

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, 2019, 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 Deputy Mayor K. Myrle Patrick, followed by the flag salute.

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

Roll Call - Present: Morgan, Patrick

Absent: McKelvey

Municipal Clerk, Charlet Cheeseman was also in attendance

At 7:02 p.m. On motion by Morgan, seconded by Patrick, the regular meeting of the Township Committee was recessed and the regular quarterly meeting of the Board of Health was opened. Vote: All in favor

At 7:04 p.m. On Motion by Morgan, seconded by Patrick, the regular quarterly Board of Health meeting was adjourned and the regular meeting of the Township Committee was reopened.

Vote: All in favor

MINUTES

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

August 12, 2019- Finance

August 15, 2019- Regular

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

BILLS

On motion by Morgan, seconded by Patrick, the attached bill list was approved by the Finance Committee on September 16, 2019 and was ordered paid.

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

PUBLIC SESSION

Deputy 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 Morgan, seconded by Patrick, public session was opened.

Vote: All in favor

Amy Smith, 87 Commissions Pike informed the Committee that she has lived in Alloway Township since 2005. She shared when she moved to Alloway she didn't believe Alloway had a history of racism, bigotry, homophobic, transphobic and religious intolerance. She said that since 2013, she believes Mr. Patrick thinks gay people are unnatural and sinners. She heard last week that Mr. McKelvey has transphobic beliefs. She read results published from the American Academy of Pediatric for transgender male and female teens. She said both Mr. McKelvey and Mr. Patrick are prejudice. She would like to go on record and asked Mr. McKelvey and Mr. Patrick to resign.

Laurie McGuire, Yorketown Road, attended meeting to respond to recent comments made by Mayor McKelvey about the public school and the LGBTG community along with Deputy Mayor Patrick's

comments made in the past. She feels the Mayor is using his position to influence the public school to disregard the law and guidance of the Department of Education. She shared statistics from the U.S. Transgender Survey for NJ. She requested the following: resolution recognizing LGBTQ history month in October, creation of an Ethics Board for the Township and demanded the resignation of Mayor McKelvey. She gave an informational packet to the Township Committee members.

Reverend Kathryn Mulligan, Union Presbyterian Church 254 Shell Road, Carneys Point, NJ. She noted that her personal views do not represent the views of her church. She shared that she identifies openly as a member of the LGBTQ communities and is speaking to give others courage to speak whether at another forum or privately. She said it is not easy to be queer or trans in Salem County. She stated that trans and queer youth and adults are in all churches, schools, every place of business and homes. She advocates for the fair implementation of sex education programs and consistent representation in all classes of LGBTQ history as mandated by the State of NJ.

Jessica Dunlap, stated she is an ally to the LGBTQ community and is a NJ social worker. She said homosexuality comments made in Mr. McKelvey's sermon were inadequate. She hopes that all public officials would want all of their public school children to feel included, valued, and safe. She hopes the Township considers the information she provided. She distributed an information sheet to the Committee members.

Deputy Mayor Patrick asked if there was anyone else from the community that would like to speak. There was no one from the public; however, Committeeman Morgan spoke. He stated he wants to be on record that his opinion does not match his co-committeemen.

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

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

Vote: All in favor

ACKNOWLEDGEMENT OF APPRECIATION

Committeeman Morgan presented a letter of appreciation from the Alloway Township Committee to Executive Director of New Jersey Conservation Foundation (NJCF), Mr. Francis Rapa.

RESOLUTION NO. 19-90 CANCELLING CAPITAL APPROPRIATION BALANCES OF COMPLETED PROJECTS

Resolution No. 19-90, cancelling capital appropriation balances of completed projects was accepted on motion by Morgan, seconded by Patrick.

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

APPROVING APPLICATION FOR A BLUE LIGHT PERMIT FOR FIRE COMPANY MEMBER, SAMUEL STAPLES

On motion by Morgan, seconded by Patrick, Fire Company Member Samuel Staples's application for a Blue Light Permit was approved as submitted (*contingent upon results from NJ DMV*).

