

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 22 -2002**

***AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY,
TO PURCHASE REAL PROPERTY IN THE TOWNSHIP OF EDGEWATER PARK
KNOWN AS BLOCK 502, LOT 9 AND BLOCK 502, LOT 9, QUALIFIER Q
FARM ON THE TAX MAP OF THE TOWNSHIP OF EDGEWATER PARK AND
FOR THE TOWNSHIP TO CONVEY A DEED EASEMENT TO
THE COUNTY OF BURLINGTON.***

WHEREAS, the Township of Edgewater Park has determined that there is a need within Edgewater Park to acquire property for use as open space; and

WHEREAS, the County of Burlington has established a Local Open Space Land Grant Program (“Program”) to assist municipalities within the County in preservation of open space; and

WHEREAS, Mary Buckno (“Buckno”) is the owner of real property in Edgewater Park known as Block 502, Lot 9 and Block 502, Lot 9, Qualifier Q Farm on the Tax Map of Edgewater Park (“Property”); and

WHEREAS, “Buckno” has advised Edgewater Park that the she wishes to sell the Property in fee to Edgewater Park for use as open space and subject to other terms and conditions set forth in an Agreement of Sale and Addendum, a copy of which shall be on file in the Office of the Clerk of Edgewater Park.

NOW, THEREFORE BE IT ORDAINED by the governing body of the Township of Edgewater Park in the county of Burlington and State of New Jersey as follows:

1. Edgewater Park is hereby authorized to purchase from Buckno the Property set forth above subject to the terms and conditions set forth in the Agreement of Sale and Addendum thereto on file in the Office of the Clerk of Edgewater Park.
2. Pursuant to N.J.S.A. 40A:12-2 et seq., Edgewater Park is hereby authorized to convey to the County Deeds of Easements (restricting the use of the properties for outdoor recreation and conservation purposes)in that Edgewater Park has determined the use of such rights are no longer needed for Edgewater Park’s public purposes.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 1-2002**

**“CAP” ORDINANCE TO EXCEED INDEX RATE;
INDEX RATE LESS THAN 5% LIMITATION FOR THE YEAR 2002
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the local government Cap Law, N.J.S.A. 40A: 4-45.1 et seq, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 5% or the index rate, whichever is less, over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, P.L. 1986, C 203 amended the Local Government Cap Law, to provide that a municipality may, in any year in which the index rate is less than 5%, increase its final appropriations by a percentage rate greater than the index rate but not to exceed the 5% rate as defined in the amendatory law, when authorized by ordinance; and

WHEREAS, the index rate for SFY 2002 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 4.0%; and

WHEREAS, the Township Committee of the Township of Edgewater Park, County of Burlington finds it advisable and necessary to increase its 2002 budget by more than 4.0% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee of the Township of Edgewater Park hereby determines that a 2.5 % increase in the budget for said year amounting to \$78,693.52 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of Edgewater Park, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2002 budget year, the final appropriations of the Township of Edgewater Park shall, in accordance with this ordinance and P.L. 1986, C. 203, be increased by 5 % amounting to \$157,387.04 and that the 2002 municipal budget for the Township of Edgewater Park be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

TOWNSHIP OF EDGEWATER PARK

ORINANCE NO. 2-2002

***An Ordinance of the Township of Edgewater Park,
Authorizing the Execution and Delivery of an
Interlocal Services Agreement Between the Township of
Edgewater Park And The County of Burlington, New Jersey
Relating To Open Space In The Township of Edgewater Park.***

WHEREAS, The Township of Edgewater Park (the “Local Unit”), in the County of Burlington, New Jersey, has determined that there is a need within the Local Unit to acquire property for use as open space;

WHEREAS, The County of Burlington (the “County”) has established a Local Open Space Land Grant Program (the “Program”) to assist Local Units within the County in preservation of open space; and

WHEREAS, the Local Unit has determined that it desires to have the County share in the costs of acquiring such property in accordance with the Program and pursuant to the terms and conditions of an Interlocal Service Agreement (the “Agreement”) between the Local Unit and the County to be executed and delivered in accordance with the Interlocal Services Act, NJS Sections 40:8A – 1, et seq.

NOW THEREFORE BE IT ORDAINED by the Township of Edgewater as follows:

Section 1. Capitalized Terms defined in the whereas clauses above are given the meanings ascribed thereto in the WHEREAS clauses above.

Section 2. The Agreement substantially in the form presented at this meeting is hereby approved and adopted by the Local Unit.

Section 3. The Mayor and Township Clerk are hereby authorized to execute and deliver the Agreement, and they and the other officers of the Local Unit as well are hereby authorized to, execute and deliver any and all certificates, agreements and documents necessary to effectuate the Local Unit’s obligations under the Agreement.

Section 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect after final adoption and publication according to law.

ORDINANCE NO. 3 - 2002

AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING ORDINANCE NO. 5-98, ADOPTED JUNE 17, 1998, "AN ORDINANCE REQUIRING THE REGISTRATION AND LICENSING OF ALL RENTAL PROPERTY," AS AMENDED BY ORDINANCE NO. 13-98, ORDINANCE NO. 3-99, AND ORDINANCE NO. 5-99.

WHEREAS, the TOWNSHIP OF EDGEWATER PARK wishes to amend certain parts of Ordinance No. 5-98, as amended, the Landlord Registration Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the TOWNSHIP OF EDGEWATER PARK that:

I. **Section I, Definitions**, is hereby amended, to add the following definition:

(F) "Multiple dwelling" shall mean those rental units licensed under the terms of the New Jersey Hotel and Multiple Dwelling Law (N.J.S.A. 55:13 A-1, et. seq.).

The current definitions are amended such that F, G, H and I are re-lettered as G, H, I and J.

II. **Section II, Registration**, is hereby amended to delete the language therein, and replace same with the following :

All rental units shall be registered with the Township Clerk or designee of the TOWNSHIP OF EDGEWATER PARK, or such other person, as designated by the Township Committee on forms which shall be provided for that purpose, and which shall be obtained from the Township Clerk or designee. Registration fees for all rental units shall be due and payable April 1st of every other year, as provided in SECTION 5 and 7 below. All new rental units shall be registered within TEN (10) days of the rental units becoming available for rent, and the registration fee required by SECTION 5 and 7 below shall be paid in full for the balance of the licensing year (April 1, through March 31) for all such newly registered units, whether odd or even numbered. The name of the tenant or tenants occupying rental units shall be kept current. A change in tenant name or names registration shall be accomplished within TEN (10) DAYS of a change in tenant occupancy. Inspection of each rental unit shall occur upon change of occupancy, as well as on bi-annual periodic basis.

