

CITY COUNCIL WORK SESSION AGENDA
February 21, 2012
TUESDAY, 4:30 PM
CITY COUNCIL MEETING 6:30 PM
CITY OF BRIDGETON POLICE AND MUNICIPAL COURT COMPLEX
330 FAYETTE STREET

A. CALL TO ORDER

B. STATEMENT OF MEETING NOTICE

Adequate notice of this meeting pursuant to N.J.S.A. 10:4-6 giving the time, date, location and agenda to the extent known has been given in the following manner:

1. By posting notice of said meeting on the bulletin board at City Hall Annex, 181 E Commerce Street, Bridgeton, New Jersey on February 16, 2012 at 4:30 pm
2. By mailing such notice to the *News of Cumberland County* and the *Press* on February 16, 2012 at 4:30 pm.

C. PRESENTATION (20min) : None

D. AGENDA REVIEW (40 min.)

E. COMMITTEE LIAISON REPORTS (15min.)

Michael D. Zapolski, Sr.

Sewer/Water Division
 Finance/Budget/Insurance
 Audit Committee
 Zoning Code Enforcement

Dennis Thompson

Senior Citizens/Transportation
 Personnel/Affirmative Action
 Youth/Education

Jack Surrency

Municipal Port
 Community Development
 Utilities Authority
 Planning/Public Buildings

William Spence

Public Safety (Fire/Police)
 Recreation/Zoo
 Streets & Roads
 Housing Code Enforcement

Gladys Lugardo-Hemple

Housing Authority
 Library
 Merchants Association
 Historical & Cultural
 Public/Community Relations

F. OTHER BUSINESS/CONCERNS (20 min.)

- | | |
|------------------------------|--|
| 1. PA System | 7. |
| 2. Executive Session Minutes | 8. |
| 3. Union St. One Way | 9. |
| 4. Satellite Dish Ord | 10. |
| 5. | 11. President's Notes SAFER & Historic reports |
| 6. | 12. Mayor's Comments |

G. EXECUTIVE SESSION (25 min.): Litigation ___ Contracts 3 Personnel ___ Public Safety ___ Real Estate ___

1. All: Executive Session Minutes
2. Contracts – NJ Ethanol
3. Contracts – Property Development (RNJ)

OPEN: MOVE: _____ SECOND: _____

Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski ___

CLOSE: MOVE: _____ SECOND: _____ CARRIED: _____

H. PUBLIC PORTION [President's Discretion, §3-4.F(5)]

OPEN: MOVE: _____ SECOND: _____ CARRIED _____
 CLOSE: MOVE: _____ SECOND: _____ CARRIED _____

I. ADJOURNMENT (6:30 PM) MOVE: _____ SECOND: _____ CARRIED: _____



181 East Commerce Street, Bridgeton, NJ 08302

Bridgeton City Mayor
Albert B. Kelly

Bridgeton City Council Members
Gladys E. Lugardo
William D. Spence
Jack Surrency
Dennis Thompson
Michael D. Zapolski, Sr.

**CITY COUNCIL MEETING AGENDA
TUESDAY
February 21, 2012
6:30 P.M.**

A. CALL TO ORDER

B. STATEMENT OF MEETING NOTICE

Adequate notice of this meeting pursuant to N.J.S.A. 10:4-6 giving the time, date, location and agenda to the extent known has been given in the following manner:

1. By posting notice of said meeting on the bulletin board at City Hall Annex, 181 E. Commerce Street, Bridgeton, New Jersey on February 16, 2012 at 4:30 pm
2. By mailing such notice to the News of Cumberland County and the Press on February 16, 2012 at 4:30 pm

C. MOMENT OF SILENCE/FLAG SALUTE: Councilman Jack Surrency

D. ROLL CALL Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski ___

E. PRESENTATION/RECOGNITION/ANNOUNCEMENTS/HEARINGS:

1. Swearing in of New Fire Department Personnel

F. MINUTES Work & Public Sessions: February 7, 2012

MOVE: _____ **SECOND:** _____ **CARRIED:** _____

G. ORDINANCE 1ST READING (2):

1. ORDINANCE AMENDING CITY CODE SECTION 321

MOVE: _____ **SECOND:** _____
Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski

2. ORDINANCE AMENDING SECTION 77-4 OF THE GENERAL CODE OF THE CITY OF BRIDGETON REGARDING HOURS OF SALE FOR RETAIL PLENARY CONSUMPTION AND RETAIL PLENARY DISTRIBUTION AND CLUB LICENSES

MOVE: _____ **SECOND:** _____
Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski

H. ORDINANCE 2ND READING (3):

1. BOND ORDINANCE PROVIDING FOR INFRASTRUCTURE IMPROVEMENTS AND REPAIRS IN AND BY THE CITY OF BRIDGETON, IN THE COUNTY OF CUMBERLAND, NEW JERSEY, APPROPRIATING \$4,500,000 BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF.

MOVE: Spence SECOND: Lugardo-Hemple

Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski ___

2. BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF RECREATIONAL FACILITIES IN AND BY THE CITY OF BRIDGETON, IN THE COUNTY OF CUMBERLAND, NEW JERSEY, APPROPRIATING \$1,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,425,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

MOVE: Thompson SECOND: Spence

Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski ___

3. ORDINANCE AMENDING CITY CODE SECTION 321.

MOVE: Spence SECOND: Lugardo-Hemple

Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski ___

I. PUBLIC PORTION: This is the time and place set forth for the public to address Council with their comments on consent agenda items, or any other matter.