Vote: All in favor

SUPPORTING PROSPECTIVE EAGLE SCOUT, BRYAN WALSH, ON PROJECT TO BE DONE AT THE PUBLIC LAKE ACCESS AREA

Committeeman Morgan motioned in favor of supporting prospective Eagle Scout, Bryan Walsh, to build and install a few bat houses at the Public Lake Access, Patrick seconded.

Vote: All in favor

INTRODUCTION: ORDINANCE NO. 520

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE
OF THE TOWNSHIP OF ALLOWAY CHAPTER 87, ENTITLED
"PEDDLING AND SOLICITING", SO AS TO ESTABLISH A NEW ARTICLE II, ENTITLED
"ROADWAY CHARITABLE SOLICITATIONS"

On motion by Morgan, seconded by Patrick, Ordinance No. 520 (copy attached) was introduced and given its first reading. On motion by Morgan, seconded by Patrick, the public hearing on the ordinance will be held October 17, 2019 at 7:00 p.m. and the Clerk was directed to publish the ordinance summary with notice of hearing.

Vote: All in favor

INTRODUCTION: ORDINANCE NO. 521

AN ORDINANCE APPROPRIATING THE SUM OF \$23,000.00 FROM THE CAPITAL
IMPROVEMENT FUND FOR VARIOUS ACQUISITIONS BY THE TOWNSHIP OF ALLOWAY,
COUNTY OF SALEM, STATE OF NEW JERSEY

On motion by Morgan, seconded by Patrick, Ordinance No. 521 (copy attached) was introduced and given its first reading. On motion by Morgan, seconded by Patrick, the public hearing on the ordinance will be held October 17, 2019 at 7:00 p.m. and the Clerk was directed to publish the ordinance summary with notice of hearing.

Vote: All in favor

CORRESPONDENCE

- < Letter received from Upper Deerfield Township Clerk regarding public hearing on September 5, 2019 for Ordinances No. 809, 810 & 811 that pertain to zoning
- < Received a letter from the county purchasing agent regarding commodity resale agreement for motor fuels
- < Letter received from South Jersey Gas asking if the Township wants to receive a daily list of residential customers whose gas service was discontinued involuntarily
- < Notification letter from NJDEP Division of Dam Safety regarding biennial inspection of the Alloway Lake Dam – minor maintenance/repairs recommended.
- < Letter received from Superintendent of Alloway Twp School regarding Mayor McKelvey’s participation at their special committee meeting regarding the county school district pilot program in Salem County.
- < Email received addressed to all municipal elected officials regarding modification of the New Jersey Affordable Housing Act

COMMITTEE REPORTS

Committeeman Morgan reported as follows:

- < Will be attending the JIF meeting on Monday September 23rd
- < Environmental Committee discussed the invasive species of plants that are taking over roadways and fields and how to handle them. Discussed the spotted lanternfly and if seen in our area, it needs to be reported to the NJ Agriculture Department
- < Agricultural Advisory Board – working on a few farms within the Township

Deputy Mayor Patrick reported as follows:

- < Board of Recreation – Working on Scout projects; flag pole and bat houses, seeding and

landscaping should be completed by the end of the month, Saturday September 21st the Alloway Fire Company will be doing a drill on the Lake with the SWIFT Water Rescue Team at 8:00 am practicing

- < Steering Committee – Discussed the Old School Crest and where it should be placed on the municipal grounds, there are a few ideas on where it should be placed, a decision will be made by the spring. Dates have been set for the Christmas Lights Contest, December 12th @ 6:30pm and the Annual Christmas Tree Lighting Ceremony will be December 19th at 5:30pm.
- < Girl Scouts Flag Box – Box was filled to capacity with old flags; Doug Chapman will take the flags to the Pennsville VFW for proper disposal.
- < Attended the Community Heart and Soul Workshop at the Salem Public Library, it’s a foundation that’s offering a \$100,000 grant to 5 communities in South Jersey. There are 40 Municipalities competing for 5 grants
- < Public Works – Brush pickup will be starting soon; if you have brush that needs to be picked up call the Public Works Dept.

