AGENDA

CITY OF CAMDEN
CITY COUNCIL SPECIAL MEETING

August 24th, 2017 – 5:00 P.M.

Honorable Francisco "Frank" Moran, President
Honorable Curtis Jenkins, Vice President
Honorable Dana M. Burley
Honorable Luis A. Lopez, Ph.D.
Honorable Brian K. Coleman
Honorable Marilyn Torres
Honorable Angel Fuentes

Honorable Dana L. Redd, Mayor

Marc Riondino, City Attorney
Jason Asuncion, Council Attorney

Luis Pastoriza, Municipal Clerk

CITY COUNCIL AGENDA

SPECIAL MEETING

THURSDAY, AUGUST 24TH, 2017 – 5:00 P.M.
CITY COUNCIL CHAMBER

CALL TO ORDER

FLAG SALUTE

ROLL CALL

STATEMENT OF COMPLIANCE

NOTICE OF MEETING

OLD BUSINESS

Office of the City Attorney

1. Ordinance granting the application of **Camden Hotel Partners, LLC** for a local economic redevelopment and growth grant pursuant to N.J.S.A 52:27d-489d and authorizing execution of a local economic redevelopment and growth grant agreement

ORDINANCE 1ST READING

Office of the City Attorney

1. Ordinance granting the application of **Camden Hotel Partners, LLC** for a local economic redevelopment and growth grant pursuant to N.J.S.A. 52:27d-489d and authorizing execution of a local economic redevelopment and growth grant agreement (revised)

Department of Public Works

2. Ordinance of the City of Camden, County of Camden, State of New Jersey, releasing, extinguishing and **vacating the rights of the public of a portion of certain paper streets known as N. 30th Street, Polk Avenue, and Tyler Avenue,** in the City of Camden, pursuant to and in accordance with N.J.S.A. 40:67-1 et seq., and reserving an easement for all utilities which may currently exist at each aforesaid paper street

ORDINANCE 2ND READING

Office of the City Attorney

1. Ordinance **amending Chapter 510 Article VII** establishing a local economic redevelopment and growth grant program pursuant to N.J.S.A. 52:27d-489d

RESOLUTIONS

Office of the City Attorney

1. Resolution of the City of Camden, County of Camden, New Jersey, authorizing the submission of an **application to the New Jersey Local Finance Board** pursuant to N.J.S.A. 52:27d-489d for **approval of a local incentive grant to Camden Hotel Partners, LLC**

2. Resolution authorizing a right-of-way encroachment license agreement between the City of Camden and **River Front Recycling & Aggregate LLC** for three (3) separate Paper Streets, labeled N. 26th, Street, Cambridge Street and Dupont Street, and City of Camden public Street, Harrison Avenue

Department of Public Works

3. Resolution of the City Council of the City of Camden referring to the Planning Board of the City of Camden to review proposed **amendments to the City's Zoning Ordinance, Chapter 577** of the city code yard waste ordinance/collection program

Office of the City Attorney

4. Resolution **rescinding Resolution MC:17-5742**, "Resolution amending resolution MC-17:5629 to correct name of assignees"

Department of Finance

5. Resolution authorizing the City of Camden to apply for and obtain the **Edward Byrne Memorial Justice Assistance Grant (JAG) Program** FY 2017 local solicitation to participate in a collaborative effort with the county and four (4) other municipalities

6. Resolution authorizing a **shared services agreement** between the City of Camden and Camden County, Cherry Hill Township, Gloucester Twp., Lindenwold Boro, and Pennsauken Twp. under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2017

Bureau of Purchasing

7. Resolution authorizing the acceptance of **A.E. Stone Inc.'s,** 1435 Doughty Road, Egg Harbor Township, NJ 08234, withdrawal of its bids for City of Camden bids #17-19 (FY 2015 NJDOT Trust Fund: milling and resurfacing of various streets) and #17-20 (FY 2016 NJDOT Trust Fund: milling and resurfacing of various streets) on July 27, 2017

Department of Human Services

8. Resolution authorizing a **shared services agreement** between the Camden County Board of Chosen Freeholders and City of Camden for the 2017-2018 Municipal Drug Alliance Program in the amount of **$59,617.17**

PUBLIC COMMENT

ADJOURNMENT

Old Business

06-1

MAR:dh
06-13-17

ORDINANCE GRANTING THE APPLICATION OF CAMDEN HOTEL PARTNERS, LLC FOR A LOCAL ECONOMIC REDEVELOPMENT AND GROWTH GRANT PURSUANT TO N.J.S.A. 52:27D-489d AND AUTHORIZING EXECUTION OF A LOCAL ECONOMIC REDEVELOPMENT AND GROWTH GRANT AGREEMENT

WHEREAS, the New Jersey Legislature has adopted P.L. 2013, c. 161, known as the Economic Opportunity Act of 2013 ("EOA"), for the purpose of revitalizing the State of New Jersey, including the City of Camden; and

WHEREAS, pursuant to N.J.S.A. 52:27D-489d, the EOA authorizes the governing body of a municipality, wherein is located a qualifying economic redevelopment and growth grant incentive area, to establish a local Economic Redevelopment and Growth Grant program ("Local ERG Program") for the purpose of encouraging redevelopment projects in that area through the provision of incentive grants to reimburse developers for all or a portion of the project financing gap for such projects; and

WHEREAS, on December 13, 2016, the City Council of the City of Camden adopted Ordinance MC-5016, entitled "Ordinance Establishing a Local Economic Redevelopment and Growth Grant Program pursuant to N.J.S.A. 52:27D-489d"; and

WHEREAS, on May 9, 2017, the City Council of the City of Camden adopted Resolution MC-5653 authorizing submission of an application to the New Jersey Local Finance Board ("LFB"), pursuant to N.J.S.A. 52:27D-489d, for approval of Ordinance MC-5016 establishing the Local ERG Program; and

WHEREAS, the Local Finance Board, in the Division of Local Government Services, in the Department of Community Affairs ("Local Finance Board"), has approved Ordinance MC-5016 authorizing the establishment of the local Economic Redevelopment and Growth Grant program in accordance with N.J.S.A. 52:27D-489d; and

WHEREAS, Camden Hotel Partners, LLC is proposing to construct an eight-story, 180-key hotel on a 19,110 square foot parcel with ground floor retail space (the "Project") on property formally identified as Block 81.02, Lot 1, Unit H-1, on the City of Camden Tax Map and located on Cooper Street, between Riverside Drive and new Caruso Place within the Downtown Redevelopment Area; and

WHEREAS, Camden Hotel Partners, LLC has submitted an application for approval of a local incentive grant under the City's Local ERG Program and has represented that the grant is necessary to provide gap financing required to move the Project forward; and

WHEREAS, Camden Hotel Partners, LLC has also submitted an application for approval of a State Economic Redevelopment and Growth Grant, which application received approval from the New Jersey Economic Development Authority ("NJEDA") Board on June 13, 2017; and

WHEREAS, the City has submitted a copy of Camden Hotel Partners, LLC's application for approval of a local incentive grant under the City's Local ERG Program to the NJEDA for the completion of the fiscal analysis, completion of the net positive economic benefits test, and recommendation on the application; and

WHEREAS, the Local Finance Board has undertaken a review of Camden Hotel Partner, LLC's application for a local incentive grant under the City's Local ERG Program, pursuant to N.J.S.A. 52:27D-489d.c, and has voted to approve said application; and

WHEREAS, the City has reviewed the Camden Hotel Partners, LLC application for the Project and finds that it is consistent with the eligibility requirements of the EOA and the City's Local ERG Program; and

WHEREAS, the City is desirous of approving the Camden Hotel Partners, LLC application for a local incentive grant under the City's Local ERG Program in order to encourage the aforementioned Project; now therefore

BE IT ORDAINED, by the City Council of the City of Camden, that:

SECTION 1. The Local ERG Program application of Camden Hotel Partners, LLC for a local incentive grant for the development of an eight-story, 180-key hotel on property identified as Block 81.02, Lot 1, Unit H-1, on the City of Camden Tax Map is hereby granted.

SECTION 2. The local incentive grant shall be funded by the municipal hotel and motel room occupancy tax, as established by the City Council of the City of Camden, pursuant to Ordinance MC-5015, adopted on December 13, 2016, and as authorized pursuant to N.J.S.A. 40:48F-1, et seq. in a maximum amount of up to 75% of the incremental local revenues collected, or approximately $3,045,003, over a maximum reimbursement term of twenty (20) years, in accordance with N.J.S.A. 52:27D-489g.

SECTION 3. The Council does hereby authorize and direct the Mayor of the City of Camden to execute, on behalf of the Municipality, an Economic Redevelopment and Growth Grant Agreement for the Project consistent with the terms of this Ordinance.

SECTION 4. Any portion of this ordinance not herein amended and supplemented shall remain in full force and effect.

SECTION 5. All ordinances or parts or ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

SECTION 6. This ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

SECTION 7. If any provision of this ordinance is declared invalid, such invalidity shall not affect 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: June 13, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

DANA L. REDD
Mayor

ATTEST:

LUIS PASTORIZA
City Clerk

Ordinance
1st Reading

0-1

MAR:IL
08-24-17

ORDINANCE GRANTING THE APPLICATION OF CAMDEN HOTEL PARTNERS, LLC FOR A LOCAL ECONOMIC REDEVELOPMENT AND GROWTH GRANT PURSUANT TO N.J.S.A. 52:27D-489d AND AUTHORIZING EXECUTION OF A LOCAL ECONOMIC REDEVELOPMENT AND GROWTH GRANT AGREEMENT

WHEREAS, the New Jersey Legislature has adopted P.L. 2013, c. 161, known as the Economic Opportunity Act of 2013 ("EOA"), for the purpose of revitalizing the State of New Jersey, including the City of Camden; and

WHEREAS, pursuant to N.J.S.A. 52:27D-489d, the EOA authorizes the governing body of a municipality, wherein is located a qualifying economic redevelopment and growth grant incentive area, to establish a local Economic Redevelopment and Growth Grant program ("Local ERG Program") for the purpose of encouraging redevelopment projects in that area through the provision of incentive grants to reimburse developers for all or a portion of the project financing gap for such projects; and

WHEREAS, on December 13, 2016, the City Council of the City of Camden adopted Ordinance MC-5016, entitled "Ordinance Establishing a Local Economic Redevelopment and Growth Grant Program pursuant to N.J.S.A. 52:27D-489d;" and

WHEREAS, on August 8, 2017, the City Council of the City of Camden amended Ordinance MC-5016, entitled "Ordinance Establishing a Local Economic Redevelopment and Growth Grant Program pursuant to N.J.S.A. 52:27D-489d;" to change the percentage from 85 to 75; and

WHEREAS, on May 9, 2017, the City Council of the City of Camden adopted Resolution MC-17:5653, authorizing submission of an application to the New Jersey Local Finance Board ("LFB"), pursuant to N.J.S.A. 52:27D-489d, for approval of Ordinance MC-5016 establishing the Local ERG Program; and

WHEREAS, on August 9, 2017, the Local Finance Board, in the Division of Local Government Services, in the Department of Community Affairs ("Local Finance Board"), approved Ordinance MC-5016 authorizing the establishment of the local Economic Redevelopment and Growth Grant program in accordance with N.J.S.A. 52:27D-489d; and

WHEREAS, Camden Hotel Partners, LLC is proposing to construct an eight-story, 180-key hotel on a 19,110 square foot parcel with ground floor retail space (the "Project") on property formally identified as Block 81.02, Lot 1, Unit H-1, on the City of Camden Tax Map and located on Cooper Street, between Riverside Drive and new Caruso Place within the Downtown Redevelopment Area; and

WHEREAS, Camden Hotel Partners, LLC has submitted an application for approval of a local incentive grant under the City's Local ERG Program and has represented that the grant is necessary to provide gap financing required to move the Project forward; and

WHEREAS, Camden Hotel Partners, LLC has also submitted an application for approval of a State Economic Redevelopment and Growth Grant, which application received approval from the New Jersey Economic Development Authority ("NJEDA") Board on June 13, 2017; and

WHEREAS, the City has submitted a copy of Camden Hotel Partners, LLC's application for approval of a local incentive grant under the City's Local ERG Program to the NJEDA for the completion of the fiscal analysis, completion of the net positive economic benefits test, and recommendation on the application; and

WHEREAS, the City has submitted an application to the Local Finance Board for review and approval of Camden Hotel Partner, LLC's application for a local incentive grant under the City's Local ERG Program, pursuant to N.J.S.A. 52:27D-489d.c; and

WHEREAS, the City has reviewed the Camden Hotel Partners, LLC application for the Project and finds that it is consistent with the eligibility requirements of the EOA and the City's Local ERG Program; and

WHEREAS, the City is desirous of approving the Camden Hotel Partners, LLC application for a local incentive grant under the City's Local ERG Program in order to encourage the aforementioned Project;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Camden, that:

SECTION 1. The Local ERG Program application of Camden Hotel Partners, LLC for a local incentive grant for the development of an eight-story, 180-key hotel on property identified as Block 81.02, Lot 1, Unit H-1, on the City of Camden Tax Map is hereby granted.

SECTION 2. The local incentive grant shall be funded by the municipal hotel and motel room occupancy tax, as established by the City Council of the City of Camden, pursuant to Ordinance MC-5015, adopted on December 13, 2016, and as authorized pursuant to N.J.S.A. 40:48F-1, et seq. in a maximum amount of up to 75% of the incremental local revenues collected, or approximately $1,415,472, over a maximum reimbursement term of twenty (20) years, in accordance with N.J.S.A. 52:27D-489g. The base amount of the combined reimbursements under the Economic Redevelopment and Growth Grant Agreements with the State or City of Camden shall in no event exceed forty (40) percent of the total eligible project costs.

SECTION 3. The Council does hereby authorize and direct the Mayor of the City of Camden to execute, on behalf of the Municipality, an Economic Redevelopment and Growth Grant Agreement for the Project consistent with the terms of this Ordinance and the Local ERG Program.

SECTION 4. Any portion of this ordinance not herein amended and supplemented shall remain in full force and effect.

