

The Regular Meeting of the Alloway Township Committee of the Township of Alloway, County of Salem was held at 7:00 p.m. in the Municipal/Senior Citizen Building in accordance with the Annual Notice adopted January 2, 2018, advertised in the South Jersey Times and the Elmer Times, posted in the Alloway Township Post Office and the Municipal Clerks Foyer in compliance with Public Law 1975, Chapter 231.

The meeting was called to order by Mayor K. Myrle Patrick, followed by the flag salute.

Reverend Jim Whitt of Ranch Hope opened the meeting in prayer.

Roll Call - Present: Morgan, Reilly, Patrick

Absent:

Municipal Clerk, Charlet Cheeseman was also in attendance and Lt. Chris Quirk was in the audience.

MINUTES

Minutes of the following meetings were reviewed by the Committee. Motion was made by Reilly, seconded by Morgan, to dispense with the reading of and approve the minutes.

September 17, 2018 - Finance

September 20, 2018 - Regular

Vote: All in favor

BILLS

On motion by Reilly, seconded by Morgan, the attached bill list was approved by the Finance Committee on October 15, 2018 and was ordered paid.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

PUBLIC SESSION

Mayor Patrick asked for a motion to open public session and anyone wishing to speak, should stand, approach the microphone, state their name and where they reside, and briefly in five (5) minutes or less state your comments to the Township Committee.

On motion by Reilly, seconded by Morgan, public session was opened.

Vote: All in favor

Mayor Patrick seeing no one wishing to speak asked for a motion to close the public session.

On motion by Reilly, seconded by Morgan, public session was closed.

Vote: All in favor

RESOLUTION NO. 18-89 ADOPTING ADMENDMENT TO PERSONNEL POLICIES AND PROCEDURES MANUAL/HANDBOOK

Resolution No. 18-89, adopting amendment to Personnel Policies and Procedures Manual/Handbook pursuant to receipt of Bulletin from MEL Fund Attorney, Section Five, Open Public Meeting Act Procedure – Personnel Matters was adopted on motion by Reilly, seconded by Morgan.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

RESOLUTION NO. 18-90 AUTHORIZING A CONTRACT AWARD TO ATLANTIC SALT COMPANY, INC. FOR FURNISHING AND DELIVERING ROCK SALT THROUGH THE COUNTY OF SALEM AS A MEMBER OF THE SALEM COUNTY COOPERATIVE PRICING SYSTEM IDENTIFIER NUMBER 75-SCCP

Resolution No. 18-90, authorizing a contract award to Atlantic Salt Company, Inc. for furnishing and delivering rock salt through the County of Salem as a member of the Salem County Cooperative Pricing System Identifier Number 75-SCCP was adopted on motion by Reilly, seconded by Morgan.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

RESOLUTION NO. 18-91 ACCEPT THE RESIGNATION OF FIRE OFFICIAL, JOHN R TURNER JR.

Resolution No. 18-91, accepting the resignation of Fire Official John R Turner Jr was adopted on motion by Reilly, seconded by Morgan.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

RESOLUTION NO. 18-92 AUTHORIZING TRANSFER OF TAX SALE CERTIFICATE PREMIUM TO CURRENT ACCOUNT DUE TO FORECLOSURE

Resolution No. 18-92, authorizing transfer of tax sale certificate premium to current account due to foreclosure was adopted on motion by Reilly, seconded by Morgan.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

RESOLUTION NO. 18-93 AUTHORIZING APPROVAL OF CHANGE ORDER NO 1 TO GERALD A BARRETT LLC FOR THE RESURFACING OF PIERSON ROAD-SECTION II

Resolution No. 18-93, authorizing approval of Change Order No 1 to Gerald A Barrett LLC for the Resurfacing of Pierson Road-Section II was adopted on motion by Reilly, seconded by Morgan.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes. Motion carried

RESOLUTION NO. 18-94 ALLOWAY TOWNSHIP COMMITTEE FORMALLY REQUESTS THE COUNTY OF SALEM TO PLACE MARKED CROSSWALKS WITH STRIPES OF WHITE PAINT ON VARIOUS COUNTY OWNED ROADS LOCATED WITHIN THE TOWNSHIP OF ALLOWAY

Resolution No 18-94, Whereby the Alloway Township Committee Formally Requests the County of Salem to place marked crosswalks with stripes of white paint on various County owned roads located within the Township of Alloway was adopted on motion by Reilly, seconded by Morgan.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes. Motion carried

DISCUSSION – CANNABIS LEGISLATION

Mayor Patrick stated that the State of New Jersey is considering allowing Medical and Recreational Marijuana use, discussion ensued with the Township Committee Members to decide on the best direction for Alloway Township and at this time the Township Committee is not in favor of this Bill.

DISCUSSION – SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF ALLOWAY AND THE CITY OF BRIDGETON FOR A FIRE OFFICAL (UNIFORM FIRE SAFETY OFFICIAL)

With the resignation from John R Turner Jr, the Committee discussed entering a Shared Service Agreement with the City of Bridgeton, and feel this is the best option for the Township. Captain Michael Brent Hitchner was in the audience to answer questions.