ANNOUNCEMENTS

Deputy Mayor Patrick made the following announcements:

- < Monday, October 14, 2019: Municipal Building Closed (Columbus Day)
- < Saturday, October 19, 2019: Household Hazardous Waste Day @ S.C.I.A. beginning at 8:00am – 12:00 Noon (Last one for 2019)
- < Saturday, October 26, 2019: Annual Halloween Parade @ 7:00pm with rain date Sunday, October 27, 2019 @ 6:00pm
- < Thursday, October 31, 2019: Halloween Day – No official time is set for trick or treating; however for the safety of the residents, lights in town will be illuminated between 6:00pm – 8:00pm
- < Friday, October 18, 2019 to Thursday October 31, 2019: Alloway Lake Water Lowering

ADJOURNMENT

There being no further business to come before the Committee, on motion by Morgan, seconded by Patrick, meeting was adjourned at 7:37 p.m.

Vote: All in favor

Deputy Mayor Patrick thanked the public for attending the meeting.

Respectfully submitted,

Charlet Cheeseman, RMC, Municipal Clerk

Range of Checking Accts: First to Last Range of Check Dates: 08/16/19 to 09/19/19
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

10440 09/19/19 A0430 ASPHALT INDUSTRIES, INC 145,779.90 1149

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
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Direct Deposit:	0	0	0.00	0.00
Total:	<u>1</u>	<u>0</u>	<u>145,779.90</u>	<u>0.00</u>

CURRENT

21137	09/19/19	A0148	ALLOWAY AMBULANCE CORP	2,320.00	1145
21138	09/19/19	A0150	ALLOWAY FIRE DEPARTMENT	6,412.50	1145
21139	09/19/19	A0176	ALLOWAY TOWNSHIP BOE	356,513.00	1145
21140	09/19/19	A0185	ALPHA CORPS	375.00	1145
21141	09/19/19	A0489	AV BUSINESS COMMUNICATION	180.00	1145
21142	09/19/19	C0241	CHERRY VALLEY TRACTOR	59.36	1145
21143	09/19/19	C0376	COMCAST CABLE(PUBLIC WORKS)	83.76	1145
21144	09/19/19	C0377	COMCAST CABLE(FIREHOUSE)	173.80	1145
21145	09/19/19	C0378	COMCAST CABLE (AMBULANCE)	98.02	1145
21146	09/19/19	C0411	ATLANTIC CITY ELECTRIC	2,573.54	1145
21147	09/19/19	C0412	CONSTELLATION ENERGY, INC.	271.63	1145
21148	09/19/19	C0531	CROUCH & COMPANY	195.00	1145
21149	09/19/19	E0250	ENGLISH SEWAGE DISPOSAL	130.00	1145
21150	09/19/19	F0006	FARM-RITE INC	706.29	1145
21151	09/19/19	F0200	FRALINGER ENGINEERING PA	1,150.00	1145
21152	09/19/19	G0287	GT MID ATLANTIC	895.30	1145
21153	09/19/19	H0046	HORIZON BCBS OF NJ	5,081.81	1145
21154	09/19/19	J0125	JAYNE'S SIGNWORK	70.00	1145
21155	09/19/19	JRPWA005	JRP WASTE OIL RECOVERY SERVICE	75.00	1145
21156	09/19/19	L0156	LESLIE FOGG INC	683.72	1145
21157	09/19/19	N0262	NIKI A. TRUNK	644.00	1145
21158	09/19/19	N0375	NJTRONIX	600.00	1145
21159	09/19/19	NJ021005	NJ ADVANCE MEDIA	18.35	1145
21160	09/19/19	O0040	OMNI RECYCLING LLC	759.41	1145
21161	09/19/19	P0065	PURCHASE POWER	68.99	1145
21162	09/19/19	P0070	PETRONI AND ASSOCIATES, LLC	320.00	1145
21163	09/19/19	P0160	PENNCARE	60.00	1145
21164	09/19/19	P0420	PIERSON MATERIALS CORP	1,067.58	1145
21165	09/19/19	R0116	RED OAK DISPOSAL SERVICE	3,459.00	1145
21166	09/19/19	R0165	RIGGINS OIL INC	1,238.79	1145
21167	09/19/19	S0031	SAFEGUARD BUSINESS SYSTEMS	301.55	1145
21168	09/19/19	S0086	SCIA/SWD	5,529.72	1145
21169	09/19/19	S0370	I S SMICK LUMBER	188.90	1145
21170	09/19/19	S0405	SOUTH JERSEY AGRICULTURAL	150.00	1145
21171	09/19/19	S0523	STAPLES ADVANTAGE	174.22	1145
21172	09/19/19	T0269	TREASURER STATE OF NEW JERSEY	500.00	1145
21173	09/19/19	T0276	TRI COUNTY TERMITE & PEST	75.00	1145
21174	09/19/19	T0277	TRI-PLEX ALARM	168.00	1145
21175	09/19/19	W0170	WILLIAMS AUTO PARTS	106.40	1145
21176	09/19/19	X0200	XEROGRAPHIC DOCUMENT SOLUTIONS	1,654.06	1145
21177	09/19/19	X0300	XTe1 COMMUNICATIONS, INC	1,137.56	1145

