



CITY COUNCIL AGENDA

SEPTEMBER 11TH, 2012 – 5:00 P.M.
CITY COUNCIL CHAMBER

CALL TO ORDER

FLAG SALUTE

ROLL CALL

STATEMENT OF COMPLIANCE

NOTICE OF MEETING

APPROVAL OF MINUTES

COMMUNICATIONS

1. **Check registers** of the City of Camden for the period of August 4, 2012 through August 28, 2012
2. **Payroll registers** of the City of Camden for the period of August 3rd, 17th, and 31st, 2012

OLD BUSINESS

ORDINANCE SECOND READING
Department of Development & Planning
(Tabled 2/14/12 meeting)

1. Ordinance authorizing the sale and lease of unneeded public property to certain nonprofits for *Gardening and Urban Farming* and exempt leased Urban Gardens and Farms from Property Taxation

ORDINANCE SECOND READING
Department of Code Enforcement
(Tabled 5/8/12 meeting)

2. An Ordinance amending Chapter 320 of the Code of the City of Camden

Office of City Council
(Tabled 8/14/12 meeting)

3. Resolution **Appointing the Municipal Auditor**

ORDINANCES – FIRST READING

Office of the City Attorney

1. Ordinance authorizing a **lease agreement** between the City of Camden and the Camden **Special Services District, Inc.**

2. Ordinance authorizing a **revised lease agreement** between the City of Camden and **Project H.O.P.E.**

Department of Code Enforcement

3. An Ordinance **amending Chapter 322** of the Camden Code **License & Business Regulations**

Department of Public Works

4. An Ordinance **designating certain areas** in the City of Camden "**As Handicapped Parking Only**"
5. An Ordinance authorizing the **removal of Handicap Parking privileges** in certain areas in the City of Camden
6. An Ordinance **amending and supplementing** an Ordinance entitled, "**An Ordinance authorizing the posting of certain lots in the City of Camden as Adopted Lots**"
7. Ordinance **authorizing the approval** of certain **Municipal lots as an "Adopted Lot"**

ORDINANCES – SECOND READING & PUBLIC HEARING

Department of Public Works

1. An Ordinance **amending and supplementing** an Ordinance entitled, "An Ordinance Authorizing the **posting of certain Lots** in the City of Camden as **Adopted Lots**"
2. An Ordinance **designating certain areas** in the **City of Camden "As Handicapped Parking Only"**
3. Ordinance authorizing the approval of certain municipal lot as an "**Adopted Lot**"
4. An Ordinance authorizing the **removal of Handicap Parking Privileges** in certain areas in the **City of Camden**

Office of the City Attorney

5. Ordinance authorizing the **acceptance of 916 No. 3rd Street**, Camden, NJ as a gift
6. Ordinance authorizing the **removal of reversionary language** from deeds on certain City owned property transferred to the **Camden Redevelopment Agency**

Office of City Council

7. An Ordinance **establishing** outdoor **Landscape Water Conservation Guidelines**

RESOLUTIONS

Office of City Council

1. Resolution appointing **Edward B. Lee** as a member to the **Veteran's Affairs Commission** for a **term of 3 years**

Department of Administration

2. Resolution **ratifying the agreement** between the **City of Camden and Camden Council #10 non-supervisory unit and supervisory unit**
3. Resolution **ratifying the agreement** between the City of Camden and **teamsters local union 676 supervisors**