OPEN Meeting: **MOVE:** _____ **SECOND:** _____

CLOSE Meeting: **MOVE:** _____ **SECOND:** _____

J. CONSENT AGENDA STATEMENT

All matters listed under item J- ___ through J- ___ are considered routine and will be enacted by one motion unless a council member desires to discuss an item. In that case, the item will be removed from the consent agenda and acted upon separately.

MOVE: _____ **SECOND:** _____

Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski ___

CITY COUNCIL

1. RESOLUTION, Corrective Action Plan FY11 as submitted by Comptroller.

ADMINISTRATOR

2. RESOLUTION, approving the closure of portions of Mayor Aitken Drive and East Commerce Street on May19, 2012 for City of Bridgeton Family Day.

3. RESOLUTION, awarding UEZ Development Grant to Mason-Davis, LLC.

WATER/SEWER UTILITIES

4. RESOLUTION, award bid to Miracle Chemical Company for sodium hypochlorite.

TAX ASSESSOR

5. RESOLUTION, authorizing senior citizen tax exemption.

LAW DEPARTMENT

6. RESOLUTION, authorizing agreement of sale, Block 117, Lot 6.

K. SCHEDULE OF BILLS **Date: February 21, 2012** **Amount: \$ 405,593.47**

MOVE: _____ SECOND: _____

Lugardo-Hemple ___ Spence ___ Surrency ___ Thompson ___ Zapolski ___

L. APPLICATIONS: None

M REPORTS : JANUARY

- | | |
|---------------------------|--------------------------------------|
| 1. Water/Sewer Department | 6. Police Department |
| 2. Fire Department | 7. Tax Office Cash Receipts |
| 3. Code Enforcement | 8. Vital Statistics Office(December) |
| 4. EMS | |
| 5. Public Works | |

N. MAYOR'S COMMENTS

O. COUNCIL REMARKS

P. ADJOURNMENT: MOVE: _____ SECOND: _____ CARRIED: _____

CITY COUNCIL WORK SESSION
February 7, 2012

ATTENDANCE:

Councilwoman Lugardo-Hemple
Councilman Spence
Councilman Surrency
Councilman Thompson
Pres, Zapolski
Mayor Kelly
Mun. Solicitors Bertram/Baker
Business Administrator Goodreau

CALLED TO ORDER: Pres. Zapolski

STATEMENT OF MEETING NOTICE: Deputy Clerk read statement of meeting notice, "Adequate notice of this meeting pursuant to N.J.S.A.10:4-6 giving the time, date, location and agenda to the extent known has been given in the following manner:

1. by posting notice of said meeting on the bulletin board at City Hall Annex, 181 East Commerce Street, Bridgeton, New Jersey on February 3, 2012 at 4:30 p.m.
2. By mailing such notice to the News of Cumberland County and the Press on February 3, 2012 at 4:30 pm.

PRESENTATION: None

AGENDA REVIEW

G-1 Taxicab Ordinance Section 321 amended to comply with State law signed by Governor explained by Pres. Zapolski also the reasoning for number seven Cabs for each owner. Discussion concerning the number of cabs was engaged which at the conclusion it was agreed that if the number need be increased it would be done by interim resolution.

J-3 Refund fee for Raffle Bingo License, Clerk explained this is regulated by State.

J-5 Refund for dog license discussed and agreed to refund fee as the applicant did not live in City, fee was taken in error.

J-10 CCLA Renewable Energy Program will be further discussed in executive session, Administrator explained Exhibits A and B are on file in the Clerk's Office.

J-11 Administrator commented that the ladder fire truck was being purchased by a government agency and that the money received will be used toward purchasing our new truck.

J-12 Authorizing RFP for Park Master Plan, Councilman Spence reported RFP very detailed and costly, discussion ensued regarding plan for park more of comprehensive plan, committee to be formulated regarding plan This item was removed from the agenda.

J-14 Municipal Court debt collection, Administrator announced this is the first in the state.

COMMITTEE LIAISON REPORTS: None

OTHER BUSINESS/CONCERNS

1. Satellite Dish Ordinance review draft, Council Pres. Zapolski explained and draft was distributed by the Clerk.
2. FY11 Audit Report signatures, affidavit was distributed for signing by Clerk
3. School Board Election to November (PL 2012, C202) Council agreed to leave it for School Board to decide.
4. CUA fee increases, fees were increased
5. Alcoholic Beverage License transfer: Marino person to person waiting for Police report and Stanley place to place transfer has been withdrawn
6. Alcoholic Beverage hours of sale align with surrounding communities, Council agreed to increase for one hour to align with other communities, Solicitor to prepare ordinance for next meeting
7. PA System, Pres. Zapolski reported that it is being worked on
8. Executive Session Minutes approval and release, process is being worked on for routine approval and release
9. Work Session Schedule, Council asked to think about may be changing time, it was agreed to keep as it presently is.
10. Seventh Day Spanish Church requesting Union Street, One Way. Council request Administrator to report on cost, recommendation from Police/Fire Departments and applicant to canvass neighbors for their input.
11. Administrator informed Council of possible 40 to 50 abandoned properties may be introduced by Ordinance for sale.
12. Administrator informed Council of audit will be taking place of Tax Assessor office records.
13. Administrator also stated that fees charged for use of Alden Field needs to be looked at possibly change the cost of \$500 as organizations wish to use the facility but because of the cost it turns them away, discussion was entered into at the conclusion that it would be looked into.