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DOG TRUST FUND					
1579	09/19/19	C0670 CUMBERLAND COUNTY SPCA	1,219.00		1146
1580	09/19/19	F0230 FRA TECHNOLOGIES, INC	650.00		1146
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ESCROW					
1766	09/19/19	F0200 FRALINGER ENGINEERING PA	1,256.95		1150
1767	09/19/19	S0315 SICKLES & ASSOCIATES INC	1,700.09		1150
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SEWER SEWER FUND					
2686	09/19/19	A0130 AQSEPTENCE GROUP, INC.	740.18		1147
2687	09/19/19	C0064 CARL C. BROWN & SONS	566.37		1147
2688	09/19/19	C0345 C. STEVENSON & SON, INC	3,450.00		1147
2689	09/19/19	C0411 ATLANTIC CITY ELECTRIC	1,387.07		1147
2690	09/19/19	C0700 CUMBERLAND VALVE COMPANY INC	271.05		1147
2691	09/19/19	N0247 SPRINT	46.62		1147
2692	09/19/19	O0050 ONE CALL CONCEPTS, INC.	13.60		1147
2693	09/19/19	Q0001 QUINTON TOWNSHIP	1,050.80		1147
2694	09/19/19	S0050 SALEM CITY WATER AND SEWER	6,093.26		1147
2695	09/19/19	S0370 I S SMICK LUMBER	86.15		1147
2696	09/19/19	S0405 SOUTH JERSEY AGRICULTURAL	1,020.25		1147
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
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	Direct Deposit:	0	0	0.00	0.00
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VET					
1015	09/19/19	D0252 DELL MARKETING LP	782.48		1148
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	Direct Deposit:	0	0	0.00	0.00
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VET

Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
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Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
DOG TRUST FUND	8-14	1,219.00	0.00	0.00	1,219.00
CURRENT FUND	9-01	395,894.26	0.00	0.00	395,894.26
	9-07	14,725.35	0.00	0.00	14,725.35
DOG TRUST FUND	9-14	650.00	0.00	0.00	650.00
	9-15	782.48	0.00	0.00	782.48
Year Total:		<u>412,052.09</u>	<u>0.00</u>	<u>0.00</u>	<u>412,052.09</u>
CAPITAL FUND	C-04	145,779.90	0.00	0.00	145,779.90
PLANNING BOARD ESCROW	E-13	2,957.04	0.00	0.00	2,957.04
STATE AND FEDERAL GRANT BUDGET	G-02	375.00	0.00	0.00	375.00
Total of All Funds:		<u><u>562,383.03</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>562,383.03</u></u>

Range of Checking Accts: First to Last Range of Check Dates: 08/16/19 to 09/19/19
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	Checks:	1	0	782.48	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	782.48	0.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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VET			Continued			
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:		58	0	562,383.03	0.00
	Direct Deposit:		0	0	0.00	0.00
	Total:		58	0	562,383.03	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
DOG TRUST FUND	8-14	1,219.00	0.00	0.00	1,219.00
CURRENT FUND	9-01	395,894.26	0.00	0.00	395,894.26
	9-07	14,725.35	0.00	0.00	14,725.35
DOG TRUST FUND	9-14	650.00	0.00	0.00	650.00
	9-15	<u>782.48</u>	<u>0.00</u>	<u>0.00</u>	<u>782.48</u>
Year Total:		412,052.09	0.00	0.00	412,052.09
CAPITAL FUND	C-04	145,779.90	0.00	0.00	145,779.90
PLANNING BOARD ESCROW	E-13	2,957.04	0.00	0.00	2,957.04
STATE AND FEDERAL GRANT BUDGET	G-02	375.00	0.00	0.00	375.00
Total of All Funds:		<u>562,383.03</u>	<u>0.00</u>	<u>0.00</u>	<u>562,383.03</u>