4. Resolution ratifying the **agreement between the City of Camden and School crossing guards**

Department of Planning & Development

5. Resolution authorizing an application to the **New Jersey Department of Transportation** for the consideration of **FY 2012 Transportation enhancement-pedestrian safety funding**
6. Resolution authorizing an **amendment #2 to contract #1-11-107** between the City of Camden and **Republic Intelligent Transportation Services**
7. Resolution authorizing an **amendment #3 to contract #1-11-107** between the City of **Camden and Republic Intelligent Transportation services**
8. Resolution authorizing the City of Camden to request an extension of time to award a **construction contract** in connection with the **Construction of New Waterfront Roads** (Cooper Street and Riverside Drive) Project
9. Resolution authorizing the submission of an application to the **New Jersey Department of Transportation for consideration of FY 2013 TFA Roadway Improvement funding**
10. Resolution **amending agreement** between the **City of Camden and Greenway Village Apartments CHC014**
11. Resolution **amending agreement** between the City of Camden and **Gladiator, LLC CHC015**
12. Resolution amending agreement between the **City of Camden and Greenway Village Apartments GAD063**
13. Resolution **amending agreement** between the City of Camden and **Michael R. Hillegas GAD054**
14. Resolution **amending agreement** between the City of Camden and **Pine Ridge Investments, LLC. CHC016**
15. Resolution **amending agreement** between the City of Camden and **American Dream Properties CHC017**
16. Resolution **amending agreement** between the City of Camden and **Yvonne J. Forte CHC003**
17. Resolution **amending agreement** between the City of Camden and **Gatehouse & Cooperstown Apartments CHB005**
18. Resolution **amending agreement** between the City of Camden and **Lindenwold PH, LP. GAD140**
19. Resolution **amending MC-12:2409**, a Professional Services contract to **Remington & Vernick Engineers** for Construction Management and Administration in connection with the Resurfacing of Wayne Avenue & Various project
20. Resolution authorizing **amendment to contract #5-12-135** between the City of Camden and **Parkside Business & Community in Partnership**

21. Resolution authorizing the Mayor of the City of Camden to execute a **Federal Aid agreement #10-DT-BLA-581** between the City of Camden and **New Jersey Department of Transportation for Federal Project #STP-4287 (101)**, also known as Cleveland Avenue reconstruction project (DB#FSD09521A)

Department of Finance

22. Resolution **authorizing a temporary budget appropriation** for the **fiscal year 2013**
23. Resolution authorizing **cancellation of charges** due to over estimation by **United Water**
24. Resolution authorizing **amendment to contract #02-12-107** between the City of Camden and **Parkside Business & Community in Partnership**
25. Resolution authorizing the **cancellation of water & sewer charges due to fire**
26. Resolution authorizing the **cancellation of a municipal lien for certificate #12-02903** in the amount of **\$1040.82** due to error by United Water
27. Resolution authorizing the **cancellation of Municipal Lien** due to error by United Water & refund lien holder all monies plus legal interest
28. Resolution authorizing the **transfer of cancellation fees** to the current taxes of **several properties** in the City of Camden
29. Resolution authorizing the **cancellation of charges** due to **exempt status**
30. Resolution authorizing the refunding of a **water & sewer overpayment** to the title company that represented the owner during the sale of the property located at **2929 Constitution Road, B/L-699/4**

Department of Purchasing

31. Resolution **ratifying emergency bid** to **WINZINGER, INC.** P.O. Box 389, 1704 Marine Highway, Hainesport, NJ 08036 for emergency **demolition of 308 & 310 Walnut Street and stucco wall on 306 Walnut Street, Camden, NJ**
32. Resolution ratifying an **emergency contract** to **Hargrove Demolition**, 1507 State Street, Camden, NJ 08105 for emergency demolition of **737 & 741 Spruce Street & stucco the walls of 735, 739, & 743 Spruce Street Camden, NJ**

PUBLIC COMMENT

ADJOURNMENT

0-7

MORAN
08-14-12

**AN ORDINANCE ESTABLISHING OUTDOOR LANDSCAPE
WATER CONSERVATION GUIDELINES**

WHEREAS, the water supplies within the City of Camden should be protected to afford the greatest beneficial use to City of Camden citizens and businesses, which depend on adequate water supplies for their livelihood, health, welfare, and economic production; and

WHEREAS, the water resources associated with the City of Camden have been threatened in the past due to drought conditions; and