EXECUTIVE SESSION

It was moved by Mr. Surrency second by Mrs. Lugardo-Hemple
RESOLUTION NO.176-11 to enter into an executive close session to discuss the following:

CONTRACTS –

1. NJ Ethanol asked for extension of time.
2. Signature Authorization
3. RNJ property development – moving in right direction
4. CCIA Solar Project

PERSONNEL –Police Department

PUBLIC SAFETY –Transfer Alcoholic Beverage License/Public Intoxication
which motion was carried by unanimous roll call vote. The original resolution may be found in the Resolution Book.

PUBLIC PORTION: None

ADJOURNMENT:

There being no further items of discussion, it was moved by Mrs. Lugardo-Hemple and second by Mr. Spence that the Work Session be adjourned which motion was carried.

Pres. Zapolski adjourned the Work Session.

Respectfully submitted,

Approved:

Darlene J. Richmond
Municipal Clerk

Michael D. Zapolski, Sr.
Council President

CITY COUNCIL MEETING

A meeting of the Bridgeton City Council was held on Tuesday, February 7, 2012 at 6:30 p.m., City of Bridgeton Police and Municipal Court Complex, 330 Fayette Street, Bridgeton, New Jersey in Council Chambers.

The meeting was called to order by Council President Michael D. Zapolski, Sr.

The Statement of Meeting Notice was read by Municipal Clerk, Darlene J. Richmond, "Adequate notice of this meeting pursuant to N.J.S.A. 10:4-6 giving the time, date, location and agenda to the extent known has been given in the following manner:

1. By posting notice of said meeting on the bulletin board at City Hall Annex, 181 East Commerce Street, Bridgeton, New Jersey on February 3, 2012, 4:30 p.m.
2. By mailing such notice to the News of Cumberland County and the Press on February 3, 2012, at 4:30 p.m.

The invocation delivered and flag salute was led by Councilwoman Gladys Lugardo-Hemple.

The following answered to roll call:

Mrs. Lugardo-Hemple
Mr. Spence
Mr. Surrency
Mr. Thompson
Pres. Zapolski

Pres. Zapolski turned the meeting over to Mayor Kelly and Bridgeton Fire Chief David Schoch for presentations. The following received Award Certificates from Fire Department: CPR Save: EMT Richard Peters, Leah April, Tiffany Durham, Mark Couch, Benjamin Upham, Domnick Manno, F/F Jason Hurff, Michael Hitchner, and John Pagels. Baby Delivery: EMT Tracy Guntow, Richard Peters, Leah April and F/F Michael Hitchner. Unit Citation- 47 Elmer Street Fire: Captain Eugene Shelton, F/F Charles Ridgway, Jeffery Belum, Alexander Centeno, Elvin Beardsworth, EMT Kerri Sias and Joseph McPherson. Life Saving Award- 47 Elmer Street fire: F/F Jeffery Belum.

Mayor Kelly presented Helen Conner with Employee of Month Statue

Pres. Zapolski presented the minutes from the Meeting of January 17, 2012 and Work Session of January 17, 2012.

It was moved by Mr. Spence and second by Mrs. Lugardo-Hemple to dispense with the reading of said minutes as all members received copies and said minutes be approved as received which motion was carried.

Pres. Zapolski announced one Ordinances for first reading.

The Clerk read an ordinance entitled:

ORDINANCE AMENDING CITY CODE SECTION 321

It was moved by Mr. Spence and second by Mrs. Lugardo-Hemple that this ordinance is adopted on first reading and that second reading, public hearing, and final consideration be held on February 21, 2012 which motion was carried by unanimous roll call vote.

Pres. Zapolski announced no Ordinance for second reading.

Pres. Zapolski announced this is the time for comments on the consent agenda or any other matter of concern the public desires to address Council.

It was moved by Mr. Thompson second by Mrs. Lugardo-Hemple that the meeting be opened to the public for any one desiring to be heard, which motion was carried.

Pres. Zapolski opened the meeting to the public for anyone desiring to be heard at this time.

Ms. Delores Batten, Albertson Avenue, commented that she has retired and would like to volunteer her services to the City to get involved and help the City.

Ms. Batten further expressed her appreciation for trees being trimmed.

Mr. Mike Abbott, East Avenue, questioned items J-8, J-12 and J-13 on the Agenda which was responded to by Solicitor and Administrator.

Mr. Abbott also questioned in regarding property sold if this is a PILOT agreement, Administrator responded no they would pay taxes.

Mr. Abbott also expressed concern over the way the public was addressed regarding splash park.

Mr. Aaron Butcher, Nixon Avenue, expressed concern over dissolving the Volunteer Firemen .

Administrator responded due to financial cost to keep them and they are looking at maybe being brought back as Fire Police

Mr. Carl Hemple, Penn Street, commented that he was proud of the way Council conducted their Work Session, working together representing the City well and bringing their talent to the table.

Mr. Hemple complimented the Administrator for getting involved in the community by attending various meetings that have been held. He is proud of City Council and Administrator on the way they are operating.

Mr. Hemple announced that Little League would be opening April 14, 2012, thanked the City for the new fence on the Cinderella Field and fixing the other fields..

Ms. Sally Garrison, Hopewell Township, from Save the Library along with representative from Friends of the Library, who reported on their progress, fifteen new members and we have raised over \$278,000 and it is hundred percent volunteers.

Ms. Garrison presented a preservation plan to the Mayor and City Council, Also presented a Booklet they are selling profits to go to the Library on the History of the Library Building. She also announced a book signing by Penny Watson and a tour of the building held February 26, 2012 and announced other events planed which will be advertised.