**TOWNSHIP OF ALLOWAY, NJ
ORDINANCE NO. 521**

**AN ORDINANCE APPROPRIATING THE SUM OF \$23,000.00 FROM THE CAPITAL
IMPROVEMENT FUND FOR VARIOUS ACQUISITIONS BY THE TOWNSHIP OF
ALLOWAY, COUNTY OF SALEM, STATE OF NEW JERSEY**

BE IT ORDAINED By The Township Committee Of The Township Of Alloway, In The County Of Salem, State Of New Jersey As Follows:

SECTION 1: \$23,000.00 is hereby appropriated from the Capital Improvement Fund for acquisitions by the Township of Alloway, in the County of Salem, State of New Jersey:

<u>Purpose</u>	<u>Appropriation</u>
1. Acquisition of Server	\$ 7,000.00
2. Acquisition of Air Tanks for Fire Company	\$16,000.00

SECTION 2: In connection with the amounts authorized in Section 1, the Township makes the following determination:

- a) The purpose described in Section 1 is not a Current Expense and is an improvement, which the Township may lawfully make as a general improvement.
- b) The period of usefulness of the purpose described in Section 1 hereof is within the limitations of the Local Bond Law and according to the reasonable life thereof is five (5) years or more.
- c) No debt is authorized by this ordinance.
- d) The Capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.

SECTION 3: All ordinances or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4: This ordinance shall take effect immediately upon proper passage, publication in accordance with law and after final adoption as provided by law.

Charlet Cheeseman, Municipal Clerk

K. Myrle Patrick, Deputy Mayor

**TOWNSHIP OF ALLOWAY, NJ
ORDINANCE NO. 521**

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IMPROVEMENT FUND FOR VARIOUS ACQUISITIONS BY THE TOWNSHIP OF
ALLOWAY, COUNTY OF SALEM, STATE OF NEW JERSEY**

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SECTION 1: \$23,000.00 is hereby appropriated from the Capital Improvement Fund
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<u>Purpose</u>	<u>Appropriation</u>
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- d) The Capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Township Clerk and available for inspection.

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Charlet Cheeseman, Municipal Clerk

K. Myrle Patrick, Deputy Mayor

**TOWNSHIP OF ALLOWAY, NJ
ORDINANCE NO. 520**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE
OF THE TOWNSHIP OF ALLOWAY CHAPTER 87, ENTITLED
"PEDDLING AND SOLICITING", SO AS TO ESTABLISH A NEW ARTICLE II,
ENTITLED "ROADWAY CHARITABLE SOLICITATIONS"**

WHEREAS, pursuant to N.J.S.A. 39:4-60, by an ordinance, a municipal governing body may authorize charitable organizations to solicit contributions on highways and other roadways situated in the Township of Alloway and in accordance with the terms and provisions of this section; and

WHEREAS, N.J.A.C. 16:40-1.1 provides that to solicit contributions in the right-of-way of a highway or roadway, the charitable organization shall have approval in advance from the respective municipal governing body via ordinance; and

WHEREAS, the Township Committee of the Township of Alloway deems it to be in the public interest to permit charitable organizations as defined by N.J.S.A. 45:17A-20 to solicit contributions in roadways situate in the Township of Alloway, provided same is done in a safe and reasonable manner; and

NOW THEREFORE, BE IT ORDAINED that the following provisions of the Alloway Township Code Chapter 87, Peddling and Soliciting, shall be amended and supplemented as follows [additions are bold and underlined]

SECTION 1. Chapter 87 of the Township Code, entitled "Peddling and Soliciting" is hereby amended to incorporate Article I entitled, "Peddling And Soliciting Except For That In Roadways" as follows:

ARTICLE I. PEDDLING AND SOLICITING EXCEPT FOR THAT IN ROADWAYS

§ 87-1.1. Definitions.