III. **Section 3, Registration, Licensing and Inspection Upon Change of Occupancy**, is hereby amended to change the title, as above stated and to delete the language therein, and replace same with the following:

Each registered rental unit shall be inspected upon a change in occupancy. In the event that a periodic inspection (as referenced in Section 7 below) is scheduled to occur within SIXTY (60) days of a change in occupancy inspection, a periodic inspection shall

not be required. The license term shall commence on April 1 and shall be valid until March 31 of the following calendar year, at which time it shall expire and a new registration and registration fee shall be required. Registration for a license hereunder shall continue to be on a yearly basis, except that periodic inspections and registration fees shall be biannual for all rental units. In addition to the registration fees required bi-annually in this Ordinance, there shall be charged an inspection fee of \$35.00 for each change in occupancy.

IV. **Section 7, Periodic Inspections**, is hereby amended to delete the language contained in subsection A therein, and replace same with the following:

A (1). All rental units shall receive a periodic inspection once every TWENTY- FOUR (24) month period, the fee for same being as set forth in this Ordinance. Periodic inspections shall be on an odd-even basis for all rental units, so that the same general areas are covered each year. For example, if there are eight (8) units in an apartment building, apartments 1, 3, 5 and 7 shall be inspected on the odd year, and apartments 2, 4, 6 and 8 the next even year. The bi-annual periodic inspections and registration fees hereunder shall start with the even number rental units on or after April 1, 2002. If the rental units are not designed by odd and even numbers, the Clerk or designee shall implement a comparable system to accomplish the intent of this section, which is to cover the same general area of a complex or group of rental units.

A (2). While every rental unit must be registered and licensed annually, the bi-annual registration fees shall only be due and payable as of April 1 of the year in which a periodic inspection is to be made. For example, commencing April 1, 2002, registration fees and periodic inspections shall take place for even number rental units. Commencing April 1, 2003, registration fees and periodic inspections shall take place for odd number rental units.

V. All other provisions of Ordinance No. 5-98, as amended, are hereby ratified and affirmed.

VI. This Ordinance shall be effective upon passage and publication according to law, and shall be implemented beginning with the calendar year 2002.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 4 -2002**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY,
AMENDING CHAPTER 10.28 PARKING RESTRICTIONS
FOR SPECIFIC STREETS OF THE EDGEWATER PARK
TOWNSHIP MUNICIPAL CODE FOR BRIDGEBORO ROAD.**

WHEREAS, the Township of Edgewater Park desires to amend Chapter 10.28 Parking Restrictions for Specific Streets of the Edgewater Park Municipal Code;

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of Edgewater Park that the following language be added to Chapter 10.28.030 Parking Restrictions—Nuisance—Penalty for Violation.

Chapter 10.28.030 Parking Restrictions
Nuisance—Penalty for Violation.

1. Section A shall be supplemented to add

Name of Street	Side(s)	Location
Bridgeboro Road	Both	From the westerly curbline of US Rt. 130 to the northerly curbline of Creek Road (CR625)

2. All other provisions shall remain in full force and effect.

BE IT FURTHER ORDAINED, that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be submitted to the New Jersey Department of Transportation, the Burlington County Engineer-Traffic Section, the Municipal Clerk of Delanco Township, the Municipal Clerk of Willingboro Township and all property owners within 200 feet of this area.

TOWNSHIP OF EDGEWATER PARK

ORDINANCE NO. 5-2002

An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, Deleting Chapter 12.36 entitled “Meetings, Assemblies and Parades in Public Places”, and by Substituting Chapter 12.36 as entitled “Parades, Public Function and Similar Activities Ordinance of the Township of Edgewater Park and Providing Penalties for the Violation of any of the Provisions Thereof.”

WHEREAS, Chapter 12.36 et seq. provides for meetings, assemblies and parades in public places; and

WHEREAS, the Township Committee wishes to amend said code;

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Edgewater Park Township that:

This Ordinance shall amend Chapter 12.36 of the Township Code, by deleting the language in Chapter 12.36 entitled “*Meetings, Assemblies and Parades in Public Places*”, and substituting the following language Regulating Parades, Public Functions, and Other Similar Uses of Public Places:

Title. This chapter shall be known and may be cited as the “Parades, Public Functions, or Similar Activities Ordinance of the Township of Edgewater Park and Providing Penalties for the Violation of any of the Provisions Thereof.”

Definitions.

Parades, Public Functions, and Similar Activity - Any parade, public function, or similar activity shall be defined as any parade, march, block party, meeting, celebration, sporting event, ceremony, show, festival, exhibition, assembly, pageant, automobile road rally, motorcycle race or enduro, bicycle race, rally, tour, procession of any kind, foot race, marathon, or the like, of any kind or any similar display in or upon any street, road, park or other public property in the Township of Edgewater Park.

Permit Required. No parade, public function or similar activity, where participants or spectators are expected or may reasonably be expected and/or where vehicles are permitted on any street or area of the Township unless a permit allowing such activity has been obtained from the Township Committee. It shall be at the discretion of the Township Committee to issue or limit the number of permits issued during any twelve-month period to the same applicant, or an affiliate organization of the applicant. **This section shall not apply to:**

- A. Funeral processions.

- B. Students going to and from school classes or participating in educational activities under the immediate direction and supervision of the proper school authorities or a governmental agency acting within the scope of its functions.
- C. Normal or scheduled activities of the Township.
- D. Processions sponsored, sanctioned or approved by a governmental agency, or subdivisions thereof, including, but not limited to Township Committee, School Board, Fire Company or Ambulance Squad, acting within the scope of its functions.
- E. Wedding processions.
- F. Processions arising out of labor disputes.
- G. Processions sponsored by houses of religious worship.

Application for Permit. A person, partnership, voluntary association, corporation, or other organization seeking to obtain a parade, public function, or similar activity permit shall file an application with the Township Clerk, not less than 10 days before a Township Committee Meeting prior to the event of which the parade, public function, or similar activity is proposed. The Township Administrator is authorized to establish rules; regulations and procedures for the processing of parade, public function, or similar activity permit applications.

In order for any application to be reviewed by the Township Administrator, and submitted to the Township Committee for consideration, it must contain any and all information and requested materials listed the section below.