WHEREAS, there exists a need to ensure water is available for uses essential to the health, welfare and safety of the City of Camden and for averting or lessening the impact of any water shortage; and

WHEREAS, taking steps to ensure clean, wholesome, and adequate water supplies is a high priority in protecting the health, safety, and welfare of City of Camden citizens;

WHEREAS, pursuant to N.J.S.A. 40:48-2, the City of Camden has the power to adopt ordinances necessary and proper for the protection of persons and property, and the preservation of the public health, safety and welfare;

BE IT ORDAINED, by the City Council of the City of Camden as follows::

Section 1. The Code of the City of Camden shall be amended and supplemented by the addition of the herein new Chapter entitled, "Outdoor Landscape Water Conservation", to read as follows:

1. Water Use Restrictions

Restrictions on outdoor landscape water use apply to all users in the City of Camden at all times regardless of source of supply (e.g. public water supplies, well or ground water, lakes, streams, or ponds) unless expressly exempt in *V. Exemptions*. Such water use shall conform to the following Outdoor Landscape Water Use Restrictions:

A. Lawn watering with a hose or hose-end sprinkler

1. May only be done two days per week (*Choose one of the 2 examples below or develop another structure better suited for the individual municipality*)
 - a. *Example 1-* Properties may only water 2 days per week. Properties with even number addresses may only water on Mondays and Thursday, properties with odd number addresses may only water on Tuesday and Fridays.
 - b. *Example 2-* Properties may only water 2 days a week to coincide with trash pickup days;
2. Watering shall only be conducted between the hours of 6:00 a.m. and 9:00 a.m. or between 5:00 p.m. and 8:00 p.m.;
3. The watering of any single area shall not exceed thirty minutes per day;
4. Flowers and shrubs may be watered as needed with a hand-held hose equipped with an automatic shut-off nozzle;
5. No hose or hose-end watering shall be permitted when it is raining.

B. Irrigating lawns and landscapes with automatic irrigation systems equipped with a conventional irrigation controller (this includes all systems that do not have a "SMART" controller as defined in section I.C)

[Draft 8-7-12:
For internal review]

1. May only be done two days per week (*Choose one of the 2 examples below or develop another structure better suited to individual municipalities*)
 - a. *Example 1* – Properties may only irrigate 2 days per week. Properties with even number addresses may only irrigate on Mondays and Thursdays, properties with odd number addresses may only irrigate on Tuesdays and Fridays.
 - b. *Example 2* – Properties may only irrigate 2 days a week to coincide with trash pickup days;
 2. Irrigation shall only be conducted between the hours of 12:00 midnight and 10:00 a.m.
 3. Operation of any irrigation zone equipped with spray (mist) heads shall not exceed 15 minutes per zone. Operation of any irrigation zone equipped with rotary sprinkler heads shall not exceed 50 minutes per zone.
- C. Irrigation with systems equipped with a SMART controller
1. To qualify for this provision, the SMART controller must have met the minimum requirements of IA-SWAT protocol testing. Lists of climate-based and sensor based controllers that have successfully completed the protocol testing can be found at <http://www.irrigation.org/SWAT/Industry/ia-tested.asp>
 2. The property owner must register the SMART controller with the municipality
 - a. The municipality will issue a yard placard which the owner must display signifying that the property is irrigated with a SMART controller
 3. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
 - a. The SMART controller must be programmed to irrigate between the hours of 12:00 midnight and 10:00 am;
 - b. Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
 - c. The SMART controller programming data shall be posted at the controller;
 - d. The WaterSense Partner must make a minimum of two site visits after the initial programming to adjust and fine tune the irrigation schedule.
- D. Irrigation systems programmed and monitored by an irrigation manager
1. The property owner must designate a qualified person who will be the irrigation manager and register that person with the municipality with defining qualifications.
 - a. The municipality will issue a yard placard which the owner must display signifying that the property is irrigated by an irrigation manager.
 2. The irrigation manager must be an EPA WaterSense Partner or show evidence of successfully completing one of the approved courses listed below:
 - a. Rutgers University Continuing Education Course, *Irrigation Systems: Scheduling*
 - b. Irrigation Association's online course, *Landscape Irrigation Scheduling*.
 - c. A comparable course offered by a recognized continuing education facility or professional association.
 3. A property specific irrigation program shall be developed by the irrigation manager based on plant variety, soil type, exposure, slope, precipitation rate, and irrigation efficiency.
 4. Weekly adjustments shall be made to the irrigation schedule based on current evapotranspiration (ET) rates or weather conditions.