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

PEDDLER or HAWKER

One who goes from place to place by traveling on the streets, or from house to house, and carries with him goods, wares, merchandise and services for the purpose of selling and delivering them to consumers.

[Amended 10-18-2018 by Ord. No. 506]

TOTALLY HANDICAPPED PERSONS

Those persons who are unable to hold regular gainful employment because of physical infirmity.

TOWNSHIP OF ALLOWAY, NJ
ORDINANCE NO. 520

§ 87-1.2. License required.

[Amended 10-18-2018 by Ord. No. 506]

It shall be unlawful for any peddler to sell or dispose of or to offer to sell or dispose of any goods, wares, merchandise or services within the Township unless he shall first obtain a license and pay the license fee as hereinafter prescribed.

[1] *Editor's Note: Original Section (b), which immediately preceded this section and provided that the purpose of this ordinance was to raise revenue, was deleted and repealed 12-30-1976 by Ord. No. 159.*

§ 87-1.3. Exemptions from license fees.

The following persons shall be required to obtain the license provided for in this chapter but shall be exempt from payment of any fees therefor:

A. (Reserved)^[1]

[1] *Editor's Note: Former Subsection A, which exempted from license fees persons selling fruits, vegetables and farm products produced on a farm operated by the vendor or by a family member, was repealed 9-20-2007 by Ord. No. 409.*

B. Any person who conducts a sale pursuant to statute or court order.

C. Any totally handicapped person who is a resident of the Township of Alloway.

D. (Reserved)^[2]

[2] *Editor's Note: Former Subsection D, which exempted from license fees persons engaged in the sale or soliciting orders for the sale of milk, dairy products, poultry, eggs, bread and bakery products, was repealed 9-20-2007 by Ord. No. 409.*

E. Any entity or person soliciting for lawful, recognized charitable organizations and submits an appropriate certification from the Internal Revenue Service evidencing its tax exemption.

[Amended 9-20-2007 by Ord. No. 409]

F. Any person honorably discharged from the military services of the United States, possessing a peddler's license issued in conformity with N.J.S.A. 45:24-9 and 45:24-10.

[Added 12-30-1976 by Ord. No. 159]

G. Any person who is an exempt fireman of a volunteer fire department, as defined in N.J.S.A. 45:24-9 and 45:24-10, possessing a license in conformity with said law.

[Added 12-30-1976 by Ord. No. 159]

§ 87-1.4. License application.

A. Any person desiring a license shall file with the Township Clerk an application, on forms supplied by the said Clerk, stating the following information:

TOWNSHIP OF ALLOWAY, NJ
ORDINANCE NO. 520

- (1) Name of applicant.
- (2) Permanent home address and place or places of residence for the preceding three years.
- (3) Name and address of firm represented.
- (4) Three business references.
- (5) Description of the wares or services to be offered for sale or rendered from, i.e., cart, table, trailer, etc.
[Amended 9-20-2007 by Ord. No. 409; 10-18-2018 by Ord. No. 506]
- (6) Length of time for which license is desired.
- (7) A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any local law or ordinance, and, if so, the nature of the offense, where committed and the punishment or penalty imposed therefor.
- (8) A copy of New Jersey sales and tax certification or exemption therefrom.
[Added 9-20-2007 by Ord. No. 409]
- (9) A copy of the vendor's current health inspection (same may be issued by a different municipality, county or state, but must be less than one year old).
[Added 9-20-2007 by Ord. No. 409]
- (10) As to any vehicle or device from which goods will be transported and/or sold from or as to any vehicle operated by the vendor or applicant to carry out the purpose(s) specified in the license application, i.e., the type, make, model, year, color and tag number, if applicable.
[Amended 9-20-2007 by Ord. No. 409; 10-18-2018 by Ord. No. 506]
- (11) A photo of the person applying for the license.
[Added 9-20-2007 by Ord. No. 409]

B. If the applicant is an employee, he shall append to the application a letter from the employer for which he claims to work, authorizing the applicant to act as agent or servant of the employer.

§ 87-1.5. Investigation; issuance of license; nontransferability; fees.