Contents of Application. Any application for a parade, public function or similar activity permit filed with the Township Clerk must contain the following information:

- A. The name, address, and telephone number of the person signing the application.
- B. If the parade, public function, or similar activity is proposed to be conducted for, on behalf of or by an organization; the name, address and telephone number of the headquarters of the organization and of the authorized and responsible leaders of the organization conducting the parade, public function, or similar activity, and the name, address, and telephone numbers of any state, regional, and national organizations with which the applicant organization is affiliated.
- C. The name, address and telephone number of the person who will be responsible for its conduct, together with the address and phone

number where said person can be contacted on the date of the Public Function.

- D. Type of Public Function.
- E. The date of the proposed parade, public function or public or similar activity and the hours that it commences and terminates.
- F. The location of the assembly area and the time when the participants will begin to assemble.
- G. The route to be traveled; the starting point and the termination point. A map outlining said route and rest area shall be submitted with the application, if applicable.
- H. The approximate number of person, animals and vehicles to participate in the parade, public function, or similar activity.
- I. A statement as to whether the parade, public function, or similar activity will occupy all or only a portion of the width of the streets proposed to be traversed or if it will occupy all or only a portion of Township property.
- J. The location, by street, public facility, or public property, of any assembly areas for the Public Function.
- K. The interval of space to be maintained between units if such parade, public function or similar activity.
- L. If the parade, public function, or similar activity is designed to be held by, on behalf of, or for any person, partnership, voluntary association, corporation or other organization other than the applicant, the applicant for the permit shall file with the Township Clerk, a communication, in writing, from such person or from an authorized and responsible leader of such organization authorizing the applicant to apply for the permit on behalf of such person or organization.
- M. A description of any and all provisions for necessary medical, ambulance or rescue services, police services and/or traffic control, public works services, and copies of approvals by same.
- N. In the event the function being applied for will traverse other governmental units, such as the Local and Sending District School Facilities, or County, State and Federal lands, the applicant shall file with the Township Clerk, a copy of the application used by the Public Schools, governmental unit, or agency having jurisdiction over such lands, simultaneous with the filing of said application. Any revision or correction to any of the above-mentioned applications, shall also be filed with the Township Clerk.

- O. Written permission by the owners of property used as start and stop areas or rest areas, if they should be privately owned or owned by agencies other than Edgewater Park Township.
- P. In the event the function being applied for includes any amusement ride and/or device which carry or convey passengers along, around, or over a fixed or restricted route or course for the purpose of giving its passengers amusement, pleasure, thrills or excitement; and any passenger or gravity propelled ride, including, but not limited to small truck mounted kiddie rides, inflatable bounces, slides, and other inflatable attractions must submit proof of a current year permit which has been sealed and validated by the State of New Jersey, Department of Community Affairs pursuant to Carnival Amusement Rides Safety Act NJSA 5:3-31 et seq.
- Q. Certification of Insurance naming the applicant, the Public Function covered and the Township of Edgewater Park as additional insured.

REQUIREMENTS:

1. **INDIVIDUALS - Weddings, wedding receptions, graduation parties, etc.**
 General Liability \$ 300,000
 Municipality named as "Additional Insured"
 Hold Harmless Agreement
2. **NON-PROFIT/CHARITABLE GROUPS – Meetings for Civic groups, service clubs, churches, etc.**
 General Liability \$ 300,000
 Municipality named as "Additional Insured"
 Hold Harmless Agreement
3. **NON-PROFIT/CHARITABLE GROUPS/INDIVIDUALS – Activity related functions (sports, parades, block parties, etc.) for individuals, civic groups, service clubs, churches, etc.**
 General Liability \$1,000,000
 Municipality named as "Additional Insured"
 Hold Harmless Agreement
4. **COMMERCIAL (FOR PROFIT) GROUPS - Flea markets, business displays/seminars, parties, receptions**
 General Liability \$1,000,000
 Municipality named as "Additional Insured"
 Hold Harmless Agreement

All coverage shall be with insurance carriers licensed and admitted to do business in the State of New Jersey and acceptable to the Township Committee.

- R. Any additional information, which the Township Administrator or Township Committee shall find reasonably necessary to a fair determination as to whether a permit should be issued.

Late Applicants. The Township Committee, when good and compelling cause is shown therefore, may consider an application hereunder which is filed less than 10 days before the date such parade, public function, public assembly or similar activity is proposed to be conducted.

Standards for Issuance. The Township Committee shall issue a permit, as provided for hereunder, when, from a consideration of the application and from such other information as may otherwise be obtained, it found that:

- A. The conduct of the parade, public function, or similar activity will not substantially interrupt or interfere with the safe and orderly movement of traffic in the area contiguous to its route or designated location.
- B. The activity will not present an unreasonable danger to the health or safety of the applicant, township employees, or members of the public, which is to be determined upon the basis of past events that have occurred with the corporate limits, of the Township of Edgewater Park.
- C. That no obstruction or interruption of local business shall result from the route chosen and that notification of the public function shall receive written authorization from the businesses.
- D. There are available at the time of the parade, public function, or similar activity a sufficient number of peace officers to police and protect lawful participants in the activity and maintain adequate police protection in the rest of the Township of Edgewater Park.
- E. The conduct of the function or the concentration of person, animals and vehicles at the assembly points of the parade, public function, or similar activity will not unduly interfere with the proper fire and police protection of, or ambulance service to areas contiguous or en route to such assembly.
- F. The conduct of the function or activity will not interfere with the scheduled Township functions or the normal pursuit of activities of the residents of the Township of Edgewater Park.
- G. The parade, public function, or similar activity is scheduled to move from its point of origin to its point of termination, or time of commencement to termination expeditiously and without unreasonable delays.
- H. The parade, public assembly, or similar activity is not to be conducted for an unlawful purpose or for the sole purpose of soliciting,

advertising any product, goods or event and is not designed to be held purely for private profit.