RESOLUTION NO. 18-95 AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF ALLOWAY AND THE CITY OF BRIDGETON FOR FIRE PREVENTION SERVICES

Resolution No. 18-95, authorizing the execution of a shared services agreement between the Township of Alloway and the City of Bridgeton for Fire Prevention Services was adopted on motion by Reilly, seconded by Morgan.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

ALLOWAY LAKE WATER LOWERING PERMIT APPLICATION

On motion by Reilly, seconded by Morgan, authorization was granted for submission of Application for Water Lowering Permit for Alloway Lake from April 7, 2019 to April 20, 2019 to N.J. Division of Fish and Wildlife, as recommended by the Board of Recreation Commissioners. Vote: All in favor

PERMISSION FOR HELICOPTER LANDING AT CAMP ROOSEVELT

On motion by Reilly, seconded by Morgan, authorization of Mayor sending letter of permission for a MidAtlantic MedEvac Helicopter to land at Camp Roosevelt on 10/20/18 between 10:00 a.m. and 2:00 p.m. for the Garden State Council of Boy Scouts of America Camporee was confirmed and Emergency Management Officer and Ambulance Squad Captain were advised.

Vote: All in favor

PUBLIC HEARING AND FINAL ADOPTION

ORDINANCE NO. 506 AMENDING CHAPTER 87 ENTITLED
"PEDDLING AND SOLICITING"

Ordinance No. 506 was called up for second reading, an ordinance entitled:

AMENDING CHAPTER 87 ENTITLED "PEDDLING AND SOLICITING"

Publication of summary of Ordinance No. 506, as required had been made. On motion by Reilly, seconded by Morgan, the public hearing on Ordinance No. 506 was opened and the Clerk directed to read the ordinance by title on second reading. The Clerk read the ordinance by title. Mayor Patrick announced that all interested parties would now be given opportunity to be heard on this ordinance.

There being no further questions or comments from the public, on motion by Reilly, seconded by Morgan, the public hearing was closed.

Reilly moved to adopt Ordinance No. 506 on second and final reading. Morgan seconded the motion.

Roll call vote: Morgan-yes, Reilly-yes, Patrick-yes Motion carried

INTRODUCTION: ORDINANCE NO. 507

ESTABLISHING A CODE FOR THE TOWNSHIP OF ALLOWAY ENTITLED
"NOISE CONTROL"

On motion by Reilly, seconded by Morgan, Ordinance No. 507 (copy attached) was introduced and given its first reading. On motion by Reilly, seconded by Morgan, the public hearing on the ordinance will be held November 15, 2018 at 7:00 p.m. and the Clerk was directed to publish the ordinance summary with notice of hearing.

Roll call vote: Morgan – yes, Reilly – yes, Patrick – yes Motion carried

INTRODUCTION: ORDINANCE NO. 508

AMENDING ALLOWAY TOWNSHIP CODE CHAPTER 106 ENTITLED "TRAILERS" TO
INCLUDE REQUIREMENTS FOR TEMPORARY HOUSING TRAILERS

On motion by Reilly, seconded by Morgan, Ordinance No. 508 (copy attached) was introduced and given its first reading. On motion by Reilly, seconded by Morgan, the public hearing on the ordinance will be held November 15, 2018 at 7:00 p.m. and the Clerk was directed to publish the ordinance summary with notice of hearing.

Roll call vote: Morgan – yes, Reilly – yes, Patrick – yes Motion carried

CORRESPONDENCE

- < 2018 JIF Member Visitation Program Update
- < Letter and Quote from Fralinger Engineering to Correct Drainage Issues at Cobbs Mill Estates
Re: Engineer Suggest Township Contact Developer
- < Notification Letter Received Via Email from NJDEP to Mayor Patrick and Joseph Mahar, Chairman of the Environmental Commission
Re: Seeking Public Comment for an Air Pollution Control Operating Permit for the Salem County Solid Waste Facility
- < NJ League of Municipalities
Re: League Proposing a 2% Dues Increase for CY 2019
- < Recycle Coach Activity Report for September 2018
- < Thank You Note from a Resident to the Public Works Department
- < Notification Received from Atlantic City Electric Company
Re: Rebuilding of the Existing Right of Way 116 Salem-Woodstown Transmission Line
(Project to Commence October 8, 2018 and be Completed on or About May 31, 2019)
- < Notification Received Via Email from TRICO JIF Representative
Re: Deadlines for Encumbering the Balance of Funds Available Through the 2017 Wellness and Safety Budget Programs

COMMITTEE REPORTS

Committeeman Morgan reported as follows:

- Steering Committee: will have its Annual Christmas Lights Contest, judging will be on 12/6/18 at 7pm. The winners will be announced at the Christmas Tree Lighting Ceremony on 12/13/18 at 7:00 p.m. in front of the Municipal Building. Christmas Tree Ornaments are being collected to decorate the two trees on the front lawn of the Municipal Building. The Steering Committee also received a foot switch for the lighting of the trees.

-Environmental Committee: talked about evasive species, the lantern fly, which has been found in both Gloucester and Camden Counties. Clean Air Permit at the County Landfill, the Public may put into writing to the DEP any information or concerns that they may have. The Committee is working on Block 18 with the Environmental Resource Inventory.

-Public Works: Received data from the speed radar sign and sent over to Lt. Quirk from the Woodstown NJ State Police Barracks.

Deputy Mayor Reilly reported as follows:

- Planning Board: meeting was cancelled due to no business.

- Board of Recreation Commissioners: discussed lowering the lake in 2019 and the continuing progress of the work being done at the lake access. Currently working on getting pricing for gutters and seating before the spring. After the spring, they will get pricing on handicap parking and a handicap port-a-pot.

MAYOR'S REPORT

Mayor Patrick reported as follows:

- He attended a Safety meeting on September 26, 2018 where they discussed the dock at the lake access, as it has some loose boards and whether to keep it or get rid of it. Discussed the speed bumps and the speed signs.

- In response to the Township Committee's letter sent to the School regarding the youth walking down the Post Office side when they left School; the School will hold Safety meetings to make sure the children understand the safety of walking on the sidewalks.