SECTION 5. All ordinances or parts or ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

SECTION 6. This ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

SECTION 7. If any provision of this ordinance is declared invalid, such invalidity shall not affect 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 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

DANA L. REDD
Mayor

ATTEST:

LUIS PASTORIZA
Municipal Clerk

0-2

JJA
08-24-17

ORDINANCE OF THE CITY OF CAMDEN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC OF A PORTION OF CERTAIN PAPER STREETS KNOWN AS N 30TH STREET, POLK AVENUE, AND TYLER STREET, IN THE CITY OF CAMDEN, PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40:67-1 ET SEQ., AND RESERVING AN EASEMENT FOR ALL UTILITIES WHICH MAY CURRENTLY EXIST AT EACH AFORESAID PAPER STREET

WHEREAS, pursuant to N.J.S.A. 40:67-1.b and N.J.S.A. 40:67-19, the City Council of the City of Camden ("City") may, by ordinance, vacate any public street or portion thereof, dedicated to public use, but not accepted by the City, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, certain portions of N 30 Street, Polk Avenue, and Tyler Street, in the City of Camden, which are adjacent to real property owned by Camden County for use by the public as Von Neida Park, are all paper streets and remains unimproved; and

WHEREAS, the City desires to vacate certain portions of N 30 Street, Polk Avenue, and Tyler Street, in the City of Camden, in favor of County of Camden ("County") for the public purposes of the Von Neida Park Stormwater Management and Park Improvement Project ("Project"), a partnership of the City of Camden, Camden County, Cramer Hill Community Development Corporation, and Cooper's Ferry Partnership ("Cooper's Ferry"); and

WHEREAS, the Project is funded by the U.S. Environmental Protection Agency ("USEPA") and New Jersey Department of Environmental Protection ("NJDEP") Green Acres Program--which Program requires Camden County's complete site control--and will mitigate flooding by constructing improvements to the underground drainage infrastructure, as well as developing a surface stormwater management strategy. Additionally, the Project will improve the quality and safety of the park by adding additional recreational amenities; and

WHEREAS, pursuant to the recommendation of the City Administration, it has been determined by the City Council of the City of Camden as follows:

1. That certain portions of N 30 Street, Polk Avenue, and Tyler Street, in the City of Camden described herein are not needed for public road purposes; and

2. for the reasons stated herein certain portions of N 30 Street, Polk Avenue, and Tyler Street hereinafter described have been determined by the City to be better utilized for public use as part of the adjacent County-owned Von Neida Park real property; thus, pursuant to N.J.S.A. 40:67-19, the City has found that the public would be better served by vacating, releasing, and extinguishing its rights and interests in and to the aforesaid portions of dedicated paper streets.

WHEREAS, the City shall follow the procedure set forth in N.J.S.A 40:49-6 to publicize, file public notice of its intention, and hold a public hearing on the matter and that it is in the best interest of the general public and the City to vacate the aforesaid portions of dedicated paper streets; and

WHEREAS, pursuant to N.J.S.A. 40:67-1.b, the City Council must, by Ordinance, preserve the right of public utilities to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property or right-of-way to be vacated;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Camden, County of Camden, State of New Jersey, as follows:

SECTION 1. All public easements, right, and interests to certain portions of N 30 Street, Polk Avenue, and Tyler Street, in the City of Camden, as described herein are hereby vacated, released, and extinguished except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any Cable Television Company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated subject to the conditions described herein; all conditions, unless otherwise noted, shall be satisfied prior to said vacation being effective.

Description of the portions of N 30th Street, Polk Avenue, and Tyler Street, in the City of Camden:

A. Vacation of a Portion of N 30th Street in the City of Camden: Paper street portion of Public Right of Way for N 30th Street **beginning at a point from** the Northern curb line of Pierce Avenue in the City of Camden, running along the Northwesterly paper lines of N 30th Street, and ending the Southern curb line of Harrison Avenue in the City of Camden. See attached map.

B. Vacation of a Portion of Polk Avenue: Paper street portion of Public Right of Way for Polk Avenue **beginning at a point** from the Eastern curb line of N 29th Street in the City of Camden, running along the Northeasterly paper lines of Polk Avenue, and ending at the Western paper line of N 30th Street in the City of Camden. See attached map.

C. Vacation of a Portion of Tyler Street: : Paper street portion of Public Right of Way for Tyler Street **beginning at a point** from the Eastern curb line of N 29th Street in the City of Camden, running along the Northeasterly paper lines of Tyler Street, and ending at the Western paper line of N 30th Street in the City of Camden. See attached map.

SECTION 2. The Municipal Clerk shall publish, this ordinance, after being introduced and having passed a first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to N.J.S.A. 40:49-6.

SECTION 3. The Municipal Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6, including, without limitation the County of Camden.

SECTION 4. The Municipal Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the herein described paper streets with the Office of the County Clerk in a special book set aside for dedications and vacations, pursuant to N.J.S.A. 40:67-21.

SECTION 5. The City Council does hereby authorize and direct the Mayor of the City of Camden and all other authorized City Officials to execute, on behalf of the City, all documents necessary to effectuate the vacation of lands contemplated herein.

SECTION 6. Any portion of this ordinance not herein amended and supplemented shall remain in full force and effect.

SECTION 7. All ordinances or parts or ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

SECTION 8. This ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

SECTION 7. If any provision of this ordinance is declared invalid, such invalidity shall not affect 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 24, 2017

The above has been reviewed

and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

DANA L. REDD
Mayor

ATTEST: _____
LUIS PASTORIZA
Municipal Clerk

DESCRIPTION/MAP OF LAND

[See attached Description/Map,
a complete copy of which shall
be filed with the Municipal Clerk's Office]

Walk On Request
CITY OF CAMDEN

CITY COUNCIL REQUEST FORM

Council Meeting Date: September 12, 2016

TO: Robert Corrales, Business Administration

DATE: August 22, 2017

FROM: Patrick J. Keating, Director of Public Works

Department Making Request: **Public Works**

TITLE OF RESOLUTION/ORDINANCE:

ORDINANCE OF THE CITY OF CAMDEN, COUNTY OF CAMDEN, STATE OF NEW JERSEY, RELEASING AND VACASTIUING THE RIGHTS OF THE PUBILC OF A PORIOTN OF CERTAIN STREETS KNOWN AS NORTH 30TH St., POLK AVENUE, AND TYLER STREET, IN THE CITY OF CMADEN, PURSUANT TO AN IN ACCORDNACE WITH N.J.S.A. 40:67-1 ET SEQ. AND RESERVING AN EASEMENT FOR ALL UTILITIES WHICH MAY CURRENTLY EXIST AT EACH AFORESAID PAPER STREET.

BRIEF DESCRIPTION:
Procurement Process: Bid#, RFP#, State Contract#, Non-Fair & Open, EUS:

Three "Paper" streets exist in the general area which is known and operated as Von Neida Park, which is owned and maintained by the County of Camden. Such right of ways which have been preserved through the park are not required for any current or projected use of the area and in order to utilize various types of funding to implement improvements to the park sire control must be vested in the County of Camden. It is recommended that that council authorize the vacation of the right of ways, while preserving rights to access any utility access required through easement.

APPROPRIATION ACCOUNT(S): (*If applicable*)

AMOUNT: *(If applicable)*

Date Signature

Please note that the Contact Person is the point person for providing pertinent information regarding request.

If request is a walk-on, the Contact Person will be responsible for picking up the Council request(s) from the City Attorney's Office to make necessary copies for Council Meeting.

******Please attach all supporting documents******

Approved by Relevant Director:	8 - 22 - 2017	
Approved by Grants Management:	N/A	(If applicable)
Approved by Finance Director: ☐ CAF –Certifications of Availability of Funds		
Approved by Purchasing Agent:		
Approved by Business Administrator:	8/24/17	
Received by City Attorney:		

	(Name) Please Print	***(Extension #)***
Prepared By:	Patrick J. Keating, Director of Public Works	757 7139
Contact Person:	Patrick J. Keating, Director of Public Works	757 7139

Please note that the Contact Person is the point person for providing pertinent information regarding request.

If request is a walk-on, the Contact Person will be responsible for picking up the Council request(s) from the City Attorney's Office to make necessary copies for Council Meeting.

******Please attach all supporting documents******

Von Nieda – Privately Owned Properties

Block 905, Lots 25-30

Von Nieda - City Owned Properties

Block 905, Lot 35
Lot 36
Lot 44

Von Nieda - Public ROW

30th Street
Polk Avenue
Tyler Avenue

Ordinance
2nd Reading

0-1

MAR:IL
08-08-17

ORDINANCE AMENDING CHAPTER 510 ARTICLE VII ESTABLISHING A LOCAL ECONOMIC REDEVELOPMENT AND GROWTH GRANT PROGRAM PURSUANT TO N.J.S.A. 52:27d-489d

WHEREAS, on December 13, 2016, the City Council of the City of Camden adopted Ordinance No. MC-5016, "Ordinance Establishing a Local Economic Redevelopment and Growth Grant Program pursuant to N.J.S.A. 52:27d-489d"; and

WHEREAS, the City Council of the City of Camden finds it necessary to amend and supplement said Ordinance consistent with the Economic Opportunity Act of 2013, P.L. 2013, c. 161; now, therefore

BE IT ORDAINED, by the City Council of the City of Camden that it hereby adopts the following Amendment:

SECTION 1. The City of Camden Code, Chapter 510 Article IV, is hereby amended and supplemented as follows:

§510:34. Payment of Incremental Eligible Revenues is deleted in its entirety and replaced with the following:

§510:35. Payment of Incremental Eligible Revenues

Pursuant to the authorization contained in N.J.S.A. 52:27D-489d, and in accordance with the local incentive grant agreement, beginning upon the receipt of occupancy permits for any portion of the redevelopment project, or upon any other event evidencing project completion as set forth in the local incentive grant agreement, the municipality shall pay to the developer incremental municipal revenues in an amount of up to an average of 75 percent of the projected annual incremental revenues directly realized from businesses operating at the site of the redevelopment project from the following taxes:

(1) Incremental payments in lieu of taxes, with respect to property located in the district, made pursuant to the "Five-Year Exemption and Abatement Law," P.L.1991, c.441 (C.40A:21-1 et seq.), or the "Long Term Tax Exemption Law," P.L. 1991, c,431 (C.40A:20-1 et al.);

(2) Incremental revenues collected from payroll taxes, with respect to business activities carried on within the area, pursuant to section 15 of P.L.1970, c.326 (C.40:48C-15);

(3) incremental revenue from lease payments made to the municipality, the developer, or the developer's successors with respect to property located in the area;

(4) incremental revenue collected from parking taxes derived from parking facilities located within the area pursuant to section 7 of P.L.1970, c.326 (C.40:48C-7);

(5) incremental admissions and sales taxes derived from the operation of a public facility within the area pursuant to section 1 of P.L.2007, c.302 (C.40:48G-1);

(6)

(a) incremental sales and excise taxes which are derived from activities within the area and which are rebated to or retained by the municipality pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) or any other law providing for such rebate or retention;

(b) within Planning Area 1 (Metropolitan) under the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.), the municipality may impose the entire State sales tax on business activities within a redevelopment project located in an urban enterprise zone that would ordinarily be entitled to collect reduced rate revenues

under section 21 of P.L.1983, c.303 (C.52:27H-80), and pledge the excess revenues to a local redevelopment incentive grant agreement;

(7) incremental parking revenue collected, pursuant to section 7 of P.L.1970, c.326 (C.40:48C-7), from public parking facilities built as part of a redevelopment project, except for public parking facilities owned by parking authorities pursuant to the "Parking Authority Law," P.L.1948, c.198 (C.40:11A-1 et seq.);

(8) incremental revenues collected, pursuant to section 3 of P.L.2003, c.114 (C.40:48F-1), P.L.1981, c.77 (C.40:48E-1 et seq.), or P.L.1947, c.71 (C.40:48-8.15 et seq.), from hotel and motel taxes;

(9) upon approval by the Local Finance Board, other incremental municipal revenues that may become available;

(10) the property tax increment, except in the case of a Garden State Growth Zone, in which such property tax increment and any other incremental revenues are calculated as those incremental revenues that would have existed not-withstanding the provisions of the "New Jersey Economic Opportunity Act of 2013," P.L.2013, c.161 (C.52:27D-489p et al.).

The incremental revenue for the revenues listed in this subsection, when applicable, shall be calculated as the difference between the amounts collected in any fiscal year from any eligible revenue source included in the local redevelopment incentive grant agreement, less the revenue increment base for that eligible revenue. All administrative costs associated with the local incentive grant shall be assessed to the applicant and be retained by the municipality from the annual local incentive grant payments.

SECTION 2. Any portion of Chapter 510 of the Municipal Code not herein amended and supplemented shall remain in full force and effect.

SECTION 3. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency only.

SECTION 4. If any provision of this ordinance is declared invalid, such invalidity shall not affect 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.

SECTION 5. This Ordinance shall take effect twenty days after its final passage and publication as provided by law following approval by the Local Finance Board in the Department of Community Affairs.

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 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 Introduced: August 8, 2017

The above has been reviewed
and approved as to form.