- I. Spectator and participant parking at local businesses or private residences shall not occur without express permission of the property owner.
- J. Any kind of signs or markings posted shall be removed within (12) twelve hours at the end of the event.
- K. Before the issuance of a permit the Township Administrator shall require the organization to furnish evidence of insurance naming the Township as an additional insured in such form as may be determined by the Township Committee to provide for the payment of any claims for personal injuries (including death and any injuries to Township employees, agents, or contractors), property damage or other suits arising out of or connected with such public functions, parades or similar activities (See paragraph "Standards of Issuance" section "Q"). If an organization's most reasonable efforts are unsuccessful, the required insurance can be waived by the Township Committee, subject to the conditions stated in this Section. In such a situation the organization must provide written proof of the inability to obtain insurance. If prior events of the applicant in the Township have resulted in damage or injury for which the applicant did not have insurance or did not compensate the damaged or injuries parties, the Township Committee shall require either (1) the insurance policy as stated in this section or (2) a cash security deposit in an amount based upon damaged incurred in any prior event of the applicant in the Township, as determined by the Township Committee. Any funds not expended shall be returned within 30 days after the determination of the damage or injury.
- L. A hold harmless agreement shall be signed with the Township of Edgewater Park holding the Township harmless from any and all claims that may arise from the use of designated public property, right of way, equipment or any injury to a Township employee, agent, or contractor in conjunction with the permitted use.
- M. Prior to the issuance of any permit, all parade, public functions, or similar activity applicants must pay for the estimated cost of clean-up and restoration of the area of the event and traffic control costs of any Police Department, or Township personnel utilized in conjunction with the function at a reasonable rate to be determined by the Township Committee. Such estimated costs shall be specifically set out in writing to the applicant prior to the issuance of the permit, showing the basis of the estimated costs. These estimated costs shall not include any use of Township personnel to protect the public safety in an emergency situation in conjunction with the event. In the event that the estimated costs paid are in excess of the actual costs, the overage shall be refunded to the applicant within 30 days after such a determination

has been made. In addition, applicants must agree to and must pay for any damage created as a result of the public function, parade or similar activity.

- N. If the Township Committee receives more than one application for a parade, public function, or similar activity to be held at the same time and at the same place, the applications filed first in time shall take precedence; however, it shall be at the discretion of the Township Committee to waive precedence as to order of application filing and to give application precedence to educational activities under the immediate direction and supervision of school authorities, governmental agencies acting within the scope of its function, or Township of Edgewater Park organizations. An event shall be considered to be “at the same time” if the event is scheduled to commence within two (2) hours before or after the holding of another event. If the Township Committee receives an application for more than one parade, public function, or similar activity in a single day, the Township Committee may set a time for the duration of each parade, public function, or similar activity which shall not, without the consent of the group seeking the permit, be less than three (3) hours.

Approval or Denial or Permit. Following the receipt of an application the Township Committee shall either issue such permit or deny same at the first public meeting at which action may be taken after the filing of a completed application. The action of the Township Committee shall be subject to judicial review.

Conditions to Permit. The Director of Public Safety/Chief Law Enforcement Officer shall have the authority to impose such conditions as are necessary to insure that all of the findings mentioned in this Chapter shall exist during the continuation of the activity.

Notice to Officials. Immediately upon the receipt of a parade, public function, or similar activity application, the Township Clerk shall send a copy thereof to the Township Attorney, Director of Public Safety, Fire Chief, Ambulance Companies, Superintendent of Public Works and Code Enforcement Officers.

Application Fee. An Application fee of \$10.00 shall accompany each application for a parade, public function, or similar activity unless otherwise prescribed in section “Permit Required” as being not applicable. The Township Committee may in its discretion reduce or waive the set fee.

Any township non-profit organization, including, but not limited to the Historical Society, Edgewater Park Township Schools, Edgewater Park Township youth organizations, religious organizations, veteran organizations will not be subject to the application fee.

Contents of Permit. Each parade, public function, or similar activity permit shall state the following information

- A. Starting time and end time.

- B. Purpose
- C. Specific Date
- D. Minimum speed.
- E. Maximum speed.
- F. Maximum interval of space to be maintained between units of the parade, public function or public assembly.
- G. The portions of the streets to be traversed that may be occupied by the parade, public function or public assembly.
- H. The maximum length of the parade, public function or public assembly in miles or fractions thereof.
- I. Specified area or township recreational facility(s) to be used.
- J. Such other information, which the Township Committee shall find necessary to insure the enforcement of this chapter.

Duties of Permittee.

- A. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- B. No participant in a public function shall carry any baseball bat, club or stove or any other object, which may be used as an offensive or defensive weapon.
- C. One of the authorized and responsible leaders of the organization conducting the parade, public function, or similar activity, shall have the public function permit upon his person during the conduct of the parade, public function, or similar activity.

Public Conduct during a meeting, assembly, or parade.

- A. It is unlawful for any person to unreasonably obstruct, impede or interfere with any parade, public function, or similar activity or with any person, vehicle or animal participating in such a parade, function or similar activity for which a permit has been granted in accordance with the provisions of this chapter.
- B. No driver of any vehicle shall drive between the vehicles or persons comprising a parade, public function, or similar activity when such vehicles or persons are in motion and are conspicuously designated as a parade, public function, or similar activity; provided, however, that

fire and police vehicles and ambulances may interrupt a parade, public function, or similar activity in an emergency situation.

- C. The Director of Public Safety/Chief Law Enforcement Officer shall have the authority, when responsibly necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting part of the route of a parade, public function, or similar activity. The Director of Public Safety/Chief Law Enforcement Officer shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this chapter.

Revocation of Permit. The Township Committee shall have the authority to revoke a parade, public function, or similar activity permit issued hereunder, if at any time, facts are brought to the attention of the Township Committee which show that the parade, public function, or similar activity does not, or will not, comply with the standards for issuance as herein set forth.

Penalties.

- A. Any person who violates any provision of this chapter shall be subject to a penalty for each offense of not more than five hundred dollars (\$500.00) or be imprisoned for a term not exceeding ninety (90) days, or both, for each offense.
- B. Other Remedies. No provision of this chapter shall be construed to impair any common law or statutory cause of action or legal remedy there from of any person for injury or damage arising from any violation of this chapter or from other laws.

Severability. If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held invalid or unconstitutionally by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

This Ordinance shall take effect after final adoption and publication according to law.