5. If it is found that an irrigation manager does not follow any of the terms prescribed in this ordinance, they may be disqualified from acting as a properties irrigation manager.

E. All automatic irrigation systems:

1. Shall be equipped with an operational automatic rain sensor device, which disables the system when a predetermined amount of rainfall has occurred. Each rain sensor device shall be capable of and programmed to interrupt the automatic irrigation cycle when ¼ inch of rain has fallen.
2. Any work performed on a system as a result of any inspection made by the homeowner or a professional must be in compliance with the Landscape Irrigation Contractor Certification Act of 1991 (NJSA 45:5AA-3).
3. Flowers and shrubs irrigated with drip or micro irrigation may be watered as needed.

F. All new irrigation systems must comply with the following:

1. The system must be installed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
2. New Jersey Irrigation Best Management Design Practices are listed below. More information on these practices can be found in the Outdoor Landscape Water Conservation Model Ordinance Best Practices Guide located on the City of Camden web site:
 - a. designing a system that insures sufficient operating pressure at the sprinkler head;
 - b. dividing irrigated areas into hydro-zones of turf and plants with similar water requirements;
 - c. creating zoning systems according to exposure;
 - d. considering the soil type so the sprinkler irrigation precipitation rate is compatible with the soil infiltration rate or dividing the zone runtimes into multiple short cycles;
 - e. providing separate control of sloped areas;
 - f. preventing sprinkler heads from overthrowing onto driveways, roads, and sidewalks;
 - g. providing for separate irrigation for parkway strips between curbs and sidewalks that minimizes overthrow onto walks, pavement, and other impervious surfaces;
 - h. using pressure regulating technology as necessary to ensure sprinkler heads operate within the manufacturer's recommended range. The pressure regulation may be:
 - i. a pressure regulation device at the point of connection;
 - ii. pressure regulation at each remote control valve;
 - iii. pressure regulation at the sprinkler head;
 - iv. a combination of the above.
 - i. irrigating all flowers and shrubs with drip and/or micro-irrigation;
 - j. including check valves in low sprinkler heads to prevent low-point drainage;
 - k. having a pressure regulating device and wye strainer on each drip/micro control valve.

G. System must have a SMART controller capable of estimating or measuring depletion of available plant soil moisture and operating the irrigation system only to replenish the water as needed while minimizing excess water use.

- a. The SMART controller must have undergone SWAT testing and be listed on the Irrigation Association website www.swatirrigation.org (This section may be replaced by a

WaterSense labeling requirement once the EPA releases the labeling of SMART controllers anticipated in 2011).

- b. The SMART controller must be programmed by an EPA WaterSense Partner who holds a New Jersey Landscape Irrigation Contractor Certificate pursuant to NJSA 45:5AA-3.
 - i. Proper sprinkler head data and accurate soil/plant/irrigation information must be entered;
 - ii. The SMART controller programming data shall be posted at the controller;
 - iii. The WaterSense partner must make a minimum of two site visits after the initial programming to adjust and fine tune the irrigation schedule.

H. Upon the Declaration of Water Emergency by the City of Camden additional restrictions may be imposed and shall supersede the restrictions in this ordinance.

I. State of New Jersey requirements shall supersede those identified in this Section when more stringent than those identified in this ordinance.