- Key Communicators Group: attended a meeting at the School where the Group will work with the Township on getting positive promotion from the School out to the Community. That important news will be posted onto the Township's website as well. The Mayor received an email from the School that there is grey mold in 4 classrooms within the School. The School is working on getting the rooms professionally cleaned and certified and have moved the children into other rooms. Grey mold is not a health hazard but the children were removed from these classrooms. They also discussed the traffic flow in front of the School, and possibly having Cedar Street as a One-Way Street (from the corner of School Lane towards the direction of Waterworks Road). It is a good safety measure, keeping everybody going in the same direction.

ANNOUNCEMENTS

Mayor Patrick made the following announcements:

- < Saturday, October 20, 2018: Household Hazardous Waste Day @ S.C.I.A
Beginning at 8am – 12 Noon (*Last one for 2018*)
- < Saturday, October 27, 2018: Annual Halloween Parade @ 7:00pm
(*Rain Date: Sunday, October 28, 2018 @ 6:00pm*)
- < Wednesday, October 31, 2018: Halloween Day – No official time set for Trick or
Treating, however, for the safety of the residents, the Village section of town will be lit
between 6:00pm – 8:00pm
- < Sunday, November 11, 2018: Annual Veterans Day Ceremony @ 11:00am in the
Auditorium of the Municipal Building – Room 204
- < Monday, November 12, 2018: Municipal Building will be Closed (Veterans Day)

ADJOURNMENT

There being no further business to come before the Committee, on motion by Reilly,
seconded by Morgan, meeting was adjourned at 7:22 p.m.

Vote: All in favor

The Committee thanked the public for attending.

Respectfully submitted,

Charlet Cheeseman, Municipal Clerk

Range of Checking Accts: First to Last Range of Check Dates: 09/21/18 to 10/18/18
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CAPITAL					
10437	10/18/18	C0241 CHERRY VALLEY TRACTOR	10,140.00		1084
10438	10/18/18	G0131 GERALD BARRETT, LLC	2,344.16		1084

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	12,484.16	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	12,484.16	0.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT					
20613	10/18/18	A0176 ALLOWAY TOWNSHIP BOE	350,204.00		1081
20614	10/18/18	B0038 BARBER CONSULTING SERVICES	125.00		1081
20615	10/18/18	C0376 COMCAST CABLE(PUBLIC WORKS)	83.76		1081
20616	10/18/18	C0378 COMCAST CABLE (AMBULANCE)	95.89		1081
20617	10/18/18	C0411 ATLANTIC CITY ELECTRIC	4,021.46		1081
20618	10/18/18	C0412 CONSTELLATION ENERGY, INC.	274.13		1081
20619	10/18/18	C0531 CROUCH & COMPANY	195.00		1081
20620	10/18/18	C489 Charlet Cheeseman	52.54		1081
20621	10/18/18	D0416 DOVETAIL PRESENTATIONS	350.00		1081
20622	10/18/18	E0250 ENGLISH SEWAGE DISPOSAL	110.00		1081
20623	10/18/18	E326 EUROFINS QC, INC. DEPT #2598	397.00		1081
20624	10/18/18	F0200 FRALINGER ENGINEERING PA	1,298.25		1081
20625	10/18/18	G0091 GENERAL CODE PUBLISHERS CORP	995.00		1081
20626	10/18/18	H0046 HORIZON BCBS OF NJ	3,361.43		1081
20627	10/18/18	J0125 JAYNE'S SIGNWORK	290.00		1081
20628	10/18/18	M0031 MICHAEL P. ALBANO, ESQUIRE	180.00		1081
20629	10/18/18	M0234 MELVIN REMSTER	85.00		1081
20630	10/18/18	M0271 MGL PRINTING SOLUTIONS	40.00		1081
20631	10/18/18	N0247 SPRINT	158.41		1081
20632	10/18/18	N0262 NIKI A. TRUNK	402.50		1081
20633	10/18/18	N0277 NJ DEPT OF HEALTH & SENIOR SER	150.00		1081
20634	10/18/18	N0364 NJDFW	2.00		1081
20635	10/18/18	NJ021005 NJ ADVANCE MEDIA	65.90		1081
20636	10/18/18	O0040 OMNI RECYCLING LLC	567.82		1081
20637	10/18/18	P0160 PENNCARE	60.00		1081
20638	10/18/18	R0116 RED OAK DISPOSAL SERVICE	2,901.00		1081
20639	10/18/18	R0165 RIGGINS OIL INC	951.83		1081
20640	10/18/18	S0059 SALEM CO CLERKS & TREAS ASSN	10.00		1081
20641	10/18/18	S0086 SCIA/SWD	5,304.39		1081
20642	10/18/18	S0125 SALEM COUNTY TREASURER	14,663.45		1081
20643	10/18/18	S0126 SALEM COUNTY TREASURER	865,931.90		1081
20644	10/18/18	S0181 SAUL'S LAWNMOWER CENTER	51.00		1081
20645	10/18/18	S0370 I S SMICK LUMBER	207.07		1081
20646	10/18/18	S0405 SOUTH JERSEY AGRICULTURAL	150.00		1081
20647	10/18/18	S0515 GENERAL CHEMICAL & SUPPLY	326.02		1081
20648	10/18/18	S0523 STAPLES ADVANTAGE	246.12		1081
20649	10/18/18	S0658 SUZANNE PIERCE	20.00		1081
20650	10/18/18	T0269 TREASURER STATE OF NEW JERSEY	500.00		1081
20651	10/18/18	T0276 TRI COUNTY TERMITE & PEST	225.00		1081
20652	10/18/18	W0170 WILLIAMS AUTO PARTS	1,015.28		1081
20653	10/18/18	X0300 XTe1 COMMUNICATIONS, INC	1,057.43		1081