MARC RIONDINO
City Attorney

FRANCISCO MORAN
City Council President

DANA L. REDD
Mayor

Resolutions

R-1

MAR:IL
08-24-17

RESOLUTION OF THE CITY OF CAMDEN, COUNTY OF CAMDEN, NEW JERSEY, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NEW JERSEY LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 52:27D-489d FOR APPROVAL OF A LOCAL INCENTIVE GRANT TO CAMDEN HOTEL PARTNERS, LLC

WHEREAS, Camden Hotel Partners, LLC is proposing to construct an eight-story, 180-key hotel on a 19,110 square foot parcel with ground floor retail space (the "Project") on property formally identified as Block 81.02, Lot 1, Unit H-1, on the City of Camden Tax Map and located on Cooper Street, between Riverside Drive and new Caruso Place within the Downtown Redevelopment Area; and

WHEREAS, Camden Hotel Partners, LLC has submitted an application to the City of Camden (the "City") for approval of a local incentive grant under the Economic Opportunity Act of 2013, P.L. 2013, c. 161, and has represented that the grant is necessary to provide gap financing required to move the Project forward; and

WHEREAS, Camden Hotel Partners, LLC has also submitted an application for approval of a State Economic Redevelopment and Growth Grant, which application received approval from the New Jersey Economic Development Authority ("NJEDA") Board on June 13, 2017; and

WHEREAS, the City has submitted a copy of Camden Hotel Partners, LLC's application for approval of a local incentive grant under the City's Local ERG Program to the NJEDA for the completion of the fiscal analysis, completion of the net positive economic benefits test, and recommendation on the application; and

WHEREAS, the City has reviewed the Camden Hotel Partners, LLC application for the Project and finds that it is consistent with the eligibility requirements of the EOA; and

WHEREAS, the City is desirous of approving the Camden Hotel Partners, LLC application for a local incentive grant in order to encourage the aforementioned Project; and

WHEREAS, on August 24, 2017 the City introduced an Ordinance on first reading, entitled "Ordinance Granting the Application of Camden Hotel Partners, LLC for a Local Economic Redevelopment and Growth Grant pursuant to N.J.S.A. 52:27D-489d and Authorizing Execution of a Local Economic Redevelopment and Growth Grant Agreement"; and

WHEREAS, pursuant to N.J.S.A. 52:27D-489d, no local incentive grant shall be finally approved by the City until approved by the Local Finance Board; and

WHEREAS, the City Council of the City of Camden, County of Camden, New Jersey ("City"), desires to make application to the New Jersey Local Finance Board for its review and approval of a local incentive grant to Camden Hotel Partners, LLC; and

WHEREAS, the City believes:

(a) it is in the public interest to accomplish such purpose;

(b) said purpose is for the health, welfare, convenience or betterment of the inhabitants of the City;

(c) the amounts to be expended for said purpose are not unreasonable or exorbitant; and

(d) the proposal is an efficient and feasible means of providing services for the needs of inhabitants of the City and will not create an undue financial burden to be placed upon the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, COUNTY OF CAMDEN, NEW JERSEY AS FOLLOWS:

SECTION 1. An application to the New Jersey Local Finance Board seeking approval of the local incentive grant to Camden Hotel Partners, LLC is hereby authorized, and the City's Solicitor, Director of Finance, and Auditor along with other representatives of the City, are hereby authorized to prepare such application and to represent the City in matters pertaining thereto.

SECTION 2. The City's Director of Finance, Chief Financial Officer or Business Administrator are hereby authorized and directed to prepare and file a copy of this resolution with the New Jersey Local Finance Board as part of such application.

SECTION 3. The New Jersey Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey law.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of introduction: August 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

JJA
08/24/17

R-2

RESOLUTION AUTHORIZING A RIGHT-OF-WAY ENCROACHMENT LICENSE AGREEMENT BETWEEN THE CITY OF CAMDEN AND RIVER FRONT RECYCLING & AGGREGATE LLC FOR THREE (3) SEPARATE PAPER STREETS, LABELED N 26TH STREET, CAMBRIDGE STREET, AND DUPONT STREET, AND CITY OF CAMDEN PUBLIC STREET, HARRISON AVENUE

WHEREAS, the City of Camden is the owner in fee of all that certain land, premises, and public rights-of-way situated in the City of Camden being comprised of those three (3) separate paper streets labeled N 26th Street, Cambridge Street, and DuPont Street, respectively ("Paper Street Parcels"), and a City public street, Harrison Avenue ("Harrison Ave."), all as more particularly described in the proposed form of Right-of-Way Encroachment License Agreement ("Agreement") between the City and River Front Recycling & Aggregate LLC ("River Front") attached hereto as ATTACHMENT A; and

WHEREAS, River Front is the owner in fee of all that certain land and premises situated in the City of Camden adjacent to the Paper Street Parcels and Harrison Ave., as more particularly described in ATTACHMENT A; and

WHEREAS, City desires to grant to River Front an exclusive license to utilize the Paper Street Parcels and a portion of Harrison Ave. for all lawful purposes, for the term, and upon the terms and conditions, outlined in the proposed Agreement; and

WHEREAS, River Front desires to utilize the Paper Street Parcels and the Encroachment Area (as defined below and used in the attached proposed Agreement) of Harrison Ave. for River Front's existing State of New Jersey Department of Environmental Protection ("NJDEP")-licensed Class "B" Recycling Facility Center business operations ("Operations") that are adjacent to River Front's Property; and

WHEREAS, in October 2016, the parties preliminarily discussed entering into an agreement that would address an NJDEP requirement of River Front for NJDEP's approval of River Front's Class "B" Recycling Facility Center license in Camden; and

WHEREAS, the Paper Street Parcels and the portion (the "Encroachment Area") of Harrison Ave. to be used by River Front for its Operations are all depicted in Exhibit "A-1" and Exhibit "A-2" respectively, and are collectively referred to in the proposed Agreement as the "Licensed Area"; and

WHEREAS, the City is supportive of River Front's continued unimpeded Operations at its Camden location and within the Licensed Area, subject to the terms of the proposed Agreement; and

WHEREAS, the City understands that NJDEP has approved River Front's Class "B" Recycling Facility Center license in Camden; and

WHEREAS, the City Council of the City of Camden ("City Council") is of the opinion that it is in the best interest of the City of Camden to ratify and approve all prior actions and authorize the City Attorney and all other pertinent City officials to negotiate the proposed form of Right-of-Way Encroachment License Agreement for the purposes set forth above; now therefore

BE IT RESOLVED by the City Council that this resolution ratify and approve all prior actions and authorizes City of Camden to enter into a Right-of-Way Encroachment License Agreement with River Front Recycling & Aggregate LLC, substantially in the form of Agreement attached hereto as ATTACHMENT A.

BE IT FURTHER RESOLVED, that the authorized City officials shall take all actions necessary to effectuate the purposes of this Resolution, and shall add into the Agreement any additional terms and conditions in order to protect and further the City's best interests.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

ATTACHMENT A

Proposed form of
Right-of-Way Encroachment License Agreement
Between the City and River Front Recycling & Aggregate LLC

[See attached]

RIGHT-OF-WAY ENCROACHMENT LICENSE AGREEMENT

THIS RIGHT-OF-WAY LICENSE AGREEMENT (the "Agreement") is made and effective as the ___ day of August, 2017, by and between the CITY OF CAMDEN, a municipal corporation and body politic of the State of New Jersey ("City"), and RIVERFRONT RECYCLING LLC, a New Jersey limited liability company ("Licensee").

WITNESSETH:

WHEREAS, City represents that City is the owner in fee of all that certain land, premises, and public rights-of-way situated in the City of Camden, Camden County, New Jersey, being comprised of those three (3) separate paper streets, labeled N 26th Street, Cambridge Street and DuPont Street, respectively (all three streets are collectively referred to herein as the "Paper Street Parcels"), and a City public street, Harrison Avenue ("Harrison Ave."), all as more particularly described on the plan attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, Licensee is the owner in fee of all that certain land and premises situated in the City of Camden adjacent to the Paper Street Parcels and Harrison Ave., as more particularly described in Exhibit "B" attached hereto and made a part hereof (the "Licensee's Property"); and

WHEREAS, City desires to grant to Licensee an exclusive license to utilize the Paper Street Parcels and a portion of Harrison Ave. for all lawful purposes, for the term, and upon the terms and conditions, outlined in this Agreement; and

WHEREAS, Licensee desires to utilize the Paper Street Parcels and the Encroachment Area (defined below) of Harrison Ave. for Licensee's existing State of New Jersey Department of Environmental Protection ("NJDEP")-licensed Class "B" Recycling Facility Center business operations ("Operations") that are adjacent to Licensee's Property.

WHEREAS, in October 2016, the parties preliminarily discussed entering into an agreement that would address an NJDEP requirement of Licensee for NJDEP's approval of Licensee's Class "B" Recycling Facility Center license in Camden.

WHEREAS, the Paper Street Parcels and the portion (the "Encroachment Area") of Harrison Ave. to be used by Licensee for its Operations are all depicted in Exhibit "A-1" and Exhibit "A-2" respectively, and are collectively referred to in the Agreement as the "Licensed Area"; and

WHEREAS, the City is supportive of Licensee's continued unimpeded Operations at its Camden location and within the Licensed Area, subject to the terms of this Agreement.

WHEREAS, the City has agreed to grant to Licensee an exclusive license and privilege to use the Licensed Area, all in accordance with and subject to the terms, conditions and limitations of this Agreement.

NOW, THEREFORE, in consideration of the sum of One Hundred Dollars ($100.00) paid by Licensee to City and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Incorporation of Recitals**. All of the foregoing recitals are hereby incorporated into this Agreement in their entirety.

2. **Grant of License**. For itself, its successors and permitted assigns, City hereby grants to Licensee, solely for and during the term of this Agreement, an exclusive right, privilege and permission to use the Licensed Area (the "License") for any and all lawful purposes, subject to and in accordance with the terms and conditions of this Agreement. The License herein granted shall be subject to all existing utility easements, if any, located within the Licensed Area, or any other easements, conditions, covenants or restrictions of record and under applicable law.

3. **Term.**

(a) The term (the "Term") of this Agreement shall be for the period commencing on the date hereof and continuing until the earliest of (i) the date of termination of this Agreement by mutual agreement of the parties; (ii) the date of termination of this Agreement expressly in accordance with its terms; or (iii) the date which is five (5) years after the date hereof. Licensee shall have the right to extend the Term for an additional five (5) years, for no more than two consecutive five (5) year periods, upon written notice to the City of Licensee's exercise of such right, which shall be provided to the City at least thirty (30) days prior to the expiration of the then applicable portion of the Term; provided, however, that the City may nullify any right to the exercise of such 5-year extension period by providing 180-day prior written notice given to Licensee prior to the expiration of the then existing Term. If the 180-day prior written notice is given by the City to Licensee, the License herein granted to Licensee shall immediately terminate on the expiration date of the then existing Term. Both prior written notice provisions and the effective date of License termination established by this paragraph 3(a) shall conclusively be deemed to be reasonable.

(b) In the event of any termination of the Term of this Agreement as expressly provided in this Agreement, Licensee shall not be entitled to receive a refund of any portion of the consideration paid for this Agreement, nor shall Licensee be entitled to any compensation or reimbursement by the City for any costs or expenses incurred in any way by Licensee arising from this Agreement or relating to the construction, installation, maintenance and/or removal of improvements in the Encroachment Area, nor any monetary damages of any kind whatsoever.

4. **Use, Scope of License.** The Licensed Area may be used by Licensee for any lawful purpose, and may be altered and improved. Licensee shall not have the right to expand the Licensed Area without the City's prior written consent. In addition, Licensee shall not have the right to change Licensee's use of the Licensed Area without the City's prior written consent, which shall not be unreasonably withheld, conditioned or delayed.

5. **No Interest in Land**. Licensee understands, acknowledges and agrees that this Agreement does not create an interest or estate in Licensee's favor in the Licensed Area. The City retains legal possession of the full boundaries of its rights-of-way in the Licensed Area and this Agreement merely grants to Licensee the personal privilege to use the Licensed Area throughout the term of this Agreement.

6. **No Vested Right**. Notwithstanding any expenditure of money, time and/or labor by Licensee on or within the Licensed Area, including for its Operations, this Agreement shall in no event be construed to create an assignment coupled with an interest or any vested rights in favor of Licensee beyond those expressly granted as provided herein. Licensee shall expend any time, money or labor on or in the Licensed Area at Licensee's own risk and peril.

7. **Non-Transferability of License**. The License granted to Licensee by this Agreement is a mere personal privilege granted by the City to Licensee, and is neither transferable nor assignable without the express written consent of the City. Any attempt to assign this License will automatically terminate the license privileges granted to Licensee hereunder.

8. **Permanent Removal of Encroachments Upon Termination**.

(a) At such time as this Agreement and the License herein granted to Licensee is terminated, and/or the Term expires, Licensee shall, at the option of the City, remove, at Licensee's sole cost and expense, any and all encroachments or improvements owned or maintained by Licensee in the Licensed Area within a reasonable time period determined by the City.

(b) Any other provision of this Agreement to the contrary notwithstanding, Licensee shall immediately remove, at its sole cost and expense, any such encroachments or improvements in the Harrison Ave. portion of the Licensed Area in the event that the City determines that such removal is reasonably necessary or convenient for the installation, repair or replacement of any utilities or other public improvements in the Harrison Ave. portion of the Licensed Area, or in the event that the City determines that any such encroachments interfere with pedestrian or vehicular traffic, public utilities, or constitute a safety hazard.

(c) Any replacement or repair of such encroachments shall be at the sole cost and expense of the Licensee. If the Licensee fails to exercise its duties under this Paragraph 8, after notice and cure as provided in Paragraph 15 below, the City shall have the right to remove the encroachments or improvements and restore the Licensed Area, the full and complete reasonable and actual cost of which shall be borne by Licensee, and Licensee covenants and agrees to reimburse the City such cost.

9. **Construction and Maintenance**. Licensee agrees that any and all improvements shall be erected and maintained at all times in accordance with all requirements of the City's ordinances and all other applicable law, regulation, rule, or order. During the term of this Agreement, Licensee shall, at Licensee's sole cost and expense, maintain the Licensed Area and

any encroachments and improvements thereon in compliance with any applicable requirements of City Code, law, regulation, rule, or order.

10. **Compliance with Law**. Licensee shall adhere to and comply with all ordinances, laws, regulations, rules, or orders that may pertain to or apply to the Licensed Area and the Licensee's use thereof. Licensee agrees and warrants that it has procured or shall procure any licenses, permits or like permission required by law, if any, to conduct or engage in the use of the Licensed Area described herein, that Licensee will procure all additional licenses, permits or like permission hereinafter required by law during the term of this Agreement, and that Licensee will keep the same in full force and effect during the term of this Agreement. Licensee shall perform under this Agreement in accordance with all applicable legal requirements.

11. **No Personal Liability**. No officer, employee, agent, or representative of the City shall be charged personally or held contractually liable under any term or provision of this Agreement, or because of their execution, approval or attempted execution of this Agreement.

12. **Joint and Collective Work Product**. This Agreement is and shall be deemed and construed to be a joint and collective work product of the City and Licensee, and as such, this Agreement shall not be construed against any other party as the otherwise purported drafter of the same by any court of competent jurisdiction in order to resolve any inconsistency, ambiguity, vagueness or conflict, if any, in the terms or provisions contained herein.

