

“U.S. EPA Guidelines” means the Comprehensive Procurement Guidelines established by the U.S. Environmental Protection Agency for federal agency purchases as of May 2002 and any subsequent versions adopted.

“Water-Saving Products” are those that are in the upper twenty-five (25%) percent of water conservation for all similar products, or at least ten (10%) percent more water-conserving than the minimum level that meets the Federal standards.

The motion for Resolution 2019-47 to establish an Environmentally Preferable Purchasing Policy passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2019-48, a Resolution to approve the auction sale of Township property no longer needed for public use.

RESOLUTION 2019-48

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 audio equipment including:

| | |
|----------|--|
| Six (6) | microphones |
| Six (6) | microphone small stands |
| Four (4) | Shure M68FCA microphone mixers |
| One (1) | TOA Graphic Equalizer |
| Two (2) | TOA 900 A-903 Amplifier |
| | Bag of Various wires and connectors |
| Nine (9) | Rear Load Dumpsters - 3 yards capacity |
| One (1) | Ford Crown Vic. 2007 Vin # 2FAHP71WX7X119993 |

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 2019-48 to approve the auction sale of Township property no longer needed for public use passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) for Resolution 2019-49, a Resolution to appoint Allison McDonough as a Conflict/Substitute Public Defender.

RESOLUTION 2019-49

A RESOLUTION APPOINTING A SUBSTITUTE / CONFLICT MUNICIPAL PUBLIC DEFENDER FOR THE YEAR 2019

WHEREAS, the Township of Lower Alloways Creek desires to acquire the Professional Services of an as needed Substitute / Conflict Municipal Public Defender under the Professional Services provisions of N.J.S.A. 40A:11-2(6); and

WHEREAS, the Purchasing Agent has determined and certified to writing that the value of the acquisition will not exceed \$17,500

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

1. The Township Committee hereby appoints for the year 2019, Allison McDonough as a Substitute /Conflict Municipal Public Defender
2. The anticipated term of this contract is one (1) year
3. Certification of funds from the CFO has been or will be received stating that funds will be encumbered by Purchase Order as required pursuant to N.J.A.C. 5:30-5.4
4. Said appointment is made without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, because it is performed by a person authorized by law to practice a recognized profession whose practices are regulated by law
5. The Mayor and Clerk are hereby authorized and directed to execute agreements with the aforesaid in connection with such professional services
6. A copy of this resolution shall be published in "South Jersey Times", as required by law, within ten (10) days of the date of the passage of this resolution or in lieu thereof.

The motion for Resolution 2019-49 to appoint Allison McDonough as a Conflict/Substitute Public Defender passed a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo, None and Pompper

Nays: none Abstain: none Absent: none

ORDINANCE INTRODUCTION

Motion to introduce Ordinance 2019-02, an Ordinance Fixing the Compensation paid to the Appointed Officers and Employees of the Township of Lower Alloways Creek.

ORDINANCE 2019-02

AN ORDINANCE AMENDING PREVIOUS ORDINANCES FIXING THE COMPENSATION 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 is hereby amended to provide rates of Salary and Wage compensation as follows:

| | | |
|---|--------|--------------|
| BUILDING INSPECTOR | | |
| BUILDING SUB CODE OFFICIAL | annual | \$ 16,800.00 |
| CONSTRUCTION CODE OFFICIAL | | |
| CHIEF FINANCIAL OFFICER | annual | \$ 40,093.00 |
| CONSTRUCTION CODE CLERK | annual | \$ 632.00 |
| DEPUTY TOWNSHIP CLERK | annual | \$ 6,504.00 |
| ELECTRICAL SUB CODE OFFICIAL | | |
| ELECTRICAL INSPECTOR | annual | \$ 6,834.00 |
| EMERGENCY MANAGEMENT COORDINATOR | annual | \$ 5,102.00 |
| DEPUTY EMERGENCY MANAGEMENT COORDINATOR | annual | \$ 3,641.00 |
| PURCHASING AGENT | annual | \$ 40,093.00 |
| TAX ASSESSOR | annual | \$ 18,727.00 |
| TAX COLLECTOR | annual | \$ 22,137.00 |
| TOWNSHIP CLERK | annual | \$ 72,205.00 |
| ZONING OFFICER | annual | \$ 4,965.00 |
| FIRE SUB CODE | | |
| FIRE CODE INSPECTOR | | |
| PLUMBING INSPECTOR | annual | \$ 4,590.00 |
| PLUMBING SUB CODE | | |
| SEASONAL LABOR | hourly | \$ 12.00 |
| TOWNSHIP COMMITTEE | annual | \$ 7,936.00 |

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 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 Tuesday April 16, 2019 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 March 19, 2019 shall be published by Title in the South Jersey Times and placed on the Township's Bulletin Board giving notice of said Public Hearing as required by Law.