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT					
Continued					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	41	0	1,257,125.58	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	41	0	1,257,125.58	0.00
DOG TRUST FUND					
1553	10/18/18	C0670 CUMBERLAND COUNTY SPCA	1,110.00		1083
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	1,110.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	1,110.00	0.00
ESCROW					
1761	10/18/18	M0031 MICHAEL P. ALBANO, ESQUIRE	738.00		1085
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	738.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	738.00	0.00
SEWER SEWER FUND					
2598	10/18/18	A0130 AQSEPTENCE GROUP, INC.	3,205.24		1082
2599	10/18/18	C0411 ATLANTIC CITY ELECTRIC	1,513.91		1082
2600	10/18/18	00050 ONE CALL CONCEPTS, INC.	7.50		1082
2601	10/18/18	Q0001 QUINTON TOWNSHIP	17,816.44		1082
2602	10/18/18	S0050 SALEM CITY WATER AND SEWER	7,425.60		1082
2603	10/18/18	S0370 I S SMICK LUMBER	21.38		1082
2604	10/18/18	S0571 STEVEN FOSTER LLC	728.88		1082
2605	10/18/18	W0170 WILLIAMS AUTO PARTS	28.09		1082
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	8	0	30,747.04	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	8	0	30,747.04	0.00
Report Totals					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	53	0	1,302,204.78	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	53	0	1,302,204.78	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	7-07	3,287.01	0.00	0.00	3,287.01
CURRENT FUND	8-01	1,256,775.58	0.00	0.00	1,256,775.58
	8-07	27,460.03	0.00	0.00	27,460.03
DOG TRUST FUND	8-14	<u>1,110.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1,110.00</u>
	Year Total:	1,285,345.61	0.00	0.00	1,285,345.61
CAPITAL FUND	C-04	12,484.16	0.00	0.00	12,484.16
PLANNING BOARD ESCROW	E-13	738.00	0.00	0.00	738.00
STATE AND FEDERAL GRANT BUDGET	G-02	350.00	0.00	0.00	350.00
Total of All Funds:		<u>1,302,204.78</u>	<u>0.00</u>	<u>0.00</u>	<u>1,302,204.78</u>

**ALLOWAY TOWNSHIP
ORDINANCE NO. 507**

**AN ORDINANCE ESTABLISHING A CODE FOR THE TOWNSHIP OF
ALLOWAY ENTITLED "NOISE CONTROL"**

WHEREAS, the Township of Alloway (the "Township") suffers from certain noise problems; and

WHEREAS, the Township requires a detailed ordinance to assist in combating the ongoing noise problems; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Alloway, County of Salem, and the State of New Jersey that Chapter xxx of the Code of the Township of Alloway, entitled "Noise Control" shall be added to the code as follows:

1. Section xxx-1 of the Code of the Township of Alloway shall be entitled "Noise Prohibitions" and adopted as follows:

1. No person shall make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

2. No person shall allow a person on premises or within a structure under his or her control, as an owner or lessee, to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

2. Section xxx-2, shall be entitled "Examples" and shall be adopted as follows:

A. Without intending to limit the generality of numbers Section xxx-1, the following acts are hereby declared to be examples of loud, disturbing and unnecessary noise in violation of this chapter:

(1) Electronic devices, instruments, or sound machines or devices.

(a) The playing, use, or operation of any electronic device, radio receiving set, television, musical instrument, or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners; or

(b) The operation of such a set, instrument, phonograph, machine or device so that it is clearly audible across real property boundaries or through partitions common to two parties within a building or clearly audible at 50 feet from such device when operated within a motor vehicle parked on a public right-of-way or on a public space or within a boat.

(2) Yelling; shouting. Yelling, shouting, hooting, whistling or singing on the public streets which annoys or disturbs the quiet, comfort or repose of persons in any office, dwelling, hotel or other type of residence or of any persons in the vicinity.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 507**

(3) Animals; birds. The keeping of animals or birds which, by causing frequent or long continued noise, disturbs the comfort or repose of any person in the vicinity.

(4) Horns. The sounding of a horn or warning device on an automobile, motorcycle, bus, or other vehicle except when required by law or when necessary to give timely warning of the approach of the vehicle or as a warning of impending danger to persons driving other vehicles or to persons on the street. No person shall sound a horn or warning device on an automobile, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound or for an unnecessary or unreasonable period of time.

(5) Exhaust. The discharge into the open air of the exhaust of an engine, stationary internal combustion engine, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises. In addition, the modification of an exhaust system in a motor vehicle in a manner which will amplify or increase the noise emitted by such vehicle above that by the exhaust system originally installed on the vehicle.

(6) Defect in vehicle or load. The use of an automobile, motorcycle, or vehicle so out of repair or so loaded that it creates loud and unnecessary grating, grinding, rattling or other noise.

(7) Construction or repair. The carrying on of any excavation, demolition, construction, repair or alteration work other than between the hours of 7:30 a.m. and 6:00 p.m., or one half hour after sunset, whichever is earlier, on Monday through Friday and between the hours of 9:00 a.m. and 12:00 noon on Saturday. Property owners and tenants may carry on construction, repairs or alteration work on property they own or lease on Saturday and Sunday between the hours of 9:00 a.m. and 5:00. Commercial activities relating to excavation, demolition, construction, repairs, or alteration work are prohibited on Sunday, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and New Year's Day. In case of urgent necessity or in the interest of public health or safety, the Construction Official may grant a permit for excavation, demolition, construction, repair, or alteration for a period not to exceed three days for work to be carried on over a twenty-four-hour basis.