TOWNSHIP OF EDGEWATER PARK

ORDINANCE NO. 6-2002

An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, Adopting Risk Management/Loss Control Plan on Employment Practices Issues and Personnel Policy Manual

WHEREAS, the Township of Edgewater Park has determined that is in the best interest of the Township to establish personnel policies and formalize procedures for the Township of Edgewater Park;

WHEREAS, policies and procedures contained in the Risk Management/Loss Control Plan on Employment Practices Issues and Personnel Policy Manual are intended to be consistent with New Jersey Department of Personnel rules and regulations or other legal agreements;

WHEREAS, the risk management/loss control plan on employment practices and personnel policy manual is not to be construed as a contract or other legal promise;

WHEREAS, the Township of Edgewater Park reserves the right to rescind or revise any or all policies that are not set by the valid bargaining agreement, the New Jersey Statutes, or the New Jersey Administrative Code;

WHEREAS, pursuant to N.J.S.A. 40A:9-136, the "Township Administrator" was established as the "appropriate authority," and may, thus, promulgate rules and regulations, as authorized by law;

WHEREAS, Title 2 of the Edgewater Park Township Municipal Code presently provides for Administration and Personnel;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park that:

1. Section 2.80 shall be added to the Edgewater Park Township Code and shall be titled "RISK MANAGEMENT/LOSS CONTROL PROGRAM" and "EDGEWATER PARK TOWNSHIP PERSONNEL POLICY MANUAL" dated April 1, 2002.
2. Section 2.81 shall be added as follows:
The Township Risk Management/Loss Control Program is hereby adopted, a copy of which shall be on file in the Office the the Township Clerk.
3. Section 2.81 shall be added as follows:
The Edgewater Park Personnel Policy Manual dated April 1, 2002 is herby adopted, a copy of which shall be on file in the office of the Township Clerk
4. Section 2.82 shall be added as follows:
Either the Risk Management/Loss Control Program or the Edgewater Park Township Personnel Policy Manual dated April 1, 2002 may be amended from time to time as necessary be a Resolution of the Edgewater Park Township Committee.

This ordinance shall take effect immediately upon final passage and publication according to law.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE 7-2002**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK AMENDING
ORDINANCE NO. 22-2001 PROVIDING FOR AND DETERMINING THE
RATES OF COMPENSATION FOR EMPLOYEES FOR THE YEAR 2002.**

BE IT ORDAINED AND ENACTED by the Township Committee of the
Township of Edgewater Park, County of Burlington, State of New Jersey, as follows:

Section 2:2-1. The annual rate of compensation of officers and employees whose compensation shall be payable bi-weekly shall be as follows:

POSITION	SALARY
Second Deputy Clerk	\$1,000
(Annual Stipend effective on date of appointment)	

Section 2:2-6. Supplemental salary payments for Police Officers will be based on each employee's anniversary date with the department. The amount of supplemental salary payments will be determined by the number of continuous years of service with the department and will be based on the base salary only. Supplemental salary will be included into the base pay for pension purposes and payable bi-weekly. The following supplemental salary is in accordance with the current police contract:

6 years through 10 years	3%
11 years through 15 years	4 ½%
16 years through 20 years	5 ½%
21 years and over	6%

Section 2:2-8. This ordinance shall take effect immediately upon its final passage and publication according to law, but the terms of compensation provided herein shall be effective as of January 1, 2002, and shall apply only to those persons in employment at the date of adoption of this ordinance.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 9-2002**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY TO VACATE PINE ALLEY SOUTH;
SAID PORTION BEING A PAPER STREET**

BE IT ORDAINED, by the Township Committee of the Township of Edgewater Park in the County of Burlington, State of New Jersey as follows:

SECTION I – DECLARATIONS

The Township Committee hereby makes the following declarations:

- (a) N.J.S.A. 40:67-1.b states that the Governing Body may vacate any public street, highway, lane or alley or any part thereof.
- (b) N.J.S.A. 40:67-19 states that whenever there shall have been a dedication of lands as a public place and the same has not been accepted or opened by the Municipality, the Governing Body may, by Ordinance release and extinguish the public right arising from said dedication.
- (c) The Township Committee desires to vacate Pine Alley South as herinafter described, said promotion being a “paper street”.
- (d) The Township Committee has determined that said portion of Pine Alley South is no longer needed for public use and desires to vacate same subject to the reservation of an easement for utilities and drainage across the full length and width of Pine Alley South, said being a paper street.
- (e) The vacation of said Pine Alley South with the aforementioned easement reservation does not result in denying total access to any property owner to a public right of way.

SECTION II

Proposed land description for Vacation of Pine Alley South

All that certain tract or parcel of land, situated in the Township of Edgewater Park, County of Burlington, State of New Jersey more particularly described as follows:

Beginning at appoint at the intersection of the northeasterly line of Pine Alley South (20 feet wide) and the Southeasterly line of Walnut Alley (20 feet wide) being distant 185.00 feet on a bearing of south 63 degrees 55 minutes 00 seconds west from the intersection of the Southwesterly Line of Stokes Avenue (60 feet wide) and the Southeasterly Line of Walnut Alley

Thence 1) Along the line of Lots 2 and 1, Block 603, South 26 Degrees 05 minutes 00 seconds East a distance of 177.17 feet to a point in the line of the block limit

Thence 2) Along the same south 84 degrees 17 minutes 00 seconds west a distance of 21.34 feet to a point

Thence 3) Along the line of Lot 1, Block 602 North 26 degrees 05 minutes 00 seconds West a distance of 169.75 feet to a point in the Southeasterly line of Walnut Alley

Thence 4) Along the Southeasterly line of Walnut Alley North 63 degrees 55 minutes 00 seconds East a distance of 20.0 feet to a point and place of beginning

Subject to easements and restrictions of record

SECTION III

The aforementioned land resulting from the vacation of Pine Alley South shall be divided into three separate parcels that will be transferred to the adjacent property owners as follows:

Parcel No 1 shall be transferred by the Township to Heather and William Boyce, Jr., the record owner of Block 603, Lot 2 on the Township Tax Map; the legal description of Parcel No 1 is as follows:

Beginning at a point corner to Lot 1, Block 602 and Lot 2, Block 603 in the Southeasterly line of Walnut Alley (20 feet wide) being distant 205.00 feet on a bearing of South 63 Degrees 55 minutes 00 seconds west from the intersection of the Southwesterly line of Stokes Avenue (60 feet wide) and the Southeasterly line of Walnut Alley

Thence 1) Along the southeasterly line of Walnut Alley North 63 degrees 55 minutes 00 seconds East a distance of 20.0 feet to a point

Thence 2) South 26 degrees 05 minutes 00 seconds East a distance of 100.0 feet to a point in the line of Lot 1, Block 603

Thence 3) Along the line of Lot 1, Block 603 and Lot 1, Block 602 South 63 Degrees 55 minutes 00 seconds West a distance of 20.0 feet to a point corner to Lot 2, Block 603 and Lot 1, Block 602