13. **Insurance** Licensee shall, at all times during the term of this Agreement, maintain commercial general liability insurance on an occurrence basis, with minimum limits of $2,000,000.00 single limit coverage on all risks. Such insurance shall be issued by insurance companies authorized to do business in the State of New Jersey, and shall name City as an additional insured as it pertains to the Licensed Area. Licensee shall furnish the City with certificates evidencing insurance in force as required herein. Such policy or policies shall provide that the coverage afforded thereunder shall not be canceled, terminated or materially changed until at least fourteen (14) days written notice has endeavored to be given to the City. Evidence of payment of premiums shall be delivered to the City from time to time upon request. To the extent permitted by law, this insurance shall apply as primary insurance with respect to any other insurance or self-insurance programs afforded to the City. There shall be no endorsement or modification of this insurance to make it excess over other available insurance; alternatively, if the insurance states that it is excess or prorated, it shall be endorsed to be primary with respect to the City.

14. **Indemnification.**

(a) Licensee shall defend, indemnify and hold the City, its officers, employees, agents, representatives, harmless from and against any and all claims, lawsuits, demands, judgments, costs, loss, liability, damage , including, without limitation, reasonable attorney's fees, or other relief for personal injuries, property damage, or for loss of life or property resulting from Licensee's, or its agents, contractors, employees or invitees, negligent or intentional acts or omissions in connection with their use of, and activities in connection with, and in or about the Licensed Area during the License term, including, without limitation, for its

Operations thereon and any violation of environmental law by Licensee with respect to the Licensed Area. Licensee shall give prompt notice to the City of any claims, lawsuits, or demands, in connection with the forgoing.

(b) In the event of any action against the City, its officers, agents, servants, employees, boards or commissions covered by the foregoing duty to indemnify, defend and hold harmless, such action shall be defended by legal counsel selected by Licensee, but subject to the reasonable approval of City.

(c) The provisions of this Paragraph 14 shall survive any termination and/or expiration of this Agreement.

15. **Default, Cure Period, and Limitation on Damages**.

(a) In the event Licensee defaults in the performance of any of the covenants or agreements to be kept, done or performed by it under the terms of this Agreement, the City shall notify the Licensee in writing of the nature of such default. Within fifteen (15) days following receipt of such notice the Licensee shall correct such default; however, notwithstanding the foregoing, in the event of a default not capable of being corrected within fifteen (15) days, the Licensee shall commence correcting the default within such fifteen (15) day period following receipt of notification thereof and thereafter continue to pursue the correction of such default with all due diligence and in good faith, and in all events Licensee shall correct the default within 180 days.

(b) If the Licensee fails to correct the default within the time provided hereinabove, the City, without further notice, shall have the right to declare that this Agreement is terminated effective upon such date as the City shall designate. The rights and remedies provided for in this Paragraph 15 may be exercised singly or in combination.

(c) In no event shall the City be liable to Licensee for monetary damages of any kind relating to or arising from any breach of this Agreement by the City, and no action of any kind shall be commenced by Licensee against the City for monetary damages, with the sole exception of a reimbursement of attorney's fees and costs in connection with a successful action to enforce the terms of this Agreement against the City.

16. **No Partnership.** It is agreed that nothing contained in this Agreement shall be deemed or construed as creating a partnership, joint venture, or similar relationship between City and Licensee.

17. **Governing Law.** It is agreed that this Agreement shall be governed by, construed and enforced in accordance with the laws of the State of New Jersey

18. **Notice**. All notices or consents required or permitted under this Agreement shall be given in writing and delivered in person, by verified overnight courier or by certified United States mail. All notices shall be addressed as follows:

If to Licensee:	River Front Recycling & Aggregate, LLC 20 Maple Avenue Lumberton, NJ 08048
With a copy to:	Archer & Greiner, P.C. One Centennial Square Haddonfield, NJ 08033 Attn: Henry O. Boenning, Esquire
If to the City:	City Engineer Division of Capital Improvements and Project Management 520 Market St, Suite 325 Camden, NJ 08103 Attn: Uzo Ahiarakwe, PE, PP, PLS
With a copy to:	City Attorney Law Department 520 Market Street City Hall, Room 419 P.O. Box 95120 Camden, New Jersey 08101-5120 Attn: Marc Riondino
And with a copy to:	Business Administrator Department of Administration 520 Market Street City Hall, Room 409 P.O. BOX 95120 Camden, NJ 08101-5120 Attn: Robert Corrales

Each such notice shall be deemed to have been given to or served upon the party to which addressed on the date the same is delivered or delivery is refused. Either party hereto may change its address to which said notice shall be delivered or mailed by giving written notice of such change to the other party hereto, as herein provided.

19. **Entire Agreement.** This Agreement shall constitute the entire agreement between the parties with regard to the subject matter contained herein and any prior understandings or representations of any kind preceding the date of this Agreement shall not be binding upon either party, except to the extent incorporated in this Agreement.

20. **Memorandum of Agreement**. This Agreement shall not be recorded, however, either party may request that a memorandum be recorded (the "Memorandum"), at such requesting party's cost and expense. The Memorandum shall be in the form attached hereto as Exhibit "C".

21. **Street Vacation**. The parties acknowledge and agree that a Site Plan ("Plan") produced for Licensee by Cummings & Smith Inc., Gary L. Smith, P.E., dated May 4, 2005, with respect to Licensee's Class B Recycling Center General Approval, labeled as "former" each of N 26th Street, Cambridge Street, and DuPont Street; hence, raising the possibility that all or a portion of the Paper Street Parcels may have been vacated by a predecessor Camden City Council. The parties are not currently actually aware of any official action to support said potential vacation. The City and Licensee agree to continue to investigate such potential vacation, including Licensee's locating of its aforesaid engineer's Plan notes, if available. In the event it is determined that all or a portion of the Paper Street Parcels was so vacated, the City shall take the reasonable steps requested by Licensee to confirm that title to the vacated portion is vested in Licensee without any claim by or rights of City, and to release such portion from the terms and conditions of this Agreement.

22. **Modification.** Any modification of this Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced in writing signed by both parties or an authorized representative of each party.

23. **Attorney Fees.** Except as otherwise provided in Section 14 (Indemnification) above, in the event that any action is filed in relation to this Agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all sums that either party may be called on to pay, a reasonable sum for the successful party's attorney's fees.

24. **Paragraph Headings.** The titles to the Paragraphs of this Agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interruption of the provision of this Agreement.

25. **Successors and Assigns**. The provisions of this Agreement shall run to the benefit of and be binding upon the Licensee and City and their respective successors and permitted assigns and all covenants herein contained shall be deemed to run with the land.

26. **Electronic Execution and Delivery; Counterparts**. This Agreement may be signed by in any number of counterparts, each of which shall be deemed an original, and, when taken together, shall constitute one valid and binding agreement. The parties acknowledge and agree that, notwithstanding any law or presumption to the contrary, a telefaxed, or emailed electronic copy, of any signature of either party, whether upon this agreement or any related document, shall be deemed valid and binding and effective, and shall be admissible in any court or proceeding, by either party against the other, as if same were an original ink signature.

<Signatures appear on following page>

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

ATTEST:

CITY OF CAMDEN

By: _____

LUIS PASTORIZA
Municipal Clerk

DANA L. REDD
Mayor

WITNESS:

RIVERFRONT RECYCLING, LLC

By: _____

Exhibit "A-1"

Paper Streets

Exhibit "A"

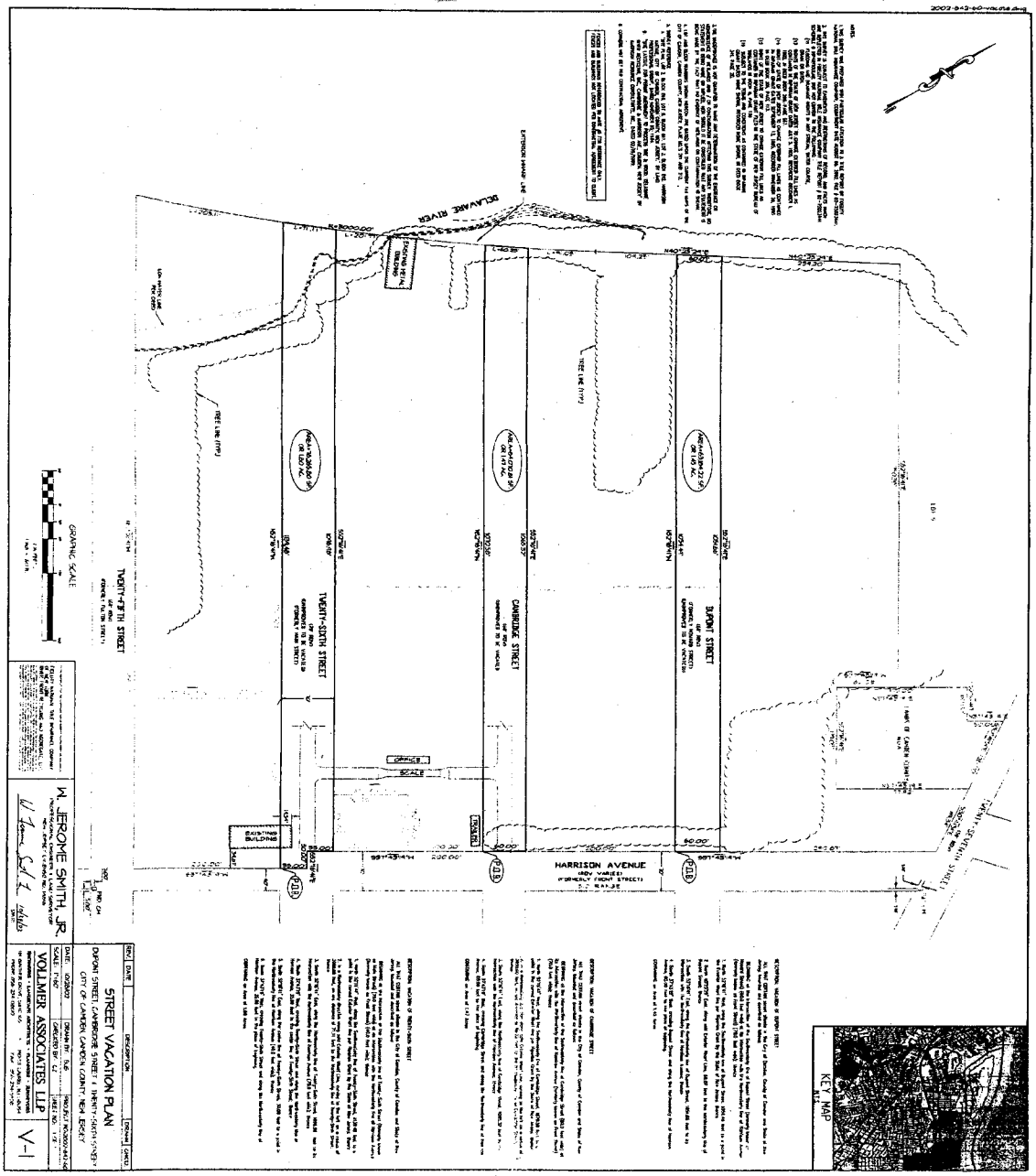

Exhibit "A-2"

Encroachment Area

Exhibit "B"

Licensee's Property

Exhibit "B"

DESCRIPTION:
LOT: 3, BLOCK 815
CITY OF CAMDEN, COUNTY OF CAMDEN, NEW JERSEY

ALL THAT CERTAIN tract or parcel of land and premises situate in the City of Camden, County of Camden and State of New Jersey, bounded and described as follows:

BEGINNING at the intersection of the Northwesterly line of Harrison Avenue (formerly known as Front Street) (70 feet wide) and the Northeasterly line of Dupont Street (formerly known as Howard Street) (60 feet wide); thence

1. North 52°16'41" West, along the Northeasterly line of Dupont Street 1051.66 feet to the Exterior Wharf Line per Riparian Grant by the State of New Jersey; thence

2. North 40°25'29" East, along said Exterior Wharf Line, 239.20 feet to a point; thence

3. South 52°16'41" East, 750.38 feet to a point in the line of lands of Camden County Municipal Utilities Authority; thence

4. South 37°43'19" West, along said lands, 82.08 feet to a point;

5. South 52°16'41" East, still along said lands, 179.03 feet to a point; thence

6. North 37°43'19" East, still along lands of said Utilities Authority, 177.92 feet to a point in the Southwesterly line of Twenty-Seventh Street (50 feet wide); thence

7. South 30°41'51" East, along the Southwesterly line of Twenty-Seventh Street, 119.34 feet to the Northwesterly line of Harrison Avenue; thence

8. South 37°43'19" west, along the Northwestery line of Harrison Avenue, 290.87 feet to the place of beginning.

CONTAINING an area of 5.58 Acres.

BEING Tax Lot 3, Block 815.

AN EQUAL OPPORTUNITY EMPLOYER

DESCRIPTION:
LOTS 3 AND 4, BLOCK 812
CITY OF CAMDEN, COUNTY OF CAMDEN, NEW JERSEY

ALL THAT CERTAIN tract or parcel of land and premises situate in the City of Camden, County of Camden and State of New Jersey, bounded and described as follows:

BEGINNING at the intersection of the Northwesterly line of Harrison Avenue (formerly known as Front Street) (40 feet wide) and the Northeasterly line of Twenty-Fifth Street (formerly known as Fulton Street (60 feet wide); thence

1. North 52°16'41" West, along the Northeasterly line of Twenty-Fifth Street,1184.78 feet to the Exterior Wharf Line per Riparian Grant by the State of New Jersey; thence

2. In a Northeasterly direction along said Exterior Wharf Line, curving to the left on a radius of 3000.00 feet, an arc distance of 205.11 feet to a point in the Southwesterly line of Twenty-Sixth Street (formerly known as Main Street) (70 feet wide); thence

3. South 52°16'41" East, along the Southwesterly line of Twenty-Sixth Street, 1139.48 feet to the Northwesterly line of Harrison Avenue; thence

4. South 37°43'19" West, along the Northwesterly line of Harrison Avenue, 200.00 feet to the place of beginning.

CONTAINING an area of 5.33 Acres.

BEING Tax Lots 3 and 4, Block 812.