(8) Schools; courts; churches; hospitals. The creation of excessive noise on a street adjacent to a school, institution of learning, church, or court while in use or adjacent to a hospital which unreasonably interferes with the working of the institution or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in such a street indicating that it is a school, hospital, or court street.

(9) Public use of sound-creating devices. The operation of any form of a sound-creating device, vocal or instrumental, human or mechanical or otherwise on the sidewalks, streets and highways or other public places of the Township, for or without profit, for the purpose of attracting the attention of the public to and the advertisement of any business, sport, exhibition, entertainment, spectacle, undertaking, happening, occasion and any other event or the operation in any building or on any premises or on any public street of the Township any audio device or mechanical musical instrument or device of any kind whereby the sound is cast directly or indirectly upon any public street or place and where such device is maintained and operated for advertising purposes or for the purpose of attracting the attention of the passing public or which is so placed and operated that the sounds coming therefrom can be heard to the annoyance or inconvenience of persons upon any street or public place or in neighboring premises, provided

**ALLOWAY TOWNSHIP
ORDINANCE NO. 507**

that the inhibition herein contained shall not be applicable to any parade for which a permit has been issued.

(10) Motor Vehicles and Motor Cycles

(a) Unreasonable noise disturbances made, continued, or caused to be made by the operation of a motor vehicle or motorcycle.

(b) Repairing, rebuilding, modifying, or testing any motor vehicle or motorcycle in such a manner as to cause a noise disturbance.

(c) Operating or causing to be operated a public or private motor vehicle or motorcycle on a public right-of-way at any time in such a manner that the sound level emitted by the motor vehicle or motorcycle exceeds the level set forth in Table I:

Table 1

Motor Vehicle and Motorcycle Sound Limits

(Measured at 15 feet)

Sound Level

(DBA)

Vehicle Class	Speed Limit	Speed Limit
	35 mph or less	over 35 mph
Any motorcycle	82	86
Any Motor Vehicle	76	82

(d) The operation of any motor vehicle or motorcycle not equipped with a muffler or sound-dissipative device in good working order and in constant operation.

(11) Engine Braking. The use or operation, at any time and on any road within the Township of Alloway, any mechanical exhaust or decompression device also known as "Engine Braking". "Engine braking," as used herein, shall mean the use or operation of any mechanical exhaust device designed to aid in the braking, decompression or deceleration of any motor vehicle which results in loud or unusual noise from such vehicle and shall include engine compression brakes. The provisions herein regarding Engine Braking shall not apply where conventional vehicle brakes have failed resulting in an emergency making necessary the use of engine braking, or by emergency equipment being used for emergency purposes.

B. The above enumeration is intended to give typical illustrations of prohibited noise and shall not be construed as exclusive.

3. Section xxx-3 shall be entitled "Exceptions" and be adopted as follows:

Nothing herein contained in Section xxx-1 and xxx-2 shall be construed to apply to:

(1). The reasonable use of bells, chimes, or sound amplifiers by churches engaged in church activities, subject to the permission of the Mayor and Committee.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 507**

- (2) Activities of municipal departments in the performance of their duties, drills, or public demonstrations.
- (3) Activities in public parks, playgrounds, or public buildings under permission or authority of municipal officials.
- (4) The playing by a band or orchestra in a hall or building or in the open air, where duly authorized.
- (5) School band practice.
- (6) School and Township sponsored sporting events.
- (7) Township approved parades and/or similar celebrations or events
- (8) Noise from domestic power tools and lawn mowers when operated with a muffler between the hours of 8:00 a.m. and 8:00 p.m.
- (9) Noise from construction activity, provided all motorized equipment used in such activity is equipped with functioning mufflers.
- (10) Noise from snowblowers, snow throwers, and snowplows when operated with a muffler for the purpose of snow removal.
- (11) Noise from stationary emergency signaling devices that conform with the provisions of N.J.A.C. 7:29.
- (12) Noise from an exterior burglar alarm of any building or motor vehicle, provided such burglar alarm shall terminate its operation within 30 minutes after it has been activated.
- (13) Noise from agricultural equipment.
- (14) The emission of sound for the purpose of alerting persons to the existence of an emergency.
- (15) The emission of sound in situations within the jurisdiction of the Federal Occupational Safety and Health Act.

4. Section xxx-4 shall be entitled "Enforcement, Violations and Penalties" and shall be adopted as follows:

A. Issuance of Summons. Violation of any provision of this article shall be cause for a summons to be issued by police according to procedures set forth in the Township of Alloway.

B. Abatement orders.

(1) In lieu of issuing a summons, a police officer may issue an order requiring abatement of any source of sound alleged to be in violation of this article within a reasonable time period according to guidelines which the police officer may prescribe. Noncompliance with an abatement order will result in a summons being issued.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 507**

- (2) An abatement order shall not be issued:
- (a) If any person willfully or knowingly violates any provisions of this article; or
 - (b) If the police officer has reason to believe that there will not be compliance with the abatement order.

C. Penalties.

(1) Any person who violates any provision of this article shall be subject to a penalty, for each offense, of not less than \$100 nor more than \$2,000, except as provided in Subsection C(2).

(2) Any person who is convicted of violating this ordinance within one year of the date of a previous violation of this ordinance and who was fined for the previous violation, shall be sentenced by the court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.

4. Section xxx-5 shall be inserted and entitled "Other remedies" and shall state the following:

No provision of this article shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this article or from other law.