Thence 4) Along the line of Lot 1, Block 602, North 26 Degrees 05 minutes 00 seconds West a distance of 100.0 feet to the point and place of beginning

Subject to easements and restrictions of record

Parcel No 2 shall be transferred by the Township to Janet E. and Elwood Cowan, the record owner of Block 602, Lot 1 on the Township Tax Map; the legal description of Parcel No 2 is as follows:

Beginning at a point corner to Lot 1, Block 603, and Lot 1, Block 602 in the Line of Lot 2, Block 603 being the following courses from the intersection of the Southwesterly line of Stokes Avenue (60 feet wide) and the Southeasterly line of Walnut Alley (20 feet wide)

Course A) Along the Southeasterly line of Walnut Alley South 63 degrees 55 minutes 00 seconds West a distance of 185.00 feet to a point

Course B) South 26 degrees 05 minutes 00 seconds East A distance of 100.0 feet to a point in the line Lot 1, Block 603

Course C) Along the line of Lot 1, Block 603 South 63 Degrees 55 minutes 00 seconds West a Distance of 10.0 feet to the point of beginning

Thence 1) Along the line of Lot 1, Block 603 and Lot 2, Block 603 North 63 Degrees 55 minutes 00 seconds East a distance of 10.0 feet to a point

Thence 2) South 26 degrees 05 minutes 00 seconds East a distance of 77.17 feet to a point in the line of the block limit

Thence 3) Along the same South 84 degrees 17 minutes 00 seconds West a distance of 10.67 feet to a point corner to Lot 1, Block 603 and Lot 1, Block 602

Thence 4) Along the line of Lot 1, Block 602 North 26 degrees 05 minutes 00 seconds West a distance of 73.46 feet to the point and place of beginning

Subject to easements and restrictions of record

Parcel No 3 shall be transferred by the Township to Richard and Catherine Hemler, the record owner of Lot 1, Block 603, on the Township Tax Map; the legal description of Parcel No 3 is as follows:

Beginning at a Point corner to Lot 1, Block 603, and Lot 1, Block 602 in the line of Lot 2, Block 603 being the following courses from the intersection of the Southwesterly line of Stokes Avenue (60 feet wide) and the southeasterly line of Walnut Alley (20 feet wide)

Course A) Along the Southeasterly Line of Walnut Alley South 63 degrees 55 minutes 00 seconds west a distance of 185.00 feet to a point

Course B) South 26 degrees 05 minutes 00 seconds east a distance of 100.0 feet to a point in the line of Lot 1, Block 603

Course C) Along the line of Lot 2, Block 603 south 63 degrees 55 minutes 00 seconds west of distance of 10.0 feet to the point of beginning

Thence 1) Along the line of Lot 1 south 26 degrees 05 minutes 00 seconds east a distance of 73.46 feet to a point in the line of block limit

Thence 2) Along the same South 84 degrees 17 minutes 00 seconds west a distance of 10.67 feet to a point

Thence 3) North 26 degrees 05 minutes 00 seconds west a distance of 69.75 feet to a point corner Lot 1, Block 602, and Lot 2, Block 603

Thence 4) Along the line of Lot 2, Block 603 North 63 degrees 55 minutes 00 seconds East a distance of 10.0 feet to the point and place of beginning

Subject to easements and restrictions of record

SECTION IV

The Township committee hereby directs the Township Clerk to file a copy of this Ordinance pursuant to the provisions of N.J.S.A. 40:67-21.

SECTION V

All ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION VI

This ordinance shall take effect upon final passage and publication according to law.

SECTION VII

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 and the remainder of this Ordinance shall be deemed valid and effective.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE 10-2002**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK AMENDING
ORDINANCE NO. 22-2001 PROVIDING FOR AND DETERMINING THE
RATES OF COMPENSATION FOR EMPLOYEES FOR THE YEAR 2002.**

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, as follows:

Section 2:2-1. The annual rate of compensation of officers and employees whose compensation shall be payable bi-weekly shall be as follows:

POSITION	SALARY
Administrator	\$25,000 - \$30,000

Section 2:2-8. This ordinance shall take effect immediately upon its final passage and publication according to law, but the terms of compensation provided herein shall be effective as of April 24, 2002 and shall apply only to those persons in employment at the date of adoption of this ordinance.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE 11-2002**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK AMENDING
ORDINANCE NO. 22-2001 PROVIDING FOR AND DETERMINING THE
RATES OF COMPENSATION FOR EMPLOYEES FOR THE YEAR 2002.**

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, as follows:

Section 2:2-1. The annual rate of compensation of officers and employees whose compensation shall be payable bi-weekly shall be as follows:

POSITION	SALARY
Coordinator of Scheduling, Recreational Activities	\$12,000 - \$15,000

Section 2:2-8. This ordinance shall take effect immediately upon its final passage and publication according to law.

TOWNSHIP OF EDGEWATER PARK

Carol Ashinoff, Deputy Mayor

Linda M. Dougherty, RMC, Municipal Clerk

NOTICE

The foregoing was introduced by the Edgewater Park Township Committee at its meeting held on May 22, 2002. This ordinance will be consider for adoption of final reading and public hearing to be held on June 12, 2002 at 7:05 PM, or shortly thereafter, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Record Vote of the Township Committee on First Reading				
Committee Member	Yes	No	Abstain	Absent
Mrs. Ashinoff				
Mr. Pullion				
Mr. Tucker				
Mr. Van Brunt				
Mayor McBrearty				

NOTICE OF FINAL ADOPTION:

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Township Committee of the Township of Edgewater Park at a Regular Meeting held on _____ at the Municipal Building, 400 Delanco Road.

Township of Edgewater Park

Maureen McBrearty, Mayor

Linda M. Dougherty, R.M.C., Municipal Clerk

Record Vote of the Township Committee on Final Passage				
Committee Member	Yes	No	Abstain	Absent
Mrs. Ashinoff				
Mr. Pullion				
Mr. Tucker				
Mr. Van Brunt				
Mayor McBrearty				

1st Reading:

Publication:

2nd Reading:

Publication:

Adoption:

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 12-2002**

**ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF
BURLINGTON, NEW JERSEY, CREATING THE POSITION OF COORDINATOR OF
SCHEDULING, RECREATIONAL ACTIVITIES**

WHEREAS, the Township of Edgewater Park wishes to create the position of
Coordinator of Scheduling, Recreational Activities; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW
JERSEY:

Section 2.20 That the position of Coordinator of Scheduling, Recreational Activities be
created.