Ms. Bev Goldsboro, Cohansey Street, expressed concern over the Ordinance amending City Code Section 321 regarding taxi cab: Taxi Cab Stands signs, none existing, Color of cabs and car models, reference to a dial, Ordinance references flag , none exist in cabs.

No one else desiring to be heard, it was moved by Mr. Thompson and second by Mrs. Lugardo-Hemple to close the public portion of the meeting, which motion was carried.

Pres. Zapolski closed the public portion of the meeting.

Pres. Zapolski announced all matters listed under items J-1, through items J-16 with item J. 12 being removed from the agenda, are considered routine and will be enacted upon by one motion, if discussion is desired that item will be removed from the consent agenda and will be acted upon separately.

It was moved by Mr. Surrency seconded by Mr. Spence that the following Resolutions listed under the consent agenda be adopted, which motion was carried by roll call vote. The original resolutions may be found in the Resolution Book

RESOLUTION NO 177-11 authorizing reappointment June Leek to Bridgeton Housing Authority

RESOLUTION NO 178-11 Audit reviewed by Governing Body.

RESOLUTION NO 179-11 authorizing refund application fee to Soroptimist International Cumberland County.

RESOLUTION NO 180-11 authorizing Tax Office refund sale certificate.

RESOLUTION NO 181-11 authorizing Tax Office refund dog license fee.

RESOLUTION NO 182-11 authorizing Tax Office make changes of water/sewer and trash accounts.

RESOLUTION NO 183-11 authorize sale of property to Cumberland Empowerment Housing Corp.

RESOLUTION NO 184-11 authorize senior citizen tax exemptions.

RESOLUTION NO 185-11 authorize agreement with Cumberland County Improvement Authority for Solar Energy Program.

RESOLUTION NO 186-11 authorizing sale of Tower Ladder Fire Truck.

RESOLUTION NO 187-11 requesting insertion in Budget from Keep America Beautiful.

RESOLUTION NO 188-11 amending Resolution 59-11 authorizing signature of Business Administrator.

RESOLUTION NO 189-11 authorizing award for collection of Municipal Court debt.

RESOLUTION NO 190-11 authorize removal of moratorium on issuance of construction permits.
RESOLUTION NO 191-11 authorizing appointment of Robin Wood to Zoning Board of Adjustment.

Pres. Zapolski presented the Schedule of Bills in the amount of \$2,986,697.06 all members having received copies.

It was moved by Mrs. Lugardo-Hemple and second by Mr. Surrency that the Schedule of Bills be approved and warrants be drawn on their various accounts and appropriations, which motion was carried by unanimous roll call vote. The original schedule may be found in the files under "S" Schedule of Bills.

Pres. Zapolski announced receipt of the following application:

Raffle Permit: Parish of Holy Cross.

It was moved by Mrs. Lugardo-Hemple and second by Mr. Thompson that said application be approved which motion was carried.

Pres. Zapolski announced receipt of the following reports
Vital Statistics Office(November)
Fire Department December
EMS December
Code Enforcement December
Code Enforcement 2011 End Year
Zoning December
Construction Code December
Municipal Clerk January
Water/Sewer Annual
Fire/EMS 2010/2011 End Year

It was moved by Mr. Spence and second by Mr. Surrency that said reports be received and filed which motion was carried.

Pres. Zapolski called upon the Mayor for comments.

Mayor Kelly, announced, Saturday, February 11, 2012 at 7:30, Everett Marino Ballroom the Civil War Restoration Ceremony Concert will be held. He has tickets available they are being very well received by the public. We are receiving donations from all over. He would like to see some members of Council there.

Pres. Zapolski called upon Council for remarks.

Councilman Thompson thanked Mr. Hemple for his kind words.

Councilman Surrency no comments.

Councilman Lugardo-Hemple no comments.

Councilman Spence congratulated Ms. Batten on her retirement.

Council President Zapolski commented he will look at that flag issue on the Taxi and he does intend on being at the Civil War Restoration Concert and congratulated Ms. Batten on her retirement.

Administrator Goodreau announced City Hall will be closed February 17, 2012 and February 20, 2012.

Council Pres. Zapolski stated that we have been working with the Administration and someone will be coming in and working on this PA System, so there is progress being made on that.

There being no further business to come before Council, it was moved by Mr. Spence and seconded by Mrs. Lugardo-Hemple to adjourn the meeting, which motion was carried.

Pres. Zapolski adjourned the meeting.

Respectfully submitted,

Darlene J. Richmond
Municipal Clerk

APPROVED:

President Michael D. Zapolski, Sr.

Date: _____

Ordinance No. _____



**CITY OF BRIDGETON
ORDINANCE AMENDING CITY CODE SECTION 321**

WHEREAS, the City of Bridgeton has enacted ordinance provisions concerning taxicabs within the City of Bridgeton; and

WHEREAS, the Governor of the State of New Jersey signed A-1471 into law (P.L. 2011, c. 135) making sundry changes to taxicab laws; and

WHEREAS, the City of Bridgeton is desirous of updating its Municipal code to comply with the amended state taxicab law; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bridgeton that Chapter 321 of the Code of the City of Bridgeton be and is hereby amended and Section 321 shall hereafter read as follows:

CHAPTER 321 TAXICABS

§ 321-1 Definitions.

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

CRUISING

Driving an empty taxicab along a public street at a slow rate of speed for the obvious purpose of soliciting passengers.