THIS ORDINANCE shall take effect according to law. All other Ordinances or part of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

ATTEST:

TOWNSHIP OF ALLOWAY

Charlet Cheeseman, Municipal Clerk

K. Myrle Patrick, Mayor

NOTICE

NOTICE is hereby given that the foregoing ordinance was introduced and passed on first reading at the Regular Meeting of the Township Committee of the Township of Alloway, in the County of Salem and State of New Jersey on the 18th day of October, 2018 and will be considered for final passage and adoption at a Regular Meeting to be held on the 15th day of November, 2018 at 7:00 p.m. at the Alloway Township Municipal Building, 49 South Greenwich Street, Alloway, NJ, at which time any person interested therein will be given an opportunity to be heard.

Charlet Cheeseman, RMC, Municipal Clerk

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

**AN ORDINANCE AMENDING ALLOWAY TOWNSHIP CODE CHAPTER 106 ENTITLED
"TRAILERS" TO INCLUDE REQUIREMENTS FOR TEMPORARY HOUSING TRAILERS**

WHEREAS, the Township Committee of the Township of Alloway recognizes the need for temporary residential accommodations for Alloway Township residents whose homes are rendered uninhabitable by fire or other damage; and

WHEREAS, the Alloway Township Committee wishes to enact licensing requirements to allow temporary housing trailers as defined herein to be used for such purposes without land use or development approvals pursuant to Alloway Township Code Chapter 106, and to ensure the removal of temporary housing trailers without cost to the Township; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of Alloway, in the County of Salem and State of New Jersey, that Chapter 106 of the Code of the Township of Alloway entitled "Trailers" is hereby amended as follows:

1. Section 106-1. Definitions of Chapter 106 of the Alloway Township Code is hereby repealed and replaced with the following new Section 106-1:

As used in this chapter, the following terms shall have the meanings indicated:

DAMAGE: An occurrence, such as a fire, that renders a dwelling unit uninhabitable under applicable laws.

DWELLING: A single-family dwelling or multi-family dwelling that, when damaged, is occupied lawfully for residential purposes. The word "dwelling" shall not include boarding or rooming houses, hotels, motels or other structures designed or used for transient purposes.

DWELLING, MULTIPLE-FAMILY: A dwelling containing two or more dwelling units that, when damaged, is lawfully occupied as a residence by no more than one household per dwelling unit.

DWELLING, SINGLE-FAMILY: A dwelling containing or constituting one dwelling unit, when damaged, is lawfully occupied as a residence by no more than one household.

DWELLING UNIT: A room or connected rooms within a dwelling forming a self-contained area within that dwelling and adapted to provide permanent living

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

accommodations for a household independent of other households in other dwelling units, including the availability of heat, electricity, water, and necessary equipment for the culinary and sanitary requirements of the occupying household.

HEAD OF HOUSEHOLD: An owner or tenant who lawfully resides with other persons in a dwelling unit at the time the dwelling unit is damaged; who resides or intends to reside with such other persons in a temporary housing trailer; and who is authorized by law or otherwise to make representations to third parties, including Alloway Township, on behalf of such other persons.

HOUSEHOLD: The owner or tenant and other persons who lawfully reside together in a dwelling unit at the time the dwelling unit is damaged.

LOT: A designated parcel, tract, or area of land established by a plat, or otherwise as permitted by law, which is the site of a lawfully existing dwelling that has been damaged.

TEMPORARY HOUSING TRAILER: A single-section structure built on a permanent chassis having wheels (including a "trailer" as defined in this article), and which is (A) transportable on municipal, county, and state roads without escort; (B) has dimensions of no more than 12 feet wide, no more than 13 feet high (measured from tire tread on roadway surface), and no more than 48 feet long; (C) is designed to be used as a permanent or temporary dwelling unit when connected to required utilities; (D) includes built-in plumbing, electrical, and heating systems; and (E) is placed on a temporary foundation on a lot where a dwelling has been damaged for the purpose of serving as a temporary dwelling unit for the household that, because of the damage, cannot occupy the damaged dwelling, until such time as the damaged dwelling is repaired or reconstructed for lawful occupancy, or until such time as such repair or reconstruction is reasonably expected to have occurred.

TRAILER: A recreational vehicle, travel trailer, camper, or other transportable, temporary dwelling unit, with or without its own motor power, designed and constructed for travel and recreational purposes.

2. Section 106-4. Permitted temporary uses of Chapter 106 of the Alloway Township Code is hereby repealed and replaced with the following new Section 106-4:

A trailer shall be permitted to be used temporarily in the following circumstances only:

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

- A. A trailer used as a licensed recreational vehicle may be stored upon a residential lot, provided that the positioning, size, and location of that trailer does not cause the trailer, independently of or in conjunction with the residence upon such premises, to be in violation of any Zoning Ordinance provision pertaining to lot coverage or front, rear, or side line setback.
- B. A trailer may be allowed upon a site whereon there is active construction of a nonresidential building, provided that such trailer shall be used only in connection with such building and shall not remain upon the premises for longer than two weeks past the completion of said building.
- C. A trailer may be allowed upon a residential lot where there is active construction of a residential building, provided that such trailer shall only be used as the sole temporary dwelling unit when the pre-existing residential building has been damaged as defined in this Chapter. Trailers permitted to be used for such purpose shall not be required to meet the requirements of Zoning Ordinances of the Township of Alloway.
- D. A trailer shall be permitted to be used for a period of no longer than one week in connection with a commercial sale being undertaken by a commercial enterprise, provided that such trailer is located upon the premises of such commercial enterprise operating the sale. This provision, however, shall not be used by a single commercial enterprise more frequently than three times per calendar year. In order to employ this exception, such commercial enterprise wishing permission to locate the trailer shall make application to the Township Clerk, giving the size of such trailer, the time during which such trailer shall be employed, the capacity amount of persons allowed to be in the trailer at any one time and such other facts as shall be needed to ascertain whether the use and location of such trailer will not offend the public good and welfare of the Township of Alloway. The Township Clerk shall not deny a license unless the public good and welfare of the Township of Alloway shall be violated. In making such judgment, he may request reports from the Director of Public Safety and the fire commissioners of the district within which the trailer is planned to be located. The fee for said license shall be \$25.
- E. A trailer or trailers may be allowed upon premises when the said trailer is part of the equipment of any person, persons, corporation, or partnership that is in the business of constructing residential and nonresidential buildings, provided that the use of the premises meets the requirements of the Zoning Ordinance of the Township of Alloway and that the said trailer is not used for storing materials.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