Job specifications are set forth under the guidelines of Civil Service and the NJ
Department of Personnel.

This ordinance shall take effect immediately upon its final passage and publication according to
law.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE 13-2002**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY
OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING THE MAYOR
TO EXECUTE ANY DOCUMENTATION REQUIRED ENABLING THE
TOWNSHIP OF EDGEWATER PARK TO PURCHASE BLOCK 1202, LOT 4.01
AND BLOCK 404, LOT 8.01 ON THE TAX MAP OF EDGEWATER PARK AS
PART OF A SETTLEMENT OF PENDING LAWSUITS**

WHEREAS, Township of Edgewater Park, is a party to certain lawsuits presently pending in the Superior Court of New Jersey, Law Division, Burlington County under Docket Number L-2553-01, L-3253-01, L-3741-97 and L-1708-01 which are collectively referred to as the Edgewater Park “Mt. Laurel” Consolidated Cases; and

WHEREAS, through protracted negotiations the various parties involved in the Consolidated Cases have reached an amicable settlement of all issues arising thereunder; and

WHEREAS, the Township of Edgewater Park wishes to memorialize its assent to this agreement.

NOW THEREFORE BE IT ORDAINED on this 12th day of June 2002 by the Township Committee of the Township of Edgewater Park as follows:

1. The agreement resolving the dispute(s) as set forth in the Consolidated Cases is attached hereto as Exhibit A.
2. Pursuant to the agreement, the Township of Edgewater Park shall purchase the real property known as Block 404, Lot 8.01 and Block 1202, Lot 4.01 on the Tax Map of the Township of Edgewater Park for the consideration and pursuant to the terms of the Agreement.
3. On behalf of the Township, the Mayor is authorized to execute any and all documentation necessary to effectuate the above.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE 14-2002**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY
OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING THE MAYOR
TO EXECUTE ANY DOCUMENTATION REQUIRED ENABLING THE
TOWNSHIP OF EDGEWATER PARK TO PURCHASE BLOCK 1202, LOT 4.01
AND BLOCK 404, LOT 6 ON THE TAX MAP OF EDGEWATER PARK AS
PART OF A SETTLEMENT OF PENDING LAWSUITS**

WHEREAS, Township of Edgewater Park, is a party to certain lawsuits presently pending in the Superior Court of New Jersey, Law Division, Burlington County under Docket Number L-2553-01, L-3253-01, L-3741-97 and L-1708-01 which are collectively referred to as the Edgewater Park “Mt. Laurel” Consolidated Cases; and

WHEREAS, through protracted negotiations the various parties involved in the Consolidated Cases have reached an amicable settlement of all issues arising thereunder; and

WHEREAS, the Township of Edgewater Park wishes correct a typographical error to Ordinance No. 13-2002; and

WHEREAS, the Township of Edgewater Park wishes to memorialize its assent to this agreement.

NOW THEREFORE BE IT ORDAINED on this 10th day of July 2002 by the Township Committee of the Township of Edgewater Park as follows:

1. The agreement resolving the dispute(s) as set forth in the Consolidated Cases is attached hereto as Exhibit A.
2. Pursuant to the agreement, the Township of Edgewater Park shall purchase the real property known as Block 404, Lot 6 and Block 1202, Lot 4.01 on the Tax Map of the Township of Edgewater Park for the consideration and pursuant to the terms of the Agreement.
3. On behalf of the Township, the Mayor is authorized to execute any and all documentation necessary to effectuate the above.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE 18-2002**

*AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING
ORDINANCE NO. 16-2000 WHICH AUTHORIZES THE COLLECTION OF
DEVELOPMENT FEES PURSUANT TO THE REGULATIONS OF
THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING*

BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey as follows:

Ordinance 16-2000 which is titled

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING
SECTION 2. CHAPTER 16.02 OF THE MUNICIPAL CODE WHICH
AUTHORIZES THE COLLECTION OF DEVELOPMENT FEES PURSUANT TO
THE REGULATIONS OF THE NEW JERSEY COUNCIL ON AFFORDABLE
HOUSING** is hereby amended as follows:

Section H, section 1 should be replaced as follows:

SECTION H. HOUSING TRUST FUND

1. There is hereby created an interest bearing housing trust fund in the Farmers and Mechanics Bank, an approved depository bank for public funds, for the purpose of receiving development fees from residential and non-residential developers. All development fees paid pursuant to this Ordinance shall be deposited in this fund. No money shall be expended from the housing trust fund unless the expenditure conforms to a spending plan approved by COAH or the Superior Court, as the case may be.
2. If COAH determines that the Township of Edgewater Park is not in conformance with COAH's rules on development fees, COAH is authorized to direct the manner in which all development fees collected pursuant to this Ordinance shall be expended. Such authorization is pursuant to COAH's rules on development fees and the written authorization from the governing body to the Farmers and Mechanics Bank.

SECTION I subsection (4) should be replaced as follows:

4. Development fees shall not be used to reimburse the Township for housing activities that preceded the judgment of repose.

SECTION J, the title shall be corrected to read as follows:

SECTION J. EXPIRATION OF ORDINANCE

All of the other provisions of Ordinance 16-2000 shall remain in full force and effect.

Township of Edgewater Park

Ordinance No. 19-2002

*An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey
Establishing a Plan to Spend Development Fees Collected Pursuant to
Ordinance No. 16-2000 as Amended.*

INTRODUCTION

The Township of Edgewater Park (“Township”) has a development fee ordinance that was previously approved by the Honorable Ronald Bookbinder by court order dated August 2, 2000 and adopted by the Township on September 27, 2000. The Township received a Final Judgment of Repose for a period of six (6) years from September 20, 2002 forward by order of Judge Bookbinder (“Judgment of Repose”). This spending plan is prepared in accordance with N.J.A.C. 5:93-5.1(c) and includes the following:

1. Projection of development fee revenues based on known development approvals and historic rate of development activity;
2. A description of the administrative mechanism that the Township will use to collect and distribute revenues;
3. A description of the anticipated use of all development fees;
4. A schedule for the creation or rehabilitation of housing units (if applicable);
5. If the municipality envisions being responsible for public sector or non-profit construction of housing, a proforma statement of the anticipated costs and revenues associated with the development;
6. The manner in which the Township will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan (if applicable).