AN EQUAL OPPORTUNITY EMPLOYER

DESCRIPTION:
LOT 8, BLOCK 811
CITY OF CAMDEN, COUNTY OF CAMDEN, NEW JERSEY

ALL THAT CERTAIN tract or parcel of land and premises situate in the City of Camden, County of Camden and State of New Jersey, bounded and described as follows:

BEGINNING at the intersection of the Northwesterly line of Harrison Avenue (formerly known as Front Street) (70 feet wide) and the Northeasterly line of Twenty-Sixth Street (formerly known as Main Street (70 feet wide); thence

1. North 52°16'41" West, along the Northeasterly line of Twenty-Sixth Street, 1096.98 feet to the Exterior Wharf Line per Riparian Grant by the State of New Jersey; thence

2. In a Northeasterly direction along said Exterior Wharf Line, curving to the left on a radius of 3000.00 feet, an arc distance of 201.77 feet to a point in the Southwesterly line of Cambridge Street (60 feet wide); thence

3. South 52°16'41" East, along the Southwesterly line of Cambridge Street, 1070.58 feet to the Northwesterly line of Harrison Avenue; thence

4. South 37°43'19" West, along the Northwesterly line of Harrison Avenue, 200.00 feet to the place of beginning.

CONTAINING an area of 4.97 Acres.

BEING Tax Lot 8, Block 811.

DESCRIPTION:
LOT 2, BLOCK 816
CITY OF CAMDEN, COUNTY OF CAMDEN, NEW JERSEY

ALL THAT CERTAIN tract or parcel of land and premises situate in the City of Camden, County of Camden and State of New Jersey, bounded and described as follows:

BEGINNING at the intersection of the Northwesterly line of Harrison Avenue (formerly known as Front Street) (70 feet wide) and the Northeasterly line of Cambridge Street (60 feet wide); thence

1. North 52°16'41" West, along the Northeasterly line of Cambridge Street, 1065.32 feet to the Exterior Wharf Line per Riparian Grant by the State of New Jersey; thence

2. In a Northeasterly direction along said Exterior Wharf Line, curving to the left on a radius of 3000.00 feet, an arc distance of 91.05 feet to a point of tangency in same; thence

3. North 40°25'29" East, still along said Exterior Wharf Line, 109.25 feet to a point in the Southwesterly line of Dupont Street (formerly known as Howard Street) (60 feet wide); thence

3. South 52°16'41" East, along the Southwesterly line of Howard Street, 1054.49 feet to the Northwesterly line of Harrison Avenue; thence

4. South 37°43'19" West, along the Northwesterly line of Harrison Avenue, 200.00 feet to the place of beginning.

CONTAINING an area of 4.86 Acres.

BEING Tax Lot 2, Block 816.

Exhibit "C"

MEMORANDUM OF LICENSE AGREEMENT

THIS MEMORANDUM OF LICENSE AGREEMENT (the "Memorandum") is made and effective as the ___ day of November, 2016, by and between the CITY OF CAMDEN a municipal corporation and body politic of the State of New Jersey ("City") and RIVERFRONT RECYCLING LLC, a New Jersey limited liability company ("Licensee") and pertains to a certain License Agreement (the "Agreement") between the parties of even date.

WHEREAS, City represents that City is the owner in fee of all that certain land, premises, and public rights-of-way situated in the City of Camden, Camden County, New Jersey, being comprised of those three (3) separate paper streets, labeled N 26th Street, Cambridge Street and DuPont Street, respectively (all three streets are collectively referred to herein as the "Paper Street Parcels"), and a City public street, Harrison Avenue ("Harrison Ave."), all as more particularly described on the plan attached hereto and made a part hereof as Exhibit "A-1"; and

WHEREAS, Licensee is the owner in fee of all that certain land and premises situated in the City of Camden adjacent to the Paper Street Parcels and Harrison Ave., as more particularly described in Exhibit "B" attached hereto and made a part hereof (the "Licensee's Property"); and

WHEREAS, City desires to grant to Licensee an exclusive license to utilize the Paper Street Parcels and a portion of Harrison Ave. for all lawful purposes, for the term, and upon the terms and conditions, outlined in this Agreement; and

WHEREAS, Licensee desires to utilize the Paper Street Parcels and the Encroachment Area (defined below) of Harrison Ave. for Licensee's existing State of New Jersey Department of Environmental Protection ("NJDEP")-licensed Class "B" Recycling Facility Center business operations ("Operations") that are adjacent to Licensee's Property.

WHEREAS, in October 2016, the parties preliminarily discussed entering into an agreement that would address an NJDEP requirement of Licensee for NJDEP's approval of Licensee's Class "B" Recycling Facility Center license in Camden.

WHEREAS, the Paper Street Parcels and the portion (the "Encroachment Area") of Harrison Ave. to be used by Licensee for its Operations are all depicted in Exhibit "A-1" and Exhibit "A-2" respectively, and are collectively referred to in the Agreement as the "Licensed Area"; and

WHEREAS, the City is supportive of Licensee's continued unimpeded Operations at its Camden location and within the Licensed Area, subject to the terms of this Agreement.

WHEREAS, the City has agreed to grant to Licensee an exclusive license and privilege to use the Licensed Area, all in accordance with and subject to the terms, conditions and limitations of this Agreement.

PREMISES COVERED AND TERM: City has granted to Licensee an exclusive right, privilege and permission to use the Licensed Area for any and all lawful purposes, subject to and

in accordance with the terms and conditions of the Agreement. The License is subject to all existing utility easements, if any, located within the Licensed Area, or any other easements, conditions, covenants or restrictions of record and under applicable law. The term of the Agreement shall commence on _____ and expires on _____, unless sooner terminated as expressly provided in the Agreement.

AGREEMENT PROVISIONS: The Agreement contains the entire agreement between the parties. All persons are hereby put on notice of the existence of the Agreement and are referred to the Agreement for its terms and conditions. All of the terms and conditions of the Agreement are incorporated herein by reference.

PURPOSE: This Memorandum of Agreement is prepared, signed and acknowledged solely for recording purposes, and is in no way intended to change, alter, modify, amend or in any other way affect the rights, duties and obligations of City and Licensee pursuant to the Agreement; it being specifically understood and agreed between the parties that each has rights, duties and obligations imposed upon it in the Agreement which are not expressly contained herein but are included herein by reference. THIS MEMORANDUM IS FOR INFORMATIONAL PURPOSES ONLY, AND DOES NOT CONVEY ANY REAL PROPERTY INTEREST IN THE LICENSED AREA TO LICENSEE, BUT RATHER SOLELY PROVIDES A LICENSE TO UTILIZE SAME IN ACCORDANCE WITH THE TERMS OF AND FOR THE PERIOD PROVIDED IN THE AGREEMENT.

IN WITNESS WHEREOF, this Memorandum has been duly executed as of _____ __, 2017.

ATTEST: CITY OF CAMDEN

_____ By: _____

WITNESS: RIVERFRONT RECYCLING, LLC

_____ By: _____

STATE OF NEW JERSEY :
: S.S.
COUNTY OF CAMDEN :

I CERTIFY that on that on this _____ day of _____, 2017, before me, the undersigned witnessing authority, personally appeared _____, who is the authorized member of RIVERFRONT RECYCLING, LLC, a New Jersey limited liability company, who I am satisfied is the person who signed the within instrument, and he/she acknowledged that he/she signed and delivered the same as such member aforesaid, and that with within instrument is the duly authorized, voluntary act and deed of such company.

_____
Print Name:_____
Title:_____
Commission Expires:_____

STATE OF NEW JERSEY :
: ss.
COUNTY OF_____ :

BE IT REMEMBERED that on this _____ day of _____, 2017 before me, the undersigned witnessing authority, personally appeared _____ who is the _____ of the City of Camden, a body politic of the State of New Jersey, who I am satisfied is the person who signed the within instrument, and he acknowledged that he signed and delivered the same as such officer aforesaid, and that the within instrument is the duly authorized voluntary act and deed of such body.

_____
Notary Public
Commission Expires: _____

RIVERFRONT RECYCLING

ATTACHMENT D

STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
CONTRACT REQUEST FORM

This form must be filled out in its entirety and is intended to provide the Division with appropriate information to determine whether to approve a new or extended service. Please provide any additional information you believe will help the Division make an informed decision.

Municipality	**CAMDEN**

Professional Service or EUS Type	**RIGHT-OF-WAY ENCROACHMENT LICENSE AGREEMENT**
Name of Vendor	River Front Recycling & Aggregate LLC ("River Front"; entity is **not** providing a service to the City of Camden)
Purpose or Need for service:	To grant to River Front an exclusive license to utilize the paper street parcels N 26th Street, Cambridge Street, and DuPont Street, and a portion of Harrison Ave. for all lawful purposes, for the term, and upon the terms and conditions, outlined in the proposed License Agreement. River Front currently operates its NJDEP-licensed Class "B" Recycling Facility Center upon the aforesaid paper streets. Entities prior to River Front have similarly operated without being under any agreement with the City. This License Agreement protects the City's and River Front's respective rights to their real property without resorting to protracted litigation over the matter.
Contract Award Amount	Not applicable.
Term of Contract	The Term of the proposed Agreement shall be for the period commencing on the date thereof and continuing until the earliest of (i) the date of termination of the Agreement by mutual agreement of the parties; (ii) the date of termination of the Agreement expressly in accordance with its terms; or (iii) the date which is five (5) years after the date thereof. River Front has the right to extend the Term for an additional five (5) years, for no more than two consecutive five (5) year periods, upon written notice to the City of River Front's exercise of such right, which shall be provided to the City at least thirty (30) days prior to the expiration of the then applicable portion of the Term; provided, however, that the City may nullify any right to the exercise of such 5-year extension period by providing 180-day prior written notice given to River Front prior to the expiration of the then existing Term. If the 180-day prior written notice is given by the City to River Front, the License granted to River Front shall immediately terminate on the expiration date of the then existing Term.
Temporary or Seasonal	Not applicable.
Grant Funded (attach appropriate documentation allowing for service through grant funds)	Not applicable.
Please explain the procurement process (i.e. bids, RFQ,	Not applicable.

competitive contracting, etc.)	
Were other proposals received? If so, please attach the names and amounts for each proposal received?	Not applicable.

Please attach the RFP, evaluation memoranda or evaluation forms used to evaluate the vendors and a list of all bidders and the bid amounts associated with each bidder.

If the lowest bidder was not selected, please have the appropriate personnel sign the certification on page 2.

_____ Date_____

Mayor's Signature*

_____ Date_____

Business Administrator/Manager Signature

_____

*For direct appointments of the Governing Body, Council President or at the discretion of the Director, the most senior member of the Governing Body may sign the waiver in lieu of the Mayor.

The Chief Financial Officer affirms that there is adequate funding available for this personnel action.

_____Funding Source for this action

_____

Chief Financial Officer Signature

I certify that the vendor selected is in compliance with the adopted Pay to Play Ordinance and that the vendor was notified of any restrictions with respect to campaign contributions.

_____ Date_____

Certifying Officer

For LGS use only:

( ) Approved ( ) Denied

_____Date_____

Director or Designee,
Division of Local Government Services

Number Assigned_____

R-3

JJA
08-24-17

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMDEN REFERRING TO THE PLANNING BOARD OF THE CITY OF CAMDEN TO REVIEW PROPOSED AMENDMENTS TO THE CITY'S ZONING ORDINANCE, CHAPTER 577 OF THE CITY CODE YARD WASTE ORDINANCE/ COLLECTION PROGRAM

WHEREAS, the City of Camden ("City") is currently subject to a New Jersey Department of Environmental Protection Enforcement Action ("NJDEP"), specifically, a Warning Letter EA ID#: WRNI 70001-171564, pursuant to NJDEP's correspondence dated June 15, 2017 and received June 20, 2017 by the City; and

WHEREAS, on July 21, 2017, the City issued its report and response to NJDEP concerning specific details of remedial measures to be implemented for the items or concerns noted in NJDEP's inspection report and ensuing Warning Letter; and

WHEREAS, in its Warning Letter to the City, among other things, the NJDEP requires the City to implement, pursuant to N.J.A.C. 7:14A-25.6, the NJDEP requirement that "Tier A Municipalities shall implement the Yard Waste Ordinance/ Collection Program minimum standard. [N.J.A.C. 7:14A-25.6]," to which the City will take appropriate action to comply therewith; and

WHEREAS, City Council of the City of Camden must first refer to the Planning Board of the City of Camden, pursuant to N.J.S.A. 40:55D-26 and 64, the herein proposed amendments to the City's Land Development Ordinance, adopted by City Council on December 14, 2010, Chapter 577 of the City Code ("Zoning Ordinance), for the Planning Board's review and, in turn, report on its findings and proposed recommendations to City Council; and

WHEREAS, City Council considers it to be in the best interests of the City to refer the herein proposed Zoning Ordinance amendments to the Planning Board pursuant to the aforesaid law in order to comply with the NJDEP's above discussed requirement; now, therefore

BE IT RESOLVED, by the City Council of the City of Camden that the following amendments to the City's Zoning Ordinance, Chapter 577 of the City's Municipal Code, be, and hereby are, referred to the Planning Board of the City of Camden for its review and, in turn, report on its findings and proposed recommendations to City Council within 35 days of the date of this Resolution, pursuant to N.J.S.A. 40:55D-26 and 64:

SECTION 1: All terms and provisions, including the minimum standard, contained in the attached NJDEP "Model Ordinance - Yard Waste Collection Program," a copy of which is attached to this Resolution in EXHIBIT A. shall be incorporated in the City's "Yard Waste Ordinance/Collection Program" Ordinance, a copy of which is attached to this Resolution in EXHIBIT C.

SECTION 2: All terms and provisions, including the minimum standard, contained in the attached NJDEP "Model Ordinance - Containerized Yard Waste," a copy of which is attached to this Resolution in EXHIBIT B. shall be incorporated in the City's "Yard Waste Ordinance/Collection Program" Ordinance, a copy of which is attached to this Resolution in EXHIBIT C and appended to the Zoning Ordinance.

SECTION 3: The City's "Yard Waste Ordinance/Collection Program" Ordinance, attached hereto as EXHIBIT C, and appended to the Zoning Ordinance, shall be updated in its entirety as may be needed to reflect the current version of the City Code, Chapter 266, GARBAGE, RUBBISH AND REFUSE, as amended, upon which said "Yard Waste Ordinance/Collection Program" Ordinance was originally based.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

RESOLUTION EXHIBIT A

NJDEP "Model Ordinance - Yard Waste Collection Program"

[See attached]

Model Ordinance - Yard Waste Collection Program

Ordinance #[ ] - Yard Waste Collection Program

SECTION I. Purpose:

An ordinance to establish a yard waste collection and disposal program in **[insert name of municipality]**, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

d. Yard Waste – means leaves and grass clippings.

SECTION III. Yard Waste Collection

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

SECTION IV. Enforcement:

The provisions of this ordinance shall be enforced by **[insert appropriate department]**.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed **[insert amount]**.