3. Section 106-5 “Nonapplicability of provisions” of Chapter 106 of the Alloway Township Code is hereby re-numbered as Section 106-7.
4. Section 106-6 “Violations and penalties” of Chapter 106 of the Alloway Township Code is hereby re-numbered as Section 106-8.
5. Section 106-5 “Nonapplicability of provisions” of Chapter 106 of the Alloway Township Code is hereby repealed and replaced with the following new Section 106-5 entitled “Temporary Housing Trailer Requirements”:

The owner of a structure or trailer that is intended to serve as a temporary housing trailer as defined in this article may apply for a license by submitting the following information to the Alloway Township Clerk for review by the Alloway Township Committee.

- A. A copy of the current deed of record and additional documentation as necessary to confirm the name(s) and current address(es) of the owner(s) of the lot at which the damaged dwelling is located.
- B. A written statement from the Alloway Township Housing Officer confirming that the dwelling unit for which temporary housing trailer(s) is/are being issued as temporary dwelling unit(s) has, in fact, been damaged as defined in this article.
- C. A written statement signed by the head of household setting forth the names and ages of the household members who intend to occupy the proposed temporary housing trailer(s).
- D. Copies of the vehicle title(s) or other documents confirming the name(s) and current address(es) of the owner(s) of the proposed temporary housing trailer(s).
- E. Documentation confirming that the proposed temporary housing trailer(s) conform to all physical, structural functional, and design requirements as defined in this article, including explanations or depictions of where and how water, sewage disposal, electricity, and any other utilities or services will be provided, and also confirming that only easily-removable access steps or stairs and temporary foundations will be provided for the temporary housing trailer(s), and that no other appurtenances such as skirting, porches, or patios will connect to or adjoin the temporary housing trailer(s).
- F. If more than one temporary housing trailer is being proposed, a written statement by the owner(s) of the temporary housing trailer(s) or the head of household explaining why more than one temporary housing trailer is necessary.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

- G. A plan or drawing depicting: all property boundaries of the lot; all existing structures on the lot; any structures on adjacent lots within 10 feet of shared boundary lines; and the intended location(s) of the proposed temporary housing trailer(s).
 - H. A written statement from a qualified person, such as the contractor who will accomplish or oversee the repair or reconstruction of the damaged dwelling, or an authorized representative of the insurance company that insured the damaged dwelling at the time of the damage, providing a reasonable estimate of the time required for the damaged dwelling to be repaired or reconstructed.
 - I. Written statements, signed by the owner(s) of the lot, the head of household, and the owners(s) of the temporary housing trailer, all acknowledging that they have read and understand this Chapter and that they understand and agree that if the license is granted, the temporary housing trailer(s) will be permitted only at the specified location(s) within the lot, and only for the duration of the license, that the temporary housing trailer(s) must be removed from the lot upon the expiration of the license, regardless of whether the damaged dwelling has by that time been repaired or reconstructed, and that following the expiration or revocation of the license the Township is authorized to remove any temporary housing trailer(s) from the lot at the applicant's expense if not removed by the applicant.
6. Section 106-6 "Violations and penalties" of Chapter 106 of the Alloway Township Code is hereby repealed and replaced with the following new Section 106-6 entitled "Temporary Housing Trailer Application Review; Conditions of Approval:
- A. After a temporary housing trailer application has been filed with the Township Clerk, the Clerk and Mayor will promptly review it with other Township personnel to ascertain whether it includes sufficient information as specified above.
 - B. If the application is deemed by the Mayor and Clerk to be sufficiently complete, the Clerk, at the Mayor's direction, will schedule the application for review at a regular or special Township Committee meeting and issue written notice of the meeting date to the applicant (i.e., the owner(s) of the proposed temporary housing trailer(s), the lot owner(s), and the head of household.
 - C. If the Township Committee, in consultation with the Housing Officer, Construction Official, and such other Township employees and officials as may be deemed appropriate, determines that the application lacks complete or credible information, or presents an unreasonable or inappropriate temporary housing trailer proposal, or one that would reasonable likelihood impair the health, safety, or welfare of the intended occupants, neighboring landowners, or the general public, the Township

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

Committee may deny the application with the understanding that the same applicant or another applicant may re-apply for a license with additional or different information, or an alternate temporary housing trailer proposal.