[Amended 12-30-1976 by Ord. No. 159; 8-10-1989 by Ord. No. 256; 4-13-2000 by Ord. No. 331; 9-20-2007 by Ord. No. 409]

A. Following the filing of the application, the Township shall, with the assistance of the New Jersey State Police, verify the information contained in the application and shall signify its approval or rejection on the reverse side of the application.

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- B. After verification of the application and payment of the prescribed fee to the Township Clerk, the license shall be issued by the Township Clerk. If the application is disapproved, then any fee paid shall be returned.
- C. The license issued shall authorize only the person named in said license to engage in business thereunder from the location or from the equipment described in the application.
- D. The license shall not be transferable to any other person.
- E. The license fee is \$100 per day for each unit or device the sale is conducted from; no portion of it is refundable and it is not assignable or transferable.

§ 87-1.6. Form of license; exhibit of license.

A. Each license shall be issued in the form prescribed in this chapter. The license shall contain suitable blank spaces for writing in the name of the licensee, location or type of equipment from where the sales will take place, his address and the amount of fee paid. Licenses shall be printed in book form, with corresponding stubs, and shall be consecutively numbered.
[Amended 9-20-2007 by Ord. No. 409]

B. Every licensee under this chapter shall carry the license with him while engaged in business. He shall exhibit the license at the request of any officer or official of the Township or any resident.

§ 87-1.7. Records of Licenses.

The Township Clerk shall keep books for recording the following information:

- A. The time each application for a license is received.
- B. Whether application is for a new license or a renewal.
- C. Name and address of licensee.
- D. Application number.
- E. Date when application was approved.
[Amended 9-20-2007 by Ord. No. 409]
- F. (Reserved)(1)
 - [I] *Editor's Note: Former Subsection F, which required the Township Clerk to keep records pertaining to the date when an application was approved by the Township Committee, was repealed 9-20-2007 by Ord. No. 409.*
- G. Amount of fee received.
- H. Date when license was issued

TOWNSHIP OF ALLOWAY, NJ
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§ 87-1.8. Revocation or suspension of license.

[Amended 9-20-2007 by Ord. No. 409]

A license may be revoked by a Township official in the event the terms of the license or of this chapter, or any municipal ordinance, or any state or federal statute, are violated, or for providing false statement made in the application for the license.

§ 87-1.9 General regulations.

[Added 12-30-1976 by Ord. No. 159]

A. Except during the annual Alloway Halloween parade, no person shall peddle or solicit on Sundays or holidays nor on any other day except between the hours of 9:00 a.m., prevailing time, and sunset.

[Amended 4-13-2000 by Ord. No. 331]

B. No person shall peddle or solicit or attempt to peddle or solicit without first having identified himself or herself as a peddler or solicitor licensed by the Township and displaying his or her license. Licenses shall be displayed upon the request of a police officer or any citizen of the Township.

C. No person shall shout, cry out, blow a horn, ring a bell or use any sound-making or sound-amplification device for the purpose of attracting attention to any merchandise or service.

D. No person shall have exclusive right to any location in the public streets or operate in any congested area where his operations might impede or inconvenience the public. No person shall occupy any location on a street or public property adjacent to a school for the purpose of selling or offering for sale merchandise during school hours or the time when children are going to or from school.

E. The Township may, from year to year, prohibit by resolution the sale of certain items such as, but not limited to, silly string, cap guns and caps, stink bombs, poppers, smoke bombs and light lasers. The prohibited sale items shall be noted on the license.

[Amended 9-20-2007 by Ord. No. 409]

§ 87-1.10. Violations and penalties.

[Added 12-30-1976 by Ord. No. 159; amended 4-13-2000 by Ord. No. 331]

Any person, organization or corporation violating any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine not exceeding \$1,000 or imprisonment of not more than 90 days or a period of community service not exceeding 90 days, or any combination of said penalties.

SECTION 2. Chapter 87 of the Township Code entitled, "Peddling and Soliciting" shall be amended to incorporate a new Article II entitled, "Roadway Charitable Solicitations" as follows:

TOWNSHIP OF ALLOWAY, NJ
ORDINANCE NO. 520

ARTICLE II. ROADWAY CHARITABLE SOLICITATIONS

§ 87-2.1 Solicitation of contributions in roadways.