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ALL OF WHICH IS ADOPTED this _____ day of ____, 200_, by the _____.

RESOLUTION EXHIBIT B

NJDEP "Model Ordinance - Containerized Yard Waste"

[See attached]

Model Ordinance - Containerized Yard Waste

Ordinance #[ ] - Containerized Yard Waste

SECTION I. Purpose:

An ordinance to establish requirements for the proper handling of yard waste in **[insert name of municipality]**, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.

b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Street - means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

d. Yard Waste – means leaves and grass clippings.

SECTION III. Prohibited Conduct:

The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

SECTION IV. Enforcement:

The provisions of this ordinance shall be enforced by **[insert appropriate department]**.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed **[insert amount]**.

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ALL OF WHICH IS ADOPTED this _____ day of ____, 200_, by the _____.

RESOLUTION EXHIBIT C

City of Camden's "Yard Waste Ordinance/Collection Program" Ordinance
as appended to City's Zoning Ordinance

[See attached]

Walk On Request
CITY OF CAMDEN

CITY COUNCIL REQUEST FORM

Council Meeting Date: Special Meeting 8/23/17

TO: Robert Corrales, Business Administration

DATE: August 23, 2017

FROM: Patrick J. Keating, Director of Public Works

Department Making Request: **Public Works**

TITLE OF RESOLUTION/ORDINANCE:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMDEN, REFERRING TO THE PLANNING BOARD OF THE CITY OF CAMDEN TO REVIEW PROPOSED AMENDMENTS TO THE CITY'S ORDINANCE, CHAPTER 577 OF THE CITY CODE, YARD WASTE ORDINANCE / COLLECTION PROGRAM

BRIEF DESCRIPTION:
Procurement Process: Bid#, RFP#, State Contract#, Non-Fair & Open, EUS:

The State of New Jersey department of Environmental Protection has notified the City of certain deficiencies in the compliance to the MS4 permit for Storm water. Among the issues raised was the Yard Waste ordinance, particularly the Collection requirements. An ordinance can be prepared and adopted to resolve the issues however, the review of the Planning Board will be required in order to move on with the enactment.

APPROPRIATION ACCOUNT(S): (*If applicable*)

AMOUNT: *(If applicable)*

	Date	Signature
Approved by Relevant Director:	8 - 23 - 2017	
Approved by Grants Management:	N/A	(If applicable)

Please note that the Contact Person is the point person for providing pertinent information regarding request.

If request is a walk-on, the Contact Person will be responsible for picking up the Council request(s) from the City Attorney's Office to make necessary copies for Council Meeting.

******Please attach all supporting documents******

Approved by Finance Director: _____ _____

☐ CAF –Certifications of Availability of Funds

Approved by Purchasing Agent: _____ _____

Approved by Business Administrator: 8/24/17 _____

Received by City Attorney: _____ _____

	(*Name) Please Print*	*(Extension #)*
Prepared By:	Patrick J. Keating, Director of Public Works	757 7139
Contact Person:	Patrick J. Keating, Director of Public Works	757 7139

Please note that the Contact Person is the point person for providing pertinent information regarding request.

If request is a walk-on, the Contact Person will be responsible for picking up the Council request(s) from the City Attorney's Office to make necessary copies for Council Meeting.

******Please attach all supporting documents******

SPPP Form 9 – Yard Waste Ordinance/Collection Program

Municipality Information	
	Municipality: *City of Camden* County *Camden*
	NJPDES # : *0153338* PI ID #: *171564*
	Team Member/Title: *Frederick Martin / Senior Administrative Analyst*
	Effective Date of Permit Authorization (EDPA): *04/01/04*
	Date of Completion: *02/28/06* Date of most recent update: *02/28/06*

Please describe your yard waste collection program. Be sure to include the collection schedule and how you will notify the residents and businesses of this schedule. Attach additional pages as necessary.

The City of Camden believes that its current practice meets the intent of this item of the plan and the City is in compliance with this provision of the Storm water regulations>

Specifically:

The City of Camden Administrative Code requires that all waste (including yard waste) be placed in proper containers and placed for regular solid waste collection (twice weekly). It is disposed of by the City's contractor at an approved solid waste disposal facility.

City staff and volunteer organizations conduct "clean-ups" which involve removal of trash and debris form vacant lots, public spaces and abandoned buildings. This debris is placed in containers and disposed of at approved solid waste disposal facilities. The City provides "trash bags" (paper) to community groups conducting these "clean-ups" and the City's contractor collects them at the completion of the activity.

City staff operates a "wood chipper" for disposal of branches from downed tress or generated by "clean-ups" The City makes the wood chips available to residents for garden mulch". Excess chips are disposed of at an approved solid waste facility.

The Department of Public Works has on staff five (5) Public Works inspectors who patrol the City looking for illegal and improper disposal of solid waste. These inspector issue citations requiring the property owner to abate the condition and idf not abated. Issue "tickets" with criminal penalties. In addition the City will remediate the problem and attempt to revcover the costs of removal through lien.

A copy of the Municipal Ordinance is attached.

[HISTORY: Adopted by the City Council of the City of Camden 2-28-1985 by Ord. No. MC-2109. Amendments noted where applicable.]

GENERAL REFERENCES
Advertising materials and graffiti — See Ch. 118.
Brush, grass, weeds and debris — See Ch. 159.
Fire prevention and protection — See Ch. 240.
Housing standards — See Ch. 295.
Junkyards — See Ch. 320.
Parks and recreation — See Ch. 390.
Property maintenance — See Ch. 418.
Sewers — See Ch. 465.
Snow, ice and debris removal — See Ch. 477.
Streets and sidewalks — See Ch. 491.
Abandoned vehicles — See Ch. 548.

§ 286-1. Definitions.

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

BULK ITEMS — Any large, heavy and/or bulky household appliances, furniture and furnishings which cannot easily and safely be placed in the common collection vehicle known as a "load packer" or "dumpster." This includes items of ferrous and nonferrous aluminum.

CONSTRUCTION DEBRIS — Any scrap lumber, metal, earth, sand, bricks, stone, plaster, roofing and siding material and any other debris of a similar nature which accumulates and is incidental to the construction or major renovation of buildings, public works or other projects. Light debris from minor repairs and renovations shall not be construed as "construction debris."

LARGE METAL ITEMS — Includes, but is not limited to, refrigerators, stoves, hot-water heaters, washers, dryers, bicycles and tire rims. **[Added 6-25-1987 by Ord. No. 2309]**

LITTER — Any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material or any combination thereof, including but not limited to any bottle, jar or can or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material but does not include the waste of the primary process of mining or other extraction processes, logging, sawmilling or farming. **[Added 6-23-1988 by Ord. No. MC-2390]**

LITTER RECEPTACLE — A container suitable for the depositing of litter. **[Added 6-23-1988 by Ord. No. MC-2390]**

PERSONS — One or more individuals, male or female, partnership or partnerships, corporation or corporations.

RESIDENTIAL — Implies a family dwelling of four or fewer units.

SOLID WASTE

(1) Includes combustible debris, that is, paper, cardboard, rags, mattresses, discarded wearing apparel, furniture, carpets, rubber, grass cuttings, plant trimmings and leaves. It also includes ashes or the residue from the burning of coal or other fuel as well as accumulations of dirt and such other noncombustible materials. It shall also include bottles, broken glass, crockery, tin cans and discarded tires and rims.

(2) Includes the useless, unwanted or discarded material with insufficient liquid content to be free-flowing and shall mean and include rubbish, garbage, kitchen waste, food waste, vegetable matter, condemned foods, animal or vegetable matter, offal, decaying and decomposing matter, leaves, ashes, tin cans, bottles, rags, glass, grass, yard cuttings, branches, wastepaper and waste products, household items, refuse and other customary household waste and discarded waste material which shall be collected and disposed of from residential dwelling units.

SURGICAL TISSUE REMAINS — Includes, but is not limited to, by-products of medical clinics and by-products of oral surgery.

TOXIC WASTE

(1) CHEMICAL WASTE — A material normally generated by or used in chemical, petrochemical, plastic, pharmaceutical, biochemical or microbiological manufacturing processes or petroleum refining processes, which has been selected for waste disposal and which is known to hydrolize, ionize or decompose, which is soluble, burns or oxidizes, which may react with any of the waste materials which are introduced into the landfill or which is buoyant on water or which has a viscosity less than that of water or which produces a foul odor. Chemical waste may be either hazardous or nonhazardous.

(2) HAZARDOUS WASTE — Any waste or any combination of wastes which poses a present or potential threat to human health, living organisms or the environment. "Hazardous waste" shall include, but not be limited to, waste material that is toxic, corrosive, irritating, sensitizing, radioactive, biologically infectious, explosive or flammable.

TRADE WASTE — Includes all solid waste material resulting from a multifamily dwelling (in excess of four units, a commercial, industrial or other nonresidential establishment, trailer courts, apartment developments or waste from construction, demolition or home improvements.

USED NEWSPAPER — Includes paper of the type commonly referred to as "newsprint" and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

WASTE — Includes, but is not limited to, solid waste, construction debris, trade waste, bulk items and surgical tissue remains. **[Added 11-14-1985 by Ord. No. MC-2175]**

WASTEPAPER PRODUCTS — Includes newspapers, corrugated cardboard, magazines, bags, computer printout, computer tabular cards, white ledger and colored ledger. **[Added 6-25-1987 by Ord. No. 2309]**

B. "He" shall mean singular and plural, male, female or neuter gender.

§ 266-2. Responsibilities and obligations of household, City or contractor.

A. It shall be the responsibility and obligation of the City and/or its contractor to remove, on a regular, scheduled basis, such solid waste as may normally be generated by a household between times of collection.

B. It shall not be the responsibility or obligation of the City and/or its contractor to remove, without prior agreement, any and all refuse which may be placed for collection at any time and in any place. When a household elects to clean out accumulated refuse from cellars, backyards, alleys, attics and spare rooms, it shall be the obligation of the household to place such material in such quantity and in such a manner as not to create a public nuisance and safety hazard or to arrange for private collection.

C. It shall be unlawful for any person to throw, drop, discard or otherwise place litter of any nature upon any public or private property, other than a litter receptacle. **[Added 6-23-1988 by Ord. No. MC-2390]**

§ 266-3. Receptacles and containers.

A. Any person desiring his solid waste to be removed by the City of Camden or its duly authorized contractor shall provide suitable receptacles and shall place therein all solid waste which shall normally accumulate in, on or about his said property.

B. Receptacles in which solid waste shall be placed shall be leakproof and waterproof, with a lid to properly fit said container, in the case of metal or moulded rubber containers, so as to prevent the contents from being distributed over any street, byway or public place. Baskets, boxes or other receptacles with openings on the top or bottom shall not be used.

C. Receptacles herein required, together with their contents, shall be of such weights and designs as to be conveniently handled by one man, and no receptacle and contents shall weigh more than 50 pounds, except where conditions permit. Where it is in the interest of better and more efficient collection, wheeled containers of heavy metal or plastic not to exceed 1 1/2 cubic yards capacity, equipped with hinged lids and approved in design by the City or its contractor may be substituted for the previously designated fifty-pound containers. Such containers, where permitted, must be furnished and maintained in a tight and operable condition by the apartment owner or others and shall be provided in sufficient number to contain all the refuse generated between collections without spillage or overflow.

D. Litter receptacles and their servicing are required at the following public places which exist in the municipality: sidewalks used by pedestrians in active retail commercially zoned areas, buildings, held out for use by the public, including schools, government buildings, and railroad and bus stations, parks, drive-in restaurants, all street vendor locations, self-service refreshment areas, construction sites, gasoline service station islands, shopping centers, parking lots, campgrounds and trailer parks, marinas, boat moorage and fueling stations, boat launching areas, public and private piers operated for public use, beaches and bathing areas and at special events to which the public is invited, including sporting events, parades, carnivals, circuses and festivals. The proprietors of these places or sponsors of these events shall be responsible for providing for and servicing the receptacles such that adequate containerization is available. In active retail commercially zoned areas, there shall be no single linear quarter mile without a receptacle. **[Added 6-23-1988 by Ord. No. MC-2390]**

§ 266-4. Pad or base for placement of containers.

It shall be the responsibility of the owner to provide or utilize a suitable all-weather, hard pad or base upon which to locate the container so that it can be readily and freely wheeled to the point of contact with the loader without hand lifting.

§ 266-5. Snow and ice on containers. Editor's Note: For related provisions, see Ch. 477, Snow, Ice and Debris Removal.

Containers shall be maintained by owners in an ice- and snow-free condition.

§ 266-6. Placement of front-loading containers.

Front-loading containers shall be placed so as to be readily available for collection without moving.

§ 266-7. Placement of receptacles.

A. All containers shall be placed as agreed between the City or its contractor and the owner.

B. The City will not enter private property to perform the task of solid waste removal.

C. It is the owner's responsibility to properly locate the solid waste to be removed.

D. Any such person shall place such receptacle(s), with its (their) contents, bundles or bulk items, upon the sidewalk, adjacent to the curb, in front of or along the side of his respective property or in the alley where alley collections are currently being made, on the days and times when the collection of such solid waste or bulk items shall be made.

E. No such receptacles, bundles or bulk items shall be placed on the sidewalk or alley for collection prior to 10:00 p.m. local time on the day before such materials are to be collected in his particular district.

F. No such receptacles, bundles or bulk items shall be placed in front of any street, alley, lane, road, highway or public place, nor in front of, nor along the side of nor behind the property occupied by another without consent of such other occupant.

§ 266-8. Wastepaper to be securely fastened. [Amended 6-25-1987 by Ord. No. MC-2309]

Wastepaper products shall be bundled separately and secured in bundles not to exceed 40 pounds and shall not be contained in plastic bags.

§ 266-9. Placement of glass and metal containers. [Added 6-25-1987 by Ord. No. MC-2309
Editor's Note: This ordinance also repealed former § 266-9, Bundling used newspaper.]

Glass bottles and glass jars shall have the caps removed, and bottles and jars shall be rinsed and then placed into plastic or metal containers along with all of the metal caps and aluminum cans and/or tin cans. All of these materials may be placed in the same container. The containers shall not exceed 12 gallons' capacity.