- D. If the Township Committee, in consultation with the Housing Officer, Construction Official, and such other Township employees and officials as may be deemed appropriate, determines that the application contains complete and credible information, and presents a reasonable and appropriate temporary housing trailer that will not impair the health, safety, or welfare of the intended occupants, any neighboring landowners, or the general public, the Township Committee may grant a license to place the temporary housing trailer(s) on the lot, subject to the following conditions:
- a. The initial duration of the license shall be six (6) months from the date of the Township Committee's vote for approval, or from that date of approval until the estimated repair or reconstruction completion date provided per Chapter 106-5, above, whichever is longer. Thereafter the license may be extended for subsequent durations as may be deemed appropriate by the Township Committee for good cause, and with modified or supplemental conditions as may be deemed appropriate by the Township Committee, upon the written request of the applicant (i.e., the owner of the temporary housing trailer(s)). The license will automatically expire at the end of the initial duration unless extended; if extended the license will expire automatically at the end of the last extension.
 - b. Prior to placing the temporary housing trailer(s) on the lot, the applicant (i.e., owner of the temporary housing trailer(s)) must post a cash deposit with the Township in the amount of \$2,500 for each temporary housing trailer to be placed on the lot, and the applicant, head of household, and lot owner must enter into a license agreement with the Township providing as follows:
 - i. The license agreement must specify the initial license duration and authorize the Township to remove the temporary housing trailer(s) from the lot if the applicant fails to do so.
 - ii. The license agreement must authorize the Township to take reimbursement from the aforesaid deposit for any costs incurred with respect to removal of the temporary housing trailer(s) from the lot, and any costs incurred in connection with any other aspect of non-compliance and the conditions of the license, including any post-removal transportation, storage and disposal costs, and any court costs, attorney or other professional fees, and must further provide that the balance of the deposit following such removal, if any, will be

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

returned to the applicant only after the applicant retrieves the temporary housing trailer(s) from the Township.

- iii. The license agreement must require the applicant to reimburse the Township, prior to retrieving the temporary housing trailers(s) from the Township, for any costs incurred by the Township as aforesaid in excess of the deposit.
- iv. The license agreement must include the manufacturer name(s), model(s), and serial or other identification number(s) of the temporary housing trailer(s) that will be placed on the lot.
- v. The license agreement must include the approved plan or drawing of the lot and require that the temporary housing trailer(s) be placed upon the lot in conformance with the approved plan or drawing.
- vi. The license agreement must require that only easily-removable access steps or stairs and temporary foundations will be provided for the temporary housing trailer(s), and that no other appurtenances such as skirting, porches, or patios will connect to or adjoin the temporary housing trailer(s).
- vii. The license agreement must provide that no person may reside in or otherwise occupy the temporary housing trailer(s) until all applicable construction approvals and certificates of occupancy have been issued by the Alloway Township Housing Officer and Construction Official, but that no zoning permit is required while the license is in effect.
- viii. The license agreement must provide that the license may be revoked by the Township Committee for any noncompliance with its terms and conditions, in which case the temporary housing trailer(s) must be removed from the lot within two weeks following the Township's issuance of revocation notice.
- ix. The license agreement must require the applicant(s), the lot owner(s), and the head of household to release, and agree to indemnify, defend, and hold the Township harmless from and against any claim, judgment, or other costs for personal injuries, losses, or damages to any person or property, including but not limited to damage to the temporary housing trailer(s) and the household's furnish and other contents therein, that are or may be caused, incurred, or alleged in connection with the Township's removal, transportation, storage, and disposal of the temporary housing trailer(s), utility connections, and other appurtenances, or any other exercise of the Township's rights or remedies under the license agreement and/or this article.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

- x. The license agreement may contain any other conditions imposed by the Township Committee based on the particular facts or circumstances of the temporary housing trailer proposal.
 - xi. To become effective, the license agreement must be signed by the applicant (i.e., the owner(s) of the temporary housing trailer(s)), the head of household, the lot owner(s), and the Township.
 - xii. The fully-executed license agreement will constitute the license. The license will take effect upon execution of the license agreement by all parties, but the duration of the license will run from the date of the Township Committee's vote for approval, not from the effective date of the license.
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- c. Prior to placing any trailer having its own motor power on a lot as a temporary housing trailer, the applicant (i.e., the owner of the trailer) must give Alloway Township a set of ignition and door keys for the trailer.
 - d. No temporary housing trailer may be placed on any lot in Alloway Township without an effective temporary housing trailer license.
 - e. No person may reside in or otherwise occupy a temporary housing trailer until the Alloway Township Housing Officer has confirmed that the correctly specified temporary housing trailer has been placed on the lot as depicted on the approved plan or drawing, and all applicable construction approvals and certificates of occupancy have been issued by the Alloway Township Construction Official (no zoning permit is required while the license is in effect).
 - f. The applicant (i.e., the owner(s) of the temporary housing trailer(s)) must remove the temporary housing trailer(s) from the lot within two weeks following the expiration of the license. If not so removed, the Township may remove the temporary housing trailer(s) and shall be entitled to reimbursement for all costs as provided above.
 - g. Any license may be revoked by the Township Committee for any noncompliance with its terms and conditions, or any violation of this Chapter, in which case the temporary housing trailer(s) must be removed from the lot within two weeks following the Township's issuance of revocation notice. If not so removed, the Township may remove the temporary housing trailer(s) and shall be entitled to reimbursement for all costs as provided above.

**ALLOWAY TOWNSHIP
ORDINANCE NO. 508**

7. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph subdivision, clause, or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.
8. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.
9. This Ordinance shall take effect after final passage, adoption, and publication according to law.

ATTEST:

TOWNSHIP OF ALLOWAY

Charlet Cheeseman
Municipal Clerk

BY: _____
K. Myrle Patrick, Mayor

NOTICE

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Committee of the Township of Alloway, in the County of Salem and State of New Jersey, held on Thursday, October 18, 2018 at 7:00 P.M. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Committee to be held in the Municipal Building, 49 E. Greenwich St., Alloway, New Jersey 08001, on Thursday, November 15, 2018. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at the Municipal Building, 49 E. Greenwich St., Alloway, New Jersey 08001, to the members of the general public who shall request the same.

Charlet Cheeseman, RMC
Municipal Clerk