To date, Township has collected \$7,500.00 in development fees. All development fees collected and interest generated by the fees are deposited in a separate interest-bearing account in Farmers & Mechanics Bank for the purposes of affordable housing.

PROJECTION OF REVENUES

To calculate a projection of revenues anticipated between January 1, 2003 and the expiration of the Judgment of Repose granted to the Township, Township considered the following:

1. Based on the residential and non-residential projects which have had development fees imposed upon them at the time of preliminary or final development approvals, the Township

anticipates the collection of \$0.00 in development fees at issuance of building permits and/or certificates of occupancy during the period prior to the issuance of the Judgment of Repose.

2. The Township has considered all projects currently before the planning board for development approvals. Based on an estimate of when these may apply for building permits and certificates of occupancy. Township anticipated the collection of \$0.00 in development fees during the period of Judgment of Repose.

3. Additional, the Township looked at the historic rate of development and determined that between now and the expiration of Judgment of Repose, an additional \$33,730.00 in development fees could be anticipated.

Therefore, Township has projected a total of \$41,230.00 in development fee revenues to be collected between now and the expiration of Judgment of Repose. All development fees collected and interest generated by the fees will be deposited in a separate interest bearing account.

ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues is proposed by Township:

1. Collection of development fee revenues:

The planning board secretary notifies the construction code official whenever a preliminary or final approval is granted for a development which is subject to a development fee.

When a request is made for a building permit, the construction code official determines if the project is subject to the imposition of a mandatory development fee. If so, the construction code official obtains an approximate value of the completed project from the developer or tax assessor who calculates the fee based on the equalized assessed value.

The developer will pay 50 percent of the estimated development fee to the Township's construction code official at the time the building permit is issued. The funds will then be forwarded to the chief financial officer and deposited in the affordable housing trust fund or the developer may pay the entire development fee at the issuance of the certificate of occupancy.

Upon request of a certificate of occupancy by the developer, the construction code official will notify the township tax assessor to calculate the value of the project and set the fee based on the equalized assessed value.

The balance of the development fee or the full fee will be paid by the developer to the construction official upon issuance of the certificate of occupancy. The funds are then forwarded to the chief financial officer and deposited in the affordable housing trust fund.

2. Distribution of development fee revenues:

The affordable housing committee of the Township of Edgewater Park (which for purposes of spending plan shall constitute the Township Committee) shall adopt and forward a resolution to the Township Committee recommending expenditures of development fee revenues as set forth in this spending plan. The Township Committee shall review the request for consistency with spending plan and adopt the recommendation if they so choose.

The use and release of the funds require the adoption of a resolution in accordance with the COAH-approved spending plan. Once a request is approved, the Township's Chief Financial Officer shall release the revenues from the trust fund for the specific use as per the Township Committee's resolution.

DESCRIPTION OF ANTICIPATED USE OF DEVELOPMENT FEES:

1. The Township will dedicate twenty percent (20%) of development fees collected each year to be used for administrative purposes as follows:
 - a. Salaries and benefits for municipal employees or consultant fees necessary to develop or implement municipal housing programs such as rehabilitation, new construction, Regional Contribution Agreements, housing elements and/or affirmative marketing. The Township has already retained Piazza and Associates to monitor affirmative marketing programs and compliance.
 - b. Salaries and staff for implementation of approved Housing Plan
2. The Township will devote thirty percent (30%) of development fees collected each year to render units more affordable as follows:

The Township shall provide affordability assistance such as down payment assistance, rental assistance and closing cost assistance. Development fees collected to finance an RCA or rehabilitation or a new construction project are exempt from this requirement. The Township may pay up to \$1,000.00 toward the purchase price of an affordable housing unit.

3. The remaining fifty percent (50%) of development fee revenues collected each year will be used to supplement the Burlington County Home Loan Program whereby through and Interlocal Services Agreement the County has agreed to administer the Township's rehabilitation program and to provide sufficient purchasing to rehabilitate twenty (20) owner-occupied units and/or fund RCA's.

SCHEDULE FOR THE CREATION OR REHABILITATION OF HOUSING UNITS

The Township intends to use development fee revenues for the rehabilitation of housing units as well. The rehabilitation schedule which will parallel the schedule set forth in the pending housing element and fair share plan is shown below.

<u>YEAR</u>	<u>NUMBER OF REHABS</u>	<u>FUNDS NEEDED</u>
Year 1	3	\$ 30,000
Year 2	3	30,000
Year 3	3	30,000
Year 4	3	30,000
Year 5	4	40,000
Year 6	4	<u>40,000</u>
		\$200,000

UNEXPECTED SHORTFALL OF FUNDS:

Pursuant to the housing element and fair share plan, the Township Committee of the Township of Edgewater Park has adopted a resolution agreeing to fund any shortfall of funds required for implementing the rehabilitation program. In the event that a shortfall of anticipated revenues occurs, the Township will bond up to \$170,000.00 over a five year period as determined by the Court.

SUMMARY

The Township intends to spend development fee revenues pursuant to N. J.A.C. 5:93-8.16 and in conjunction with the housing programs outlined in the Township’s housing element and fair share plan dated August 15, 2002.

Township has collected \$7,500.00 to date and anticipates an additional \$33,730.00 in development fee revenues before the expiration of Judgment of Repose for a total of \$41,230.00. The Township will dedicate twenty (20%) percent to administrative costs, thirty (30%) percent to provide affordability assistance to tenants and/or purchasing of affordable units, and fifty (50%) percent to supplement the Burlington County Home Loan Program or to fund RCA’s. Any shortfall of funds will be offset by Township’s issuance of bonds or bond anticipation notes.

**TOWNSHIP OF EDGEWATER PARK
ORDINANCE NO. 20-2002**

BOND ORDINANCE PROVIDING FOR ACQUISITION OF LAND IN AND BY THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$375,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$356,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF. BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Edgewater Park, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$375,000, which amount will include the funds from the following sources:

- (i) a grant or grants from the State of New Jersey, Department of Environmental Protection *Green Acres Program*, in the amount of \$152,500,
- (ii) a grant from the *Burlington County Farmland and Open Space Preservation Program*, in the amount of \$76,250, and
- (iii) the down payment required by the Local Bond Law in the amount of \$19,000. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$356,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.

- (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of land of approximately 10.25 acres located at Block 502, Lot 9 on the tax map of the Township and known as 1336 Mount Holly Road.
- (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.
- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as

may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Edgewater Park is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form 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 Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$356,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.
- (d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.