The Township of Alloway shall permit charitable organizations as defined in N.J.S.A. 45:17A-20 to solicit contributions in roadways situate in the Township of Alloway in accordance with the provisions contained herein.

§ 87-2.2 Application for permit.

All charitable organizations as defined in N.J.S.A. 45:17A-20 who desire to solicit contributions in roadways situate in the Township of Alloway shall file an application for a permit with the Alloway Township Clerk/Administrator on a form supplied by said Clerk/Administrator. This application must be submitted a minimum of 90 days, suggested 120 days, prior to the planned event date for the fundraiser. The application is required for the purpose of specify the following information:

A. Applicant organization; specifically, name/address (mailing and physical)/phone number

B. Contact information of the person responsible for the motorist solicitation event; specifically, name/address (mailing and physical)/phone number

C. Specific location or locations of proposed charitable solicitation.

D. Dates and times of proposed charitable solicitation; including potential rain or inclement weather substitution dates. Solicitation shall only be permitted during daylight hours.

E. If said request pertains to a location or locations on any county highway, or intersection of a county highway, said application shall include a copy of an authorization from the Salem County Board of Chosen Freeholders to permit said charitable solicitation, pursuant to N.J.S.A. 39:4-60.

F. If said request pertains to a location or locations on any state highway or intersection of a state highway, said application shall include a copy of an authorization from the Commissioner of Transportation of the State of New Jersey to permit said charitable solicitation, pursuant to N.J.A.C. 16:40-1.1 et seq.

G. Identify the manner in which the motorist solicitation will be conducted and the procedures to be used to ensure the safety of the members of the public who will be traveling the roadways situate in the Township of Alloway.

§ 87-2.3 Review of application; issuance of permit.

Upon the filing of a complete application in accordance with the provisions of this chapter, the Alloway Township Clerk/Administrator shall present the same to the Alloway Township Committee for its review and consideration, after which the Township

TOWNSHIP OF ALLOWAY, NJ
ORDINANCE NO. 520

Committee shall grant or deny the applicant's request. In the event that the Township Committee grants the applicant's request, a permit shall be issued to the applicant who shall be subject to the representations contained in the applicant's application and any conditions imposed by the Township Committee. Such permit shall be in possession of the person in charge during all times of solicitation and be available for inspection by local, county, and State Police enforcement personnel.

§ 87-2.4 Minors.

In no event shall any charitable organization requesting authorization from the Township of Alloway for said charitable solicitation use any individual under the age of 18 years to perform any function or task associated with said charitable solicitation in any roadway.

§ 87-2.5 Hours of operation.

All approved solicitations shall be conducted at signalized intersections during daylight hours.

§ 87-2.6 Duration of solicitation events.

An approved event shall be permitted for no longer than three (3) consecutive days.

§ 87-2.7 Liability of the Township.

A Certificate of Insurance issued by an insurance company duly licensed in the State of New Jersey. The certificate of insurance must provide general liability insurance in an amount of not less than \$1,000,000. The Township of Alloway shall be listed as an additional insured on the certificate and an endorsement to the insurance policy.

§ 87-2.8 Indemnification Agreement.

A signed, dated and notarized release and indemnification agreement, signed by the organization sponsor or responsible party, legally binding the organization participant, which shall release and agree to indemnify and hold harmless the Township of Alloway, County of Salem, State of New Jersey, its agents, servants, employees and elected and appointed officials from any and all liability of any kind from injury or physical harm, including death, and damage to property occurring from or alleged to arise out of the event.

§ 87-2.9 Compliance with statutory requirements.

TOWNSHIP OF ALLOWAY, NJ
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Any charitable organization requesting authorization from the Township of Alloway for said charitable solicitation shall comply with all of the terms and conditions of N.J.S.A. 39:4-60, as amended by P.L. 1997, Chapter 82, approved April 30, 1997.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by any Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

All Ordinances or parts which are inconsistent with the provisions of this Amendment to an Ordinance are hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect immediately upon posting, publication and final passage in the manner prescribed by law.

Charlet Cheeseman, Municipal Clerk

K. Myrle Patrick, Deputy 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 19th day of September, 2019 and will be considered for final passage and adoption at a Regular Meeting to be held on the 17th day of October, 2019 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