2. Enforcement of Water Conservation Guidelines.

The water use restrictions and automatic rain sensor requirement imposed pursuant to this section shall be enforced by the local authorized official. Whenever a local authorized official shall find a violation of the water use restrictions, regardless of the source of the water (public supply or private source), such authorized official shall issue a written warning and explain the penalties for a second and third offense, as provided in subsection IV. The local authorized official shall keep such records as may be reasonable and necessary for the purpose of determining the persons and businesses who have been warned upon a first offense. The local authorized official is hereby empowered to write summons for the violation of the water use restrictions imposed pursuant to this section.

3. Violations and penalties.

A. Violations include knowingly or recklessly watering or irrigating or permitting irrigation of lawn or landscape on owned, leased, or managed property that results in the following:

1. Watering during any form of precipitation;
2. Water leaking from any irrigation equipment;
3. Water puddling on landscape or impervious surfaces;
4. Water run-off from irrigated property;
5. Irrigating on days not permitted in this ordinance;
6. Irrigating at hours not permitted in this ordinance.

B. All water users in City of Camden are responsible for preventing the above violations. Specific information with regard to identifying and preventing such violations can be found in the Outdoor Landscape Water Conservation Model Ordinance's Best Management Practices for Irrigating Landscapes located on the City of Camden web site.

C. Unless otherwise provided in the chapter, penalties against persons violating the provisions of this chapter shall be imposed in accordance with the provisions of § 1-16A.

D. The penalty provided for in Subsection A of this section and the imposition thereof shall not constitute a bar to or be deemed in substitution of the exercise of any right or power or remedy of the City provided for in this chapter or in any other provision of this Code applicable to the subject matter of this chapter.

4. Exemptions

The restrictions contained in this chapter do not apply to the following:

- A. Outdoor water use from rain water harvesting, gray water, or reclaimed water are exempt from the provisions of the ordinance. Use of gray or reclaimed water must have an approved NJPDES permit issued through the NJDEP.
- B. Outdoor water use for commercial farms producing harvestable crops, commercial nurseries, sod farms and golf courses are exempt from the provisions of the ordinance.
- C. Outdoor irrigation necessary for one day only where treatment with an application of chemicals require immediate watering to preserve an existing landscape or to establish a new landscape.
- D. Outdoor irrigation necessary for the establishment of newly sodded lawns or landscaping within the first 21 consecutive days of planting.
- E. Visually supervised operation of an irrigation system by a person in compliance with the New Jersey Landscape Irrigation Contractor Certification Act of 1991 (N.J.S.A. 45:5AA-1) and at the minimum rate necessary in order to check system condition and effectiveness.

BE IT FURTHER ORDAINED, that the proper officials and employees of the City of Camden are, and each hereby is, authorized and empowered to take all necessary actions to transition all current agreements between the City and outside employers for their employment of City Police Officers, and return all related remaining balances of escrowed monies to such employers, in order to effectuate full compliance with the provisions of this Ordinance.

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

BE IT FURTHER ORDAINED, that this ordinance shall take effect twenty (20) days after its final passage and publication as provided by law.

BE IT FURTHER ORDAINED, that if any provision of this ordinance is declared invalid, such invalidity shall not effect the other provisions of this ordinance. Furthermore, the other provisions of this ordinance are deemed to be severable and remain in full force and effect.

BE IT FURTHER ORDAINED, that pursuant to N.J.S.A. 52:27BBB-23 and N.J.S.A. 40:69A-41, a true copy of this Ordinance shall be forwarded to the Mayor, who shall have ten (10) days from the receipt thereof to approve or veto this Ordinance. Additionally, pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Ordinance shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Ordinance, and the action by the Commissioner regarding this Ordinance shall supersede any action by the Mayor on the same Ordinance. All notices of approval and/or veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 14, 2012

The above has been reviewed
and approved as to form.

[Draft 8-7-12:
For internal review]

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

DANA L. REDD
Mayor

ATTEST: _____
LUIS PASTORIZA
Municipal Clerk