Introduction: March 19, 2019

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

Motion to introduce Ordinance 2019-03, an Ordinance amending the Capital Budget of the Township of Lower Alloways Creek and authorizing an increase of additional Capital appropriations in the amount of six hundred thousand dollars (\$600,000.00) for the purposes of: Public Safety, Public Works Equipment, Improvements to Municipal Buildings and Grounds and a new Fire Truck.

ORDINANCE 2019-03

AN ORDINANCE AMENDING THE CAPITAL BUDGET OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK AND AUTHORIZING AN INCREASE OF ADDITIONAL CAPITAL APPROPRIATIONS IN THE AMOUNT OF SIX HUNDRED THOUSAND (\$600,000.00) FOR THE PURPOSES OF: PUBLIC SAFETY AND PUBLIC WORKS EQUIPMENT AND IMPROVEMENTS TO MUNICIPAL BUILDINGS AND GROUNDS, A NEW FIRE TRUCK

BE IT ORDAINED BY THE, Township Committee of the Township of Lower Alloways Creek (not less than two-thirds of all the members thereof affirmatively concurring) as follows:

Section 1. That an additional ninety five thousand dollars (\$95,000.00) is hereby appropriated from the Capital Improvement General Fund to increase previous funds appropriated for the purpose of Public Safety and Public Works Equipment (C-04-55-172-000).
Finger Printer Scanner, Cameras, Lift system

Section 2. That an additional four hundred and fifty thousand dollars (\$450,000.00) is hereby appropriated from the Capital Improvement General Fund for the purchase of a new fire truck. (C-04-55-174-000)

Section 3. That an additional fifty five thousand dollars (\$55,000.00) be appropriated from the Capital Improvement General Fund for Improvements to Municipal Buildings and Grounds. (C-04-55-172-000).
A/C - Fire House Hall & at Leisure Arms Units and roofs at Leisure Arms Units.

Section 4. The Capital budget of the Township of Lower Alloways Creek is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith. Detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services shall be on file with the Clerk and available there for public inspection.

Section 5. This ordinance shall take effect as provided by the law.

Public Hearing on this Ordinance shall be on Tuesday April 16, 2019 at 7:30 p.m., at the Municipal Building, 501 Locust Island Road, Hancock Bridge, New Jersey.

This Ordinance which was introduced for First Reading on March 19, 2019 shall be published by Title in the South Jersey Times and placed on the Township's Bulletin Board and official website giving notice of said Public Hearing as required by Law.

Introduction: MARCH 19, 2019

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

Motion to introduce Ordinance 2019-04, an Ordinance to establish Chapter 183 as “Smoke and Tobacco Free Parks, Recreational Areas, and Public Buildings” of the code of the Township of Lower Alloways Creek.

ORDINANCE 2019-04

AN ORDINANCE TO ESTABLISH CHAPTER 183 AS “SMOKE AND TOBACCO FREE PARKS, RECREATIONAL AREAS, AND PUBLIC BUILDINGS” OF THE CODE OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK.

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the state now expressly authorized municipalities to enact strict ordinances regulating smoking under N.J.S.A. 26:30-63; and

WHEREAS, N.J.S.A. 2C:33-13b also provides that the owner and/or operator of a public place, such as public parks and recreational areas, may prohibit smoking and Tobacco products on such property.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of Lower Alloways Creek that Chapter 183 to be known as “SMOKE AND TOBACCO FREE PARKS, RECREATIONAL AREAS AND PUBLIC BUILDINGS” be established as follows:

SECTION I

§183 – 1 Definitions. As used in this chapter, the following words shall have the following meanings:

ENCLOSED AREA - Shall mean all areas between a floor and a ceiling, extending to the outer perimeter walls of a structure.

MUNICIPAL BUILDINGS - Shall be all structures owned, leased, rented and/or operated by the Township of Lower Alloways Creek, and/or occupied by the employees and used for official business of the Township of Lower Alloways Creek, including all areas adjacent to such facilities and within 20 feet of such areas.