OPERATION OF A TAXICAB

Transporting in a taxicab one or more persons for hire, or accepting a passenger to be transported for hire from a point of departure within the City to a destination within or without the City shall be considered operation of a taxicab within the City. The operation of a taxicab by one other than the owner shall be deemed operation by the owner as well as by the person actually driving the taxi. The transportation of any person other than the owner or driver in any motor vehicle bearing a sign using the words "taxi," "taxicab," "cab" or "hack" shall be prima facie evidence of operation.

OWNER

Any person in whose name title to any taxicab is registered with the New Jersey Division of Motor Vehicles, or who appears in the Division's records to be a conditional vendee or lessee or has any other proprietary interest in a taxicab.

TAXICAB or TAXI

A motor vehicle used to transport passengers for hire which does not operate over a fixed route and is not hired by the day or hour.

TAXI STAND

A designated, and marked, location within the City where a taxicab may legally park.

§ 321-2 License for owner and driver required.

- A. No person shall operate a taxicab within the City unless both the owner and the driver of the taxicab are licensed under this chapter.

- B. All applications for taxicab owner's and operator's licenses shall be completed in their entirety and filed with the City Clerk. Any application which is deemed incomplete by the City Clerk, or their designee, shall be rejected. All completed applications shall have the date and time that they have been received recorded thereon.
- C. Each applicant for a owner's, or driver's, license shall have the following qualifications:
1. Be at least 21 years of age. This requirement becomes effective for all new applicants after the effective date of this Ordinance.
 2. Be a citizen, or legal resident, of the United States.
 3. Have a valid New Jersey driver's license.
 4. Be able to communicate in the English language as determined by the City Clerk.
 5. Be fingerprinted prior to the issuance of any license.
 6. Upon license approval, provide a recent (within 1 year) passport style photograph to the City Clerk.
 7. Submit to a criminal history background check the results of which shall warrant disqualification for a license if a record of conviction is revealed for any of the following crimes:
 - (a) Aggravated assault
 - (b) Arson
 - (c) Burglary
 - (d) Extortion
 - (e) Escape
 - (f) Homicide
 - (g) Kidnapping
 - (h) Robbery
 - (i) Sexual or Aggravated Sexual Assault
 - (j) Endangering the welfare of a child pursuant to N.J.S.A. 2C:24-4
 - (k) Any crime pursuant to the provisions of N.J.S.A. 2C:39-3; 2C:39-4, or 2C:39-9.
 - (l) Other than a disorderly persons, or petty disorderly persons offense, for the unlawful use, possession, or sale of a controlled dangerous substance as defined in N.J.S.A. 2C:35-2.
 8. Not have been convicted of an equivalent offense in any other state pursuant to the crimes listed in §321-2(C)(7).
 9. Based on the recommendation of the Chief of Police, criteria (7) and (8) shall not warrant automatic license disqualification provided that:
 - (a) The person convicted can produce a Certificate of Rehabilitation issued pursuant to N.J.S.2A:168A-8 or,
 - (b) If the criminal offense occurred outside New Jersey, an equivalent certificate from the jurisdiction where the criminal offense occurred.
- D. Renewal applications. Previous convictions pursuant to §321-2(C)(7) or (8) that have satisfied the requirements of §321-2(C)(9) shall not be a basis for license disqualification provided that there has been no new disqualifying crime within the past year.
- E. Non-refundable fees for the services provided to license owners and drivers, transfer or replace licenses, inspect cabs, photograph and fingerprint licensees, and conduct background investigations shall be as provided in Chapter 149, Fees, Article II, Schedule of Fees, and are payable prior to providing the service.

§ 321-3 Types of licenses.

A. Driver's license. The holder of a Bridgeton taxicab driver's license shall be entitled to operate within the City any taxicab whose owner has been licensed under this chapter.

B. Owner's license. The holder of a taxicab owner's license shall be entitled to operate a taxicab owned by him within the City, provided that the person driving the cab holds a valid Bridgeton taxicab driver's license.

C. Driver's licenses shall not be transferred from one driver to another.

§ 321-3a Maximum number of Taxi Licenses

A. The maximum number of taxi driver's licenses that will be permitted in the City of Bridgeton shall be 21.

B. No taxicab company may have more than 7 taxis operating in the City of Bridgeton.

§ 321-4 Licensing of taxicab owners.

A. Application information.

(1) Application for a taxicab owner's license shall be made to the City Clerk. The forms and the information required thereon shall be established by the City Council by resolution.

(2) Applications shall be verified by oath or affirmation. Applications by a partnership shall give the information required for each partner and shall be verified by all partners.

Applications by a corporation shall give the information required for and be verified by all officers and directors and all persons holding more than 10% of the corporation's common stock, as well as the corporation itself.

B. Referral to police. Each applicant shall be referred to the Chief of Police or his designee, who shall immediately institute whatever investigation of the applicant's business responsibility, moral character and ability to properly conduct a taxicab business, as he considers necessary for the protection of the public.

C. Investigation. The Chief of Police or his designee shall investigate the application. A report containing the results of the investigation and evaluation, a recommendation by the Chief of Police that the license be granted or denied, and the reasons for the recommendation shall be forwarded to the City Clerk within 10 days from the request for the investigation.

D. Notice of hearing. The City Clerk shall advise the Council of the filing of an application on receipt of the report from the Chief of Police. The Council shall set a date for a hearing on the application and shall notify the applicant. The date set shall be within a reasonable time after the filing of the application.