§ 266-10. Removal of construction, trade and surgical wastes. [Amended 11-14-1985 by Ord. No. MC-2175]

It shall not be the responsibility of the City or its contractor to furnish collection vehicles or personnel to remove and dispose of construction debris, trade waste or surgical tissue remains. It shall be the responsibility of the construction contractor, property owner or his agent to have the construction debris, trade waste and/or surgical tissue remains removed and disposed of at his expense.

§ 266-11. Placing and disturbing contained wastes in public places. [Amended 11-14-1985 by Ord. No. MC-2175]

It shall be unlawful for any person to place or cause to be placed upon any vacant lot, street, alley, driveway or public place, any ashes, surgical remains, solid waste, construction debris, trade waste or bulk items or to disturb such material when properly placed, except in compliance with the provisions of §§ 266-2 through 266-11.

§ 266-11.1. Collection of recyclables. [Added 6-25-1987 by Ord. No. MC-2309]

The designated day for recyclable materials for each section of the City will be other than the day designated for normal trash refuse. The designated days for each collection shall be established by the Director of Public Works.

§ 266-11.2. Collection of large metal items. [Added 6-25-1987 by Ord. No. MC-2309]

Metal items, such as old refrigerators, stoves, hot-water heaters, washers, dryers, bicycles, tire rims (without tires) and any accumulation of ferrous or nonferrous metals, shall be collected by members of the Department of Public Works; however, the occupant must call the Public Works Service Center to make the arrangements for a special pickup.

§ 266-12. Placement at curbs; placement on streets under construction.

All solid waste to be collected, removed and disposed of shall be placed at the curb (except alley collection) or within five feet of improved roadway at one collection point. In the case of corner lots, solid waste shall be placed at the improved roadway most accessible to the collection vehicle. This shall include all streets, accepted or otherwise, and shall include those streets that are temporarily closed for construction. In the latter case, special collection points shall be designated by the City of Camden if the condition of the street would prevent access thereto by the collector's trucks.

§ 266-13. Alley collection.

The contractor shall provide alley collection in those areas within the City of Camden where alley collection services are currently being provided. The contractor is advised that said alleys are narrow and of limited access. Small collection vehicles may be required to provide the alley collection services. It is estimated there are approximately 175 alleys throughout the City of Camden that require alley collection services.

§ 266-14. Collectors not required to enter public places. [Amended 12-12-1991 by Ord. No. MC-2720]

No collection vehicle or employee of the City or its contractor shall be required to enter any private property, including apartment or condominium complexes, in order to collect any bundle, bulk item or the contents of any receptacle or dumpster, nor shall any vehicle of the City or its contractor enter into or under any building in order to collect such materials.

§ 266-15. Bulky wastes.

A. Residents who require the removal of any appliance, hot-water heater or furnishing that requires a special collection vehicle shall notify the contractor, who shall make provisions for the removal of the same within five working days at no additional cost to the residents or the City of Camden. The contractor shall be responsible to keep an ongoing schedule calendar of appointments of all bulk pickups. The residents will be assured that, on the day that has been scheduled by the contractor, he or his agent will pick up the bulk items as scheduled.

B. It shall be the responsibility of the City or its contractor to remove up to three bulk items at a time on the latter or second collection day of the week. Such items shall be reduced in size, where feasible, by partial or total disassembly or breakage. Refrigerators and other items which constitute a safety hazard to children or others by reason of sharp edges, self-locking doors, escaping gas or collapse shall be dismantled to the extent that they shall be rendered harmless. The placement of more than three such bulk items at a time on the proper collection day or the placement of any bulk items on any day other than the proper day shall be a violation of this chapter and shall be subject to fines as noted below.

§ 266-16. Bulky recyclable waste metals. [Added 11-14-1985 by Ord. No. MC-2175]

The City of Camden has instituted a metal recycling program. Any person wishing to discard recyclable items shall call the City Department of Public Works within 10 working days before the disposal of the item. The Department of Public Works shall then establish a specific date for the collection of the item.

§ 266-17. Cleanup program authorized.

The City of Camden may elect to provide the residents of the City with a cleanup campaign under the auspices of the Department of Public Works.

§ 266-18. Transfer site to be maintained.

The City of Camden shall maintain a transfer site at the Federal Street location, which will be maintained and operated at Department of Environmental Protection levels.

§ 266-19. Compliance with curbside recycling required. [Amended 6-25-1987 by Ord. No. MC-2309]

The citizens of this City are mandated to comply with the curbside recycling program. This program mandates the source separation and recycling of all wastepaper products, glass bottles, glass jars, aluminum cans, tin cans and large metal items.

§ 266-20. License fee. [Amended 4-9-1987 by Ord. No. MC-2289; 1-24-2002 by Ord. No. MC-3720]

Any contractor handling solid waste disposal in the City of Camden must obtain a license from the City for a fee of $159 per year.

§ 266-21. Improper disposal of toxic waste. [Amended 11-14-1985 by Ord. No. MC-2175]

A. No person shall improperly dispose of toxic waste.

B. Generators and haulers of toxic materials must follow state standards concerning disposal.

C. Toxic waste will not be picked up by the City or any contractor thereof.

§ 266-22. Improper disposal of surgical tissue remains. [Amended 11-14-1985 by Ord. No. MC-2175]

A. No person shall improperly dispose of surgical tissue remains.

B. State disposal standards must be followed.

C. The City and its contractors are not responsible for the collection of surgical tissue remains.

§ 266-23. Bulky waste metal disposal to comply with chapter. [Amended 11-14-1985 by Ord. No. MC-2175]

No person shall dispose of any bulky waste metal items except as provided in this chapter.

§ 266-24. Unauthorized disturbance of waste placed for collection.

A. No scavenger or other person shall break into, untie or otherwise unbundle any container, bundle or package of paper, solid waste or bulk item that has been placed on the sidewalk for collection.

B. No person, other than the employees of the City or its duly authorized contractor, shall disturb, remove, untie, unbundle or otherwise scatter any ashes, solid waste or bulk items where such material has been placed in the open or on any street, sidewalk or alley for collection or removal.

§ 266-24.1. Unauthorized collection of recyclable materials. [Added 6-25-1998 by Ord. No. MC-3396]

A. Recyclable materials placed at curbside for collection or in any recycling receptacle placed by the City are the property of the City of Camden or its authorized collection agent. It is a violation of this chapter for any person unauthorized by the City to collect or pick up or cause to be collected or picked up any such recyclable materials or receptacles.

B. Nothing in this section is intended to prevent any lawful occupier of lands and the structures located thereon from donating or selling recyclable material generated by that person or that person's immediate family or business' activities on that land or in those structures.

C. No person shall transport recyclable material on the public streets and sidewalks in any means of conveyance other than a lawfully registered motor vehicle.

§ 266-25. Vehicles heaped in manner to scatter refuse.

No person shall cause or permit any cart, wagon, auto, truck or any other vehicle to be heaped up with manure, sand, earth, ashes, solid waste or any other material so that the contents, or any part thereof, may be scattered on any street, highway, public lane or alley or any other public place in the City of Camden.

§ 266-26. Placement and deposit of wastes in public places. [Amended 6-23-1988 by Ord. No. MC-2390]

A. No person shall throw, place or deposit any paper, circulars, ashes, solid waste or bulk items or wastes of any kind upon any street, alley, lane, road or highway nor in any inlet or catch basin in any such street or highway or any other public place in the City of Camden.

B. No person shall place or deposit ashes, solid waste or bulk items or other waste material upon any City properties.

C. No person shall discard or dump along any street or road, on or off any right-of-way, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture or private property, except by written consent of the owner of said property, in any place not specifically designated for the purpose of solid waste storage or disposal.

D. No residential property owner shall store or permit storage of any bulky household waste, including household appliances, furniture and mattresses, in areas zoned residential, except in a fully enclosed structure or during days designated for the collection of bulky items.

E. No residential property owner shall store or permit the storage of tires in areas zoned residential, except in a fully enclosed structure or on days designated for the collection of tires.

F. No residential property owner shall park or permit the parking of any vehicle on his or her residential lawn.

G. No person shall keep or permit the keeping on streets, vacant lots and residential lawns, except in a fully enclosed structure, any motor vehicle, trailer or semitrailer which is missing tires, wheels, engine or any essential parts; which displays extensive body damage or deterioration; which does not display a current, valid state license; or which is wrecked, disassembled or partially disassembled.

H. No vehicle shall be driven, moved, stopped or parked on any highway unless such a vehicle is constructed or loaded to prevent any of its load from dropping, sifting, leaking or otherwise escaping therefrom. Any person operating a vehicle from which any glass or objects have fallen or escaped, which could cause an obstruction, damage a vehicle or otherwise endanger travelers or public property, shall immediately cause the public property to be cleaned of all glass or objects and shall pay the costs therefor.

I. No owner, agent or contractor in charge of a construction or demolition site shall permit the accumulation of litter before, during or after completion of any construction or demolition project. It shall be the duty of the owner, agent or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or nonflyable debris or trash at areas convenient to construction areas and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse.

J. No residential or commercial property owner shall permit open or overflowing waste disposal bins on his or her property.

K. It shall be the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep and cause to be kept the sidewalk and curb abutting the building or structure free from obstruction or nuisances of every kind and to keep sidewalks, areaways, backyards, courts and alleys free from litter and other offensive material. No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter. All sweepings shall be collected and properly containerized for disposal.

§ 266-27. Removal by authorized persons only.

No person shall remove or gather solid waste or bulk items from the streets, highways or alleys or from any lot, yard, house or other building in the City of Camden, except the duly authorized person with whom the City of Camden shall contract for the collection, removal or gathering of solid waste from the streets, highways or alleys or from any lot, yard, house or other building in the City of Camden.

§ 266-28. Violations and penalties. [Amended 4-9-1987 by Ord. No. MC-2289; 8-23-1988 by Ord. No. MC-2390; 5-23-2002 by Ord. No. MC-3752]

A. Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be sentenced to a fine not exceeding $1,000, imprisonment not to exceed 90 days or 90 days of community service.

B. A minimum penalty of $100 shall be imposed upon any person convicted of violating any of the provisions of this chapter. The court before which any person is convicted of violating this chapter shall have the power to impose any fine, term of imprisonment, or period of community service not less than the minimum and not exceeding the maximum fixed in this chapter.

C. Any person who is convicted of violating any of the provisions of this chapter within one year of the date of a previous violation of the same chapter, and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less

R-4

MAR:dh
08-24-17

RESOLUTION RESCINDING RESOLUTION MC-17:5742 "RESOLUTION AMENDING RESOLUTION MC-17:5629 TO CORRECT NAME OF ASSIGNEES"

WHEREAS, the Council of the City of Camden by Resolution R-51 adopted June 13, 2017 authorized a resolution amending resolution MC-17:5629 to correct name of assignees; and

WHEREAS, it is necessary to rescind Resolution R-51 adopted June 13, 2017 due to the fact that the names of the assignees listed were in fact correct; now, therefore

BE IT RESOLVED, by the City Council of the City of Camden that said Resolution R-51 adopted June 13, 2017 authorizing a resolution amending resolution MC-17:5629 to correct name of assignees is hereby rescinded.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

R-4

CITY OF CAMDEN

CITY COUNCIL REQUEST FORM

Council Meeting Date: August 24, 2017

TO: Robert Corrales, Business Administrator

DATE: August 4, 2017

FROM: Michelle Banks-Spearman, Assistant City Attorney

Department Making Request: Law

TITLE OF RESOLUTION/ORDINANCE: Resolution Rescinding Resolution MC:17-5742

BRIEF DESCRIPTION:

Procurement Process: Bid#, RFP#, State Contract#, Non-Fair & Open, EUS:

On April 11, 2017 City Council passed Resolution MC-17-5629, entitled, "Resolution Authorizing the Assignment of Fifty-Eight (58) Tax Sale Certificates Sold at Less than Face Value. On June 13, 2017 City Council passed Resolution MC-17-5742, entitled, "Resolution Amending Resolution MC-5629 to Correct Name of Assignees." It has since been determined that the names of the assignees as listed on MC-17-5629 were correct, therefore MC-17:5742 was not necessary and needs to be rescinded.

APPROPRIATION ACCOUNT(S): (*If applicable*)

AMOUNT: *(If applicable)*

	Date	Signature
Approved by Relevant Director:		
Approved by Grants Management:		(If applicable)
Approved by Finance Director: ☐ CAF –Certifications of Availability of Funds		
Approved by Purchasing Agent:		
Approved by Business Administrator:	8/11/17	
Received by City Attorney:		

(Name) Please Print ***(Extension #)***

Please note that the Contact Person is the point person for providing pertinent information regarding request.

If request is a walk-on, the Contact Person will be responsible for picking up the Council request(s) from the City Attorney's Office to make necessary copies for Council Meeting.

******Please attach all supporting documents******

Prepared By: _____ _____

Contact Person: _____ _____

Please note that the Contact Person is the point person for providing pertinent information regarding request.

If request is a walk-on, the Contact Person will be responsible for picking up the Council request(s) from the City Attorney's Office to make necessary copies for Council Meeting.