PARKS AND RECREATIONAL FACILITIES - shall include, but are not limited to, all public parks, playgrounds, basketball courts, swim club, tennis courts, ice skating areas, and ball fields publicly owned or leased by the Township of Lower Alloways Creek and all property owned or leased by the Township of Lower Alloways Creek upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle and within 20 feet of such areas.

SMOKING - The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

SMOKELESS TOBACCO - All chewing tobaccos or similar type products meant to be placed and held within the mouth for a time in order to extract a flavor or juice and then expelled from the mouth.

§ 183 -2. Prohibition of Smoking in Public Places: Signs

- A. Smoking shall be prohibited in all municipal buildings as defined herein. No- Smoking signs or the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently

and conspicuously posted at each municipal building entrance and within each closed area where smoking is prohibited by this chapter. The signs shall be clearly visible to the public and shall contain letters or a symbol which contrast in color with the sign, indicating that smoking is prohibited therein. The sign shall also indicate that violators are subject to a fine.

- B. Smoking shall be prohibited within a twenty (20) foot radius of the front entrance of all municipal buildings. No-smoking signs or the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently and conspicuously posted both on the building and at the thirty-five foot perimeter of the front entrance of all municipal buildings where smoking is prohibited by this chapter. The sign shall be clearly visible to the public and shall contain letters or a symbol which contrast in color with the sign, indicating that smoking is prohibited therein. The sign shall also indicate that violators are subject to a fine.
- C. Smoking shall be prohibited in, but are not limited to, all public parks, playgrounds, basketball courts, tennis courts, ball fields, and recreation facilities owned or leased by the Township of Lower Alloways Creek and all property owned or leased by the Township of Lower Alloways Creek upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities, including, but not limited to, any parking area, driveway or drive aisle and within fifteen (15) feet of such areas, which have been designated with no-smoking signs. No-smoking signs or the international no-smoking symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a diagonal red line through its cross section) shall be clearly, sufficiently and conspicuously posted in all areas regulated by this chapter. The signs shall be clearly visible to the public and shall contain letters or a symbol which contrast in color with the sign, indicating that smoking is prohibited at the designated area. The sign shall also indicate that violators are subject to a fine.
- D. Smoking, electronic smoking devices and Smokeless Tobacco shall be prohibited in any vehicle registered to the Township of Lower Alloways Creek.

§ 183-3. Enforcement.

The enforcement authority of this chapter shall be any member of the public and the Police of the Township of Lower Alloways Creek.

§ 183 -4. Violations and Penalties

Any person who violates any provision of this chapter shall be subject to a fine of fifty dollars (\$50.00).

SECTION II

If any section or provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect immediately upon final passage and publication as provided by law.

Public Hearing on this Ordinance shall be on Tuesday April 16, 2019 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 March 19, 2019 shall be published by Title in the South Jersey Times and placed on the Township's Bulletin Board and official website giving notice of said Public Hearing as required by Law.

Introduction: MAY 19, 2019

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

OLD BUSINESS

Motion (Venable, Bradway) to advertise in the next Township Newsletter to see if any residents are interested in attending the necessary State courses to obtain an Animal Control Officer Certification.

The motion to advertise in the next Township Newsletter to see if any residents are interested in attending the necessary State courses to obtain an Animal Control Officer Certification was passed by a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

Mr. Venable stated that he would like to discuss; that the Township stopped picking up all the trash and recyclables from the local businesses. Mr. Venable stated that the Township wanted to support the local businesses and that he would not have voted for the Trash Ordinance if he knew that it stated that the Township would not collect trash or recyclables from businesses.

Motion (Venable, Bradway) to revisit the Trash Ordinance as it pertains to business collection.

The motion to revisit the Trash Ordinance as it pertains to business collection was passed by a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

NEW BUSINESS

Motion (Venable, Bradway) to introduce the 2019 Budget in the amount of Nine million, one hundred ninety eight thousand, eight hundred and fifty-seven dollars (\$ 9,198,857.00).

2019 BUDGET RESOLUTION

MUNICIPAL BUDGET OF THE TOWNSHIP OF LOWER ALLOWAYS CREEK, COUNTY OF SALEM,
FOR THE FISCAL YEAR 2019.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2019;

THE GOVERNING BODY of the Township of Lower Alloways Creek does hereby introduce the following as the Budget for the Year 2019.

Totals of Revenues and Appropriations being Nine million, one hundred ninety eight thousand, eight hundred and fifty-seven dollars (\$ 9,198,857.00).