E. Conduct of hearing. At the hearing any person who is a resident or taxpayer of the City may appear in person and make a brief statement or submit a written statement in support of or opposition to the granting of a license. In addition, the applicant and any other person who will be affected by the granting or denial of the license other than as a City resident or taxpayer shall have the right to be represented by an attorney, to testify himself or to present witnesses in support of his position, to cross-examine opposing witnesses and, at his own expense, to have a stenographic record made of the proceedings.

F. Factors considered. In determining whether to grant or deny the license, the City Council shall take into consideration the following factors:

(1) The character, business and financial responsibility and experience of the applicant, and the probability that, if granted a license, the applicant will operate his taxicab in accordance with the provisions of this chapter.

(2) Any other factors directly related to the granting or denial of the license which would substantially affect the public safety or convenience.

G. Issuance of license. The City Council shall by resolution grant or deny the license. If the application is approved, the Clerk shall issue the license upon forms established by the City Council by resolution.

H. A taxicab owner's license shall be valid for the remainder of the calendar year in which it is issued. The license fee per year or a portion thereof per vehicle shall be as provided in Chapter 149, Fees, Article II, Schedule of Fees, payable upon the filing of the application for the issuance or renewal of the license. Any amounts paid during the calendar year of this amendment towards licensing fees shall be prorated and any balance applied to the new fee applicable hereunder.

I. Renewals. A taxicab owner's license may be renewed by the City Council without a hearing upon the licensee's filing with the Chief of Police a sworn statement that there have been no changes in the information contained in the initial application.

J. All applications for taxicab owner's license shall contain, or be accompanied by, the following:

1. The names, age and residence of the applicant. A post office box is not acceptable.
 - a. If a partnership, the names, ages and residences of all partners along with the business address of the partnership.
 - b. If a corporation, the names, ages and residences of its president, secretary and treasurer along with its certificate of incorporation, certified copy of resolution authorizing this application and a certificate of good standing issued by the State of New Jersey not more than 30 days prior to the date of application. Corporations shall maintain an office in the City of Bridgeton, and their applications shall be signed by its president and attested by its secretary.
 - c. If a limited liability company, the names, ages and residences of all of its members, name, age and residence of managing member, certified copy of the resolution authorizing the application, certificate of good standing issued by the State of New Jersey not more than 30 days prior to the date of the application. All partners, corporate officers or members of the limited liability company applicant shall be at least 18 years of age.
2. (Reserved).

§ 321-5 Licensing of taxicab drivers.

A. Applications.

(1) Applications for a taxicab driver's license shall be made to the City Clerk's office upon forms provided by the City Clerk. The forms and the information required thereon shall be established by the City Clerk.

(2) The application shall be accompanied by a fee as provided in Chapter 149, Fees, Article II, Schedule of Fees, for the initial license period.

B. Referral to police. Each application shall be referred to the Chief of Police or his designee, who shall immediately institute whatever investigation of the applicant's business responsibility, moral character and ability to properly operate a taxicab, as he considers necessary for the protection of the public.

C. Investigation. The Chief of Police or his designee shall investigate the application. A report containing the results of the investigation and evaluation, a recommendation by the Chief of Police that the license be granted or denied, and the reasons for the recommendation shall be forwarded to the City Clerk within 10 days from the request for the investigation.

D. Issuance of license; contents. Upon approval of the application by the Mayor, the City Clerk shall immediately issue the applicant a taxicab driver's license. The license shall be signed by the Mayor. The license shall contain the licensee's name and address, physical description, signature and photograph.

E. Term of license; fees. An initial license to drive a taxicab shall be valid for the remainder of the calendar year in which it is issued. A taxicab driver's license may be renewed annually, unless it has been revoked or suspended, upon the payment of a fee as provided in Chapter 149, Fees, Article II, Schedule of Fees.

F. Display of License. The taxicab driver's license shall be prominently displayed in the taxicab so that it is readily observable by all passengers.

§ 321-6 Inspection of vehicles.

A. No license shall be issued until the said taxicab has been thoroughly inspected and it is determined that the following requirements are met:

(1) The taxicab is found to be in a safe condition for the transportation of passengers.

(2) The taxicab is of good appearance and well painted and varnished.

(3) There has been submitted with the application a certificate from a qualified individual or organization that the taximeter is recording the charges on fare accurately and that said meter has been inspected within 30 days of the application.

(4) There has been submitted with the application a certified check for the annual license fee.

(5) There has been submitted with the application a certificate from the Bridgeton Police Department that the said taxicab is in a clean and sanitary condition and that the rates of fare to be charged have been posted permanently on the taxicab so that they are visible to the passengers prior to the hiring of the taxicab and while riding in a taxicab.

B. Reinspection. All taxicabs shall be reinspected annually or more often if the Mayor so requires, and such inspection shall be conducted by the Bridgeton Police Department. In addition, a police officer may inspect a taxicab at any reasonable time to determine if it is clean, sanitary and in a safe and proper operating condition.

C. Failure to pass inspection. Any taxicab which fails to pass inspection shall be immediately taken out of service and shall not be operated again within the City until the defects which led to its rejection are corrected. In the case of minor defects which do not constitute an immediate danger to the health or safety of the public, the taxicab may continue to operate for a period of one week, at the end of which time it shall be reinspected. If the defect has not by then been corrected, the vehicle shall immediately be taken out of service and shall remain out of service until the defect is corrected.

§ 321-7 Identification of taxicabs.