The motion to introduce the 2019 Budget in the amount of Nine million, one hundred ninety eight thousand, eight hundred and fifty-seven dollars (\$ 9,198,857.00) was passed by a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) to approve the purchase and installation of new carpet & vinyl flooring at Leisure Arms Unit D-22 by Kennedy Flooring at a cost not to exceed \$ 2,600.00.

The motion to approve the purchase and installation of new carpet & vinyl flooring at Leisure Arms Unit D-22 by Kennedy Flooring at a cost not to exceed \$ 2,600.00 was passed by a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) to approve the Overnight travel and attendance of Kevin Clour at the Governmental Purchasing Association of New Jersey Educational Symposium, at the Tropicana in Atlantic City, on April 3-5.

The motion to approve the Overnight travel and attendance of Kevin Clour at the Governmental Purchasing Association of New Jersey Educational Symposium, at the Tropicana in Atlantic City, on April 3-5 was passed by a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

Motion (Venable, Bradway) to accept with regret, the resignation of Patricia Willis, effective February 28, 2019 from the Township Committee.

The motion to accept with regret, the resignation of Patricia Willis, effective February 28, 2019 from the Township Committee was passed by a vote of the Township Committee as follows: 4-0

Ayes: Venable, Bradway, Palombo and Pompper

Nays: none Abstain: none Absent: none

CORRESPONDENCE:

REPORTS TO THE COMMITTEE & COMMITTEE REPORTS:

Public Works:

Superintendent Fogg stated that as an addition to his monthly report he would like to add that the County worked on guard rails in Canton and have & will be doing some minor cleaning of ditches.

Mayor Pompper asked about the progress by the County regarding the road and water problems along Jericho Road. Superintendent Fogg stated that he spoke with the County today and that they are continuing to patch the road and looking at the water issue and will do more when the weather breaks.

Police Department:

Chief Venable stated that the new Part time Officer is doing well on patrol and in training.

Chief Venable stated that the Department is on the lookout for new hires for Part Time Officers, as they do tend to leave when full time employment becomes available elsewhere.

Fire Department:

Chief Fisher stated that the Muskrat Dinner will be March 30th, which was postponed from February.

Mayor and Committee Members

There was no further comments by the Committee

PUBLIC COMMENT:

Mr. Brad Serfass (Brad's Pizza & Sub) read a prepared statement regarding the trash and recycling services which have been changed for 2019, from a dumpster to no dumpster and no trash or recycling pickup for businesses. Mr. Serfass stated that after receiving the letter from the Township stating this, he called members of the Committee to find out why this was happening and what could be done about it. Mr. Serfass stated as a temporary fix he was given two trash containers and two recycling containers. Mr. Serfass stated that the trash containers are sufficient for his trash, but the two recycling containers are not and that he needs 5 or 6 if picked up every other week. Mr. Serfass stated he planned to attend previous meetings but was sick and received a second letter stating that the Township Committee had decided to only supply businesses with the one Trash and One Recycling Can.

Mr. Serfass stated that he reached out to the Mayor, who stated that the decision was unanimous and did not need to be reconsidered. Mr. Serfass stated that he did not have a truck to take these items to the Township's Convenience Center and that other means would be cost prohibited to him. Mr. Serfass stated that he was proud to have a business in LAC Twp and asked that the Committee reconsider this decision.

Mayor Pompper read a letter from the local Republican Organization submitting three names to the Township Committee for consideration to fill the unexpired Township Committeeperson's term, which was vacated by Mrs. Willis's resignation.

Motion (Pompper, Palombo) to appoint Paul M. Collier to the Township Committee to fill the unexpired Township Committeeperson's term, which will end December 31, 2019.

The motion to appoint Paul M. Collier to the Township Committee to fill the unexpired Township Committeeperson's term, which will end December 31, 2019 was passed by a vote of the Township Committee as follows: 4-0

Ayes: Pompper, Palombo, Bradway and Venable

Nays: none Abstain: none Absent: none

Mayor Pompper swore in Mr. Collier by administering the Oath of Office.

ADJOURNMENT

Motion (Venable, Bradway) to adjourn the meeting at 8:00 p.m.

The motion to adjourn the meeting passed unanimously.

Minutes of the March 19, 2018 Meeting were approved at a Township Committee Meeting held April 16, 2019

ATTEST:

LOWER ALLOWAYS CREEK TOWNSHIP

Ronald L Campbell Sr. Clerk

Mayor, Ellen B. Pompper