A. Identification required. Each taxicab operated in the City shall have a sign painted on each rear door. The sign shall contain the owner's name and the words "Taxicab" or "Taxi" in letters that are not less than four, nor more than eight inches, in height.

B. Imitation of color scheme or insignia. No taxicab operated in the City shall imitate the color scheme or any identifying design or insignia of another taxicab lawfully operating in the City, nor shall one taxicab have a color scheme or identifying design or insignia which is as similar to that of another taxicab as to be likely to have a tendency to mislead the public. The person first using a particular color scheme or identifying design or insignia for his taxicab shall have the prior right to it.

C. Taxi Number. The owner of each taxicab shall display on the body of the vehicle the taxi license number issued to that vehicle. The number shall be issued by the City Clerk, and be 3 inches in height and located in the center of the rear quarter panels on the driver and passenger sides and the rear center line of the trunk of the vehicle.

D. Municipality Name. Each taxicab shall display on each rear door of the vehicle the words "City of Bridgeton, N.J." in block letters 3 inches in height.

E. It shall be the taxi company owner's responsibility to ensure that all taxi identification markings required by sub-sections A through D above are removed within 5 days of removing the vehicle from service, or immediately upon selling or transferring the vehicle title.

§ 321-8 Fares.

A. The rates of fare to be charged within the City limits of the City of Bridgeton shall be posted permanently on the taxicab so that the rates are visible to persons prior to hiring the taxicab and passengers while riding in the taxicab.

B. Receipts. The driver of a taxicab upon request shall give the passenger a receipt for the amount charged. The receipt shall show the name of the owner, the license number of the taxicab, the amount of the fare, and the date of the transaction.

C. Refusal to pay fare. No person after hiring a taxicab shall refuse to pay the legal fare, nor shall any person hire a taxicab with the intent not to pay the legal fare.

D. Disputes over fares. All disputes as to the rate of fare shall, upon request of the driver or passenger, be determined by the police officer in charge of the City police station. Failure to comply with the officer's determination shall be a violation of this chapter.

§ 321-9 Insurance policy required.

A. No taxicab shall be licensed until an insurance policy or certificate in lieu thereof, together with power of attorney appointing the Business Administrator as lawful attorney for the acknowledgment of service, has been filed with the City Clerk pursuant to N.J.S.A. 48:16-1 to 48:16-22, as amended and supplemented.

B. The minimum liability insurance required for a taxicab license in the City shall be \$100,000 single limit, or such lesser amount as is the maximum being written by insurance carriers in the state for taxicab insurance, but in no event less than the requirements of N.J.S.A. 48:16-3.

§ 321-10 Rules and regulations.

The Business Administrator may establish, with the approval of the Mayor, regulations relating to the operating of taxicabs and the conduct of licensees. A copy of the rules and regulations shall be furnished to each licensee.

§ 321-11 Cruising and soliciting; use of taxi stands.

A. Cruising prohibited. No taxicab owner or operator shall cruise on the streets of the City at any time for the purpose of soliciting passengers.

B. Parking restricted to taxi stands. No operator of a taxicab shall park on any street within the City except at those places designated and marked as taxi stands. This prohibition shall not apply to a taxicab that is stopped waiting to pickup, or discharge, passengers. Taxi stands are designated at the discretion of the Director - Public Works who shall provide a listing of taxi stand locations to the City Clerk.

C. Soliciting passengers. No taxicab operator while waiting for employment shall stand on any public street or place other than at a designated taxi stand. Nor shall any driver seek employment by repeatedly and persistently driving to and fro on a short space before, or by otherwise interfering with the proper and ordinary access to or egress from, any public, or private, place.

§ 321-12 Suspension or revocation of licenses.

A. Generally. In addition to the causes for revocation of a license set forth in Chapter 200, Licensing, Article I, General Licensing Requirements, any license issued under this chapter may be revoked or suspended or any application for the issuance or renewal of a license denied, for any of the following reasons:

- (1) Failure to render reasonable, prompt, safe and adequate taxicab service.
- (2) The existence of a judgment unsatisfied of record against the licensee or applicant in any suit arising over the operation of a motor vehicle.
- (3) Permitting any taxicab owned or driven by the licensee to become unsafe, unsanitary or dirty.
- (4) Failure to comply with all applicable laws of the State of New Jersey, the ordinances of the City or the rules and regulations adopted in accordance with this chapter.

B. Drivers. If the licensee is a driver, his license may also be revoked or suspended for the following reasons:

- (1) Revocation or suspension of his New Jersey motor vehicle operator's license.
- (2) Contraction by the licensee of a communicable or contagious disease.
- (3) Operating a taxicab in a reckless or grossly negligent manner, or habitually operating a taxicab in a negligent manner.

§ 321-13 Rates and meters.

A. Taximeter.

- (1) No person shall operate a taxicab unless and until the taxicab has been equipped with a taximeter of a type and design approved by the State Division of Consumer Affairs, Office of Weights and Measures.
- (2) The taximeter shall be located in the cab so as to be visible to the passengers at all times, and it shall be the duty of the person operating the cab to keep the meter operating at all times within such standard of accuracy as may be prescribed from time to time by the State Division of Consumer Affairs, Office of Weights and Measures.
- (3) No passenger shall be carried in any cab unless the taximeter is in operation. This provision shall apply regardless of whether the taxicab is engaged for a trip entirely within the boundaries of the City or partially outside the City. The meter shall be kept operating continuously during the entire time that it is engaged in the transportation of passengers for compensation at all times that the point of origin or the point of return for the passenger is within the limits of the City.

(4) No taxicab shall be permitted to operate in the City of Bridgeton unless the driver shall have in his possession a meter registration form, a "Form 50", and valid meter calibration sticker affixed to the meter from the individual or organization qualified to so certify that the taximeter is recording the service for fares accurately.

B. Taximeter Use. All taximeters shall be equipped with a device (flag, button, knob, touchpad, etc.) that when operated indicates the taxicab is employed and a fare is being charged (recording position), or not employed and no fare is being charged (non-recording position). This operational device shall be kept in the non-recording position when the taxicab is for hire and shall be kept in the recording position when the taxicab is employed. At no time may a taxicab transport a person with the taximeter in a non-recording position. It shall be the duty of the taxicab operator to ensure the taximeter's operational device is placed in the non-recording position at the end of each trip.

Any taxicab driver transporting a person for hire with the device in a non-recording position shall have his license suspended for a period not to exceed six months. The licensed operator may appeal the license suspension by filing a request with City Clerk (within 10 calendar days the suspension date) for a hearing on the suspension before City Council.

C. Fare Display. Taximeters shall have a mechanism that registers and displays the current fare being charged in accordance with established rates of fare. The taximeter shall be so placed that the fare being charged is in plain view of the passenger while riding in the taxicab or upon exiting. Taxicabs shall be equipped with a light which during the period between sunset and sunrise shall reflect upon the taximeter's fare display so as to enable the passenger to read the figures.

D. Top light. Each taximeter shall be furnished with a tamperproof switch within the system of electrical distribution so that when the no fare is being charged (non-recording position) the roof light will be lit, and whenever a fare is being charged (recording position), the top light will go off.

E. Rates of fare. No person owning or operating or controlling any taxicab in the City of Bridgeton shall charge other than the following rates to be determined by the taximeter:

- (1) The minimum (or Flag Drop) fare shall be: \$2.50.
- (2) For each additional meter mile: \$2.50. Fractions of each mile shall be calculated at the rate of \$0.25 per 1/10 of a mile.
- (3) For each 1/2 minute of waiting time or fraction thereof: \$0.15.
- (4) For each package delivered: \$1.50.
- (5) For each additional passenger there shall be charged a fare of \$0.30 per person. The fare shall be registered on the taximeter's extra button. Two children under the age of 10 years shall be considered the equivalent of one adult. Where the driver is required to carry, transport, or handle groceries, an additional charge of \$0.10 per bag shall be made.

§ 321-14 Violations and penalties; misstatement on application.

If the applicant purposely misstates the facts on the application, in addition to the ability of the Council to deny the application or suspend or revoke the license, if previously applied for or granted, the applicant shall be deemed to have violated this chapter and be subject to the maximum penalties as set forth in Chapter 1, Article III, General Penalty. There shall be a rebuttable presumption that any misstatement on the application is purposeful.

BE IT FURTHER ORDAINED that this ordinance shall take effect according to law.

ADOPTED at a regular meeting of the City Council of the City of Bridgeton held on the
day of _____, 2012, at _____ P.M.

ATTEST:

Darlene J. Richmond, RMC
City Clerk

Michael D. Zapolski, Sr.
Council President

APPROVED:

Albert B. Kelly, Mayor

6-2

CITY OF BRIDGETON

ORDINANCE AMENDING SECTION 77-4 OF THE GENERAL CODE
OF THE CITY OF BRIDGETON REGARDING HOURS OF SALE
FOR RETAIL PLENARY CONSUMPTION AND RETAIL PLENARY
DISTRIBUTION AND CLUB LICENSEES

WHEREAS, the present hours of operation for alcoholic beverage licensees within the City of Bridgeton are prohibited between 1 a.m. and 7 a.m. except on Sundays between 12 midnight and 1 a.m. and 2 p.m. until 10 p.m.; and

WHEREAS, the City Council of the City of Bridgeton has been requested to extend the hours of sale for alcoholic beverages from 1 a.m. until 2 a.m. for licensees; and

WHEREAS, the City Council of the City of Bridgeton is desirous of extending the hours during which the sale of alcoholic beverages may be allowed by licensees from 1 a.m. until 2 a.m. and to continue to allow sale of alcoholic beverages from 2 p.m. until 10 p.m. on Sundays;

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bridgeton that Section 77-4 of the Code of the City of Bridgeton be and is hereby amended to read as follows:

"A. No alcoholic beverages shall be sold to, served, or consumed by a consumer on any day between the hours of 2 a.m. and 7 a.m., except on Sundays as hereinafter provided. No alcoholic beverages shall be sold to, served to, or consumed by any consumer at any time on Sunday except from 12 midnight until 2 a.m. and from 2 p.m. until 10 p.m.

B. Hours of sale for club licensees shall be the same as the hours of sale, service, or consumption for a retail plenary consumption licensee.

C. Hours of sale for retail plenary distribution licensees shall be the same as the hours of sale, service or consumption for a retail plenary consumption licensee."

BE IT FURTHER ORDAINED by the City Council of the City of Bridgeton that all provisions of Section 77-4 of the Code of the City of Bridgeton inconsistent with the provisions hereof are repealed.

ADOPTED at a regular meeting of the City Council of the City of Bridgeton held on the
day of _____, 2012, at _____ P.M.

ATTEST:

Darlene Richmond,
City Clerk

Michael Zapolski
Council President

APPROVED:

Albert Kelly, Mayor