******Please attach all supporting documents******

RESOLUTION MC-17: 5742
On Motion Of: Angel Fuentes
APPROVED: June 13th, 2017

R-51

MBS:tg
06-13-17

RESOLUTION AMENDING RESOLUTION MC-17:5629 TO CORRECT NAME OF ASSIGNEES

WHEREAS, on April 11, 2017 the City Council of the City of Camden passed Resolution MC-17:5629, entitled, "Resolution Authorizing the Assignment of Fifty-Eight (58) Tax Sale Certificates Sold at Less than Face Value"; and

WHEREAS, said resolution authorized the assignment of Tax Sale Certificates listed below:

Certificate #	Address	Block/Lot	Amount	Purchaser
990203	102 Locust Street	254/37	$1,500.00	Jason Booker
1002347	260-268 Chestnut Street	254/11	$5,000.00	Jason Booker
990205	255 Sycamore Street	254/41	$1,500.00	Jason Booker

WHEREAS, Mr. Booker's application to purchase the tax sale certificate requested that the tax sale certificates be assigned to both, Jason Booker and Roselyn Gonzalez; and

WHEREAS, the Tax Collector has requested that Resolution MC-17:5629 be amended to reflect that the City is authorized to assign Tax Sale Certificates Nos. 990203, 1002347 and 990205 to Jason Booker and Roselyn Gonzalez; now therefore

BE IT RESOLVED, by the City Council of the City of Camden that Resolution MC-17:5629 is hereby amended to reflect that the City is authorized to assign the following tax sale certificates to Jason Booker and Roselyn Gonzalez instead of Jason Booker:

Certificate #	Address	Block/Lot	Amount	Corrected Purchaser
990203	102 Locust Street	254/37	$1,500.00	Jason Booker and Roselyn Gonzalez
1002347	260-268 Chestnut Street	254/11	$5,000.00	Jason Booker and Roselyn Gonzalez.
990205	255 Sycamore Street	254/41	$1,500.00	Jason Booker and Roselyn Gonzalez

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: June 13, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

RESOLUTION MC-17: 5629
On Motion Of: Angel Fuentes
APPROVED: April 11th, 2017

R-31

MAR:yrh
4-11-17

RESOLUTION AUTHORIZING THE ASSIGNMENT OF FIFTY EIGHT (58) TAX SALE CERTIFICATES SOLD AT LESS THAN FACE VALUE

WHEREAS, the City of Camden has in its possession tax sale certificates located in various neighborhoods in the City of Camden; and

WHEREAS, the City of Camden was approved to solicit bids for the purchase of various tax sale certificates for less than face value; and

WHEREAS, N.J.S.A. 54:5-114.2 provides that after a municipality has purchased tax sale certificates upon delinquency, the governing body thereof may by resolution accept bids for the purchase of tax sale certificate for less than face value but not less than the minimum bid already approved by City Council; and

WHEREAS, notice will be sent by regular and certified mail to the owner of record; public notices were posted on January 9, 2017 of the impending sale at less than face value; now, therefore

BE IT RESOLVED, by the City Council of the City of Camden that the proper officer(s) shall be and are hereby authorized to execute the proper documents necessary to assign the tax sale certificates to the persons listed below in consideration that was previously approved by City Council via Resolution Number MC-16:5277.

Certificate #	Address	Block/Lot	Amount to Redeem	Bid Amount	Purchaser
93-13	921 North 2nd Street	16/49	$4,747.08	$2,000.00	Alberto Pastoriza
09-00027	936 North 3rd Street	22/15	$8,095.25	$2,000.00	Jack Ayoub
1202919	124 North 3rd Street	75/45	$136,141.92	$5,000.00	Peter Toso
4810	327 North 11th Street	109/122	$18,413.05	$1,500.00	Johaira DeJesus
990203	102 Locust Street	254/37	$5,215.76	$1,500.00	Jason Booker
1002347	260-268 Chestnut St.	254/11	$39,946.99	$5,000.00	Jason Booker
990205	255 Sycamore Street	254/41	$2,826.93	$1,500.00	Jason Booker
6-0309	411 Chestnut Street	318/40	$14,552.58	$2,500.00	Camden Resid Properties
960209	1042 South 4th Street	318/46	$49,212.73	$1,500.00	Camden Resid Properties
96218	414 Chestnut Street	325/19	$290,805.48	$7,500.00	Shawn Burke
36829	416 Chestnut Street	325/21	$48,202.62	$10,000.00	Shawn Burke
970241	1218 South 4th Street	334/70	$60,296.71	$5,700.00	Robert Jimenez
27687	451 Atlantic Avenue	341/102	$25,741.48	$1,500.00	Rupert Williams
11-00541	457 Atlantic Avenue	341/105	$10,503.62	$5,000.00	Wilson Youssoufa
10-02468	1001 Ramona Gonzalez	362/30	$20,778.33	$12,000.00	Arkady Starekevsky
970296	841 Princess Avenue	365/108	$3,507.78	$1,835.62	Dwight Warren
10447	WS Princess 669 N. Walnut	365/109	$3,052.41	$1672.16	Dwight Warren
980462	1014 Kaighn Avenue	410/15	$203,839.28	$1,500.00	Charles & Linda Phillips
09-00541	1012 Kaighn Avenue	410/16	$15,795.48	$1,500.00	Charles & Linda Phillips
09-00542	1010 Kaighn Avenue	410/17	$17,391.00	$1,500.00	Charles & Linda Phillips
09-00725	1707 South 4th Street	472/4	$30,762.81	$5,000.00	Shaneka Boucher
33887	1710 Broadway	475/6	$207,579.21	$1,500.00	Heart of Camden
36735	1712 Broadway	475/7	$79,039.48	$1,500.00	Heart of Camden
980707	1913 Kossuth Street	545/15	$13,221.98	$5,000.00	Andrew Stevens
000-450	1915 Kossuth Street	545/16	$56,514.60	$6,000.00	Andrew Stevens
34159	546 Grant Street	769/39	$93,554.87	$1,500.00	Maria Acevedo
95-680	624 North 5th Street	775/7	$115,975.02	$5,000.00	Ena Johnson
970909	718 North 8th Street	785/3	$48,581.19	$1,500.00	Charles Hamm
941344	716 North 8th Street	785/4	$63,151.98	$1,500.00	Charles Hamm
88-838	937 Cedar Street	799/56	$62,912.93	$1,500.00	Johanna Cruz
88-887	1241 North 26th Street	836/41	$139,557.98	$5,000.00	Maria Rodriquez
38533	1239 North 26th Street	836/42	$138,776.64	$5,000.00	Maria Rodriquez
981488	1303 North 28th Street	880/84	$175,316.28	$5,000.00	Lonell Jenkins
36763	2866 Buren Avenue	899/21	$112,434.92	$5,000.00	Raymond Roberts
93-846	2735 Concord Ave.	932/59	$75,171.36	$5,000.00	Zoc & Brothers Real Estate
971193	858 North 27th Street	947/26	$60,708.12	$1,500.00	Jacqueline Martinez
991445	856 North 27th Street	947/27	$52,942.09	$1,500.00	Maria E. Collado
09-01914	2720 Pleasant Street	977/11	$25,672.54	$5,000.00	Arrascue Henriquez
10-03189	645 North 35th Street	991/11	$56,557.52	$14,000.00	Claudio Payamp
93-982	238 North 37th Street	1031/8	$155,789.10	$5,000.00	Belinda Pitman
982264	12 North 27th Street	1113/19	$121,334.49	$8,500.00	Pedro Rodriquez
992012	2759 Carman Street	1123/35	$80,755.55	$7,000.00	Pamela Cooper
11-02843	2900 Royden Street	1137/22	$17,648.04	$5,000.00	Maria Rodriquez
942242	11 North 25th Street	1158/19	$116,918.88	$4,800.00	Joseph Lam

1402299	2632 Federal Street	1168/26	$24,443.87	$7,000.00	Joseph Lam
00-1909	590 Pfeiffer Street	1254/141	$78,082.07	$5,000.00	Raul Abreu
1103458	1160 Haddon Avenue	1289/21	$28,305.35	$26,500.00	Andrew Stevens
891419	1162 Haddon Avenue	1289/22	$47,025.33	$2,000.00	Andrew Stevens
992550	1325 Princess Avenue	1294/49	$65,848.94	$6,000.00	Chris Grimes
951662	1454-1460 Haddon Ave	1300/84	$459,506.35	$35,000.00	PBCIP
891461	1492 Haddon Avenue	1300/94	$314,735.28	$35,000.00	PBCIP
51936	NE Haddon & Euclid	1300/95	$32,524.50	$20,000.00	PBCIP
891486	1167 Haddon Avenue	1314/40	$26,530.04	$5,100.00	Chris Grimes
11-03547	1187-89 Haddon Avenue	1314/49	$28,007.27	$5,000.00	Mary Richardson
992649	1169 Atlantic Avenue	1324/31	$101,770.42	$5,000.00	Ingrid Marte
992662	1151 Whitman Ave.	1328/47	$124,034.51	$5,000.00	Lisa El
10-03813	1473-1475 Haddon Av.	1338/14	$31,884.75	$10,000.00	PBCIP
38146	1158 Thurman Street	1342/81	$153,858.19	$1,500.00	Jimmie Wilkins

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: April 11, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

R-5

MAR:dh
08-24-17

RESOLUTION AUTHORIZING THE CITY OF CAMDEN TO APPLY FOR AND OBTAIN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, FY 2017 LOCAL SOLICITATION TO PARTICIPATE IN A COLLABORATIVE EFFORT WITH THE COUNTY AND FOUR (4) OTHER MUNICIPALITIES

WHEREAS, the City of Camden desires to apply for and obtain a Edward Byrne Memorial Justice Assistance Grant ("Grant") in the amount of $226,677.00 from the Office of Justice Programs, Bureau of Justice Assistance, to participate in a collaborative effort with Camden City, Camden County (Police Department-Camden City Metro Division, Sheriff's Office, and Prosecutor's Office), Cherry Hill Twp., Gloucester Twp., Lindenwold Boro, and Pennsauken Twp.; and

WHEREAS, the City anticipates receiving $11,000.00 as its portion of the grant; and

WHEREAS, in order to obtain such grant, it is necessary that the City of Camden submit an application to the Office of Justice Programs, Bureau of Justice Assistance with the City serving as lead/fiscal agent for the program; now, therefore

BE IT RESOLVED, by the City Council of the City of Camden, that the proper City Officers be and hereby are authorized to submit an application to the Office of Justice Programs, Bureau of Justice Assistance, for TWO HUNDRED TWENTY-SIX THOUSAND SIX HUNDRED SEVENTY-SEVEN DOLLARS ($226,677.00) in accordance with all pertinent terms, conditions and requirements described herein and which may be established for such an application.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

CITY OF CAMDEN
CITY COUNCIL REQUEST FORM

Council Meeting Date: August 2017
Special Meeting

TO: *Robert Corrales, Business Administrator*
DATE: *August 7th, 2017*
FROM: *Glynn E. Jones, Director of Finance*
Department Making Request: FINANCE (Bureau of Grants Management)

TITLE OF RESOLUTION/ORDINANCE: Resolution to **apply** for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program: FY 2017 Local Solicitation. Total Grant amount: $226,677.00, with no additional cost to the city.

BRIEF DESCRIPTION: *(Procurement Process: Bid#, RFP#, State Contract#, Non-Fair & Open, EUS):* The Department of Finance (Bureau of Grants Management) is requesting permission to **apply for** the aforementioned program. This funding can be used to pay for personnel, overtime and equipment. The tentative amount for ***Camden City*** is ***$11,000.00***. Camden City will be the lead/fiscal agent for this grant program. The grant will be in collaboration with Camden City, Camden County (Police Department-Camden City Metro Division, Sheriff's Office and Prosecutor's Office), Cherry Hill Twp., Gloucester Twp, Lindenwold Boro, and Pennsauken Twp. Please see attached for additional information. Online Application due date: **Tuesday, September 5th, 2017 by 5pm. Respectfully requesting a quick review by DCA.**

Amount of Grant: $226,677.00

Appropriation Account To be Credited: N/A

	Date	*Signature*
Approved by Relevant Director:		
Approved by Promise Zone Coordinator:		***(If applicable)***
Approved by Finance Director: ☐*CAF –Certifications of Availability of Funds*	8/10/17	

	Date	*Signature*
Approved by Purchasing Agent:		
Approved by Business Administrator:	8/4/17	
Received by City Attorney:		

	(Name) Please Print	***(Extension #)***
Prepared By:	*Erica Coy-Pitts*	*27008*
Contact Person:	*Erica Coy-Pitts*	*27008*

Initial Report __√__ Revised Report _____ Closing Report

Bureau of Grants Management Grant Summary Form

Grant Status Code: G

(green - g; yellow - y; red - r)

Department: Grants Management

Grant Analyst: Erica M. Coy-Pitts Grant Analyst #: 856-757-7008

Grant/Project Name:			FY '17 Justice Assistance Grant (JAG) Program			
Grant #:						
City Contract Date:				City Contract #:		
Application Resolution #:			8/8/17 Walk-On	Appropriation Code:		
Funding Source:			USDOJ--Office of Justice Programs			
Pass Through:			Source:			
Amount of Grant:			$226,677.00 (City's portion: $11,000.00)			
Local Match:	Y	N	Cash:		In-Kind:	
Budget Insertion Resolution # & Date:				Accepting Grant Resolution # MC:		
Term of Grant:			4 years 10/1/16-9/30/20	Location of Activity:	Camden County	
Date of Analysis:			08/7/2017	Reviewed By:	Erica M. Coy-Pitts (EMC)	

Summary: The Department of Finance (Bureau of Grants Management) is requesting permission to **apply for** the aforementioned program. This funding can be used to pay for personnel, overtime and equipment. The tentative amount for ***Camden City*** is ***$11,000.00***. Camden City will be the lead/fiscal agent for this grant program. The grant will be in collaboration with Camden City, Camden County (Police Department-Camden City Metro Division, Sheriff's Office and Prosecutor's Office), Cherry Hill Twp., Gloucester Twp, Lindenwold Boro, and Pennsauken Twp. Please see attached for additional information. Online Application due date: **September 5th, 2017 by 5pm.**

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Time Lines:

Problematic Areas/Recommendations :

Certifications of Compliance with 8 U.S.C. § 1373

Posted: July 2017

Certification from applicant to FY 2017 Byrne JAG Program. States and units of local government that apply for awards under the FY 2017 Edward Byrne Justice Assistance Grant ("Byrne JAG") Program will be required to submit a specific certification from the chief legal officer of the applicant government (e.g., the Attorney General of the State) regarding the applicant's compliance with 8 U.S.C. § 1373. (This requirement does not encompass Indian tribes.) The required certification must be submitted using the following form:

- FY 2017 Byrne JAG - Chief Legal Officer Certification of Compliance with 8 U.S.C. § 1373 (PDF Size: 99 KB)

Certifications from proposed subrecipients under FY 2017 Byrne JAG Program. A State or unit of local government that receives an award under the FY 2017 Byrne JAG Program will be required (by award condition) to obtain a properly-executed certification regarding compliance with 8 U.S.C. § 1373 from any proposed subrecipient that is a unit of local government or a "public" institution of higher education (i.e., one that is owned, controlled, or directly funded by a State or unit of local government). The specific certification required from a unit of local government will differ from the specific certification required from a "public" institution of higher education. (The requirement for a subrecipient certification regarding 8 U.S.C. § 1373 will not encompass subawards to Indian tribes).

The forms for the required specific subrecipient certifications regarding compliance with 8 U.S.C. § 1373 will be posted on this webpage and available for download at or about the time OJP makes awards under the FY 2017 Byrne JAG Program.

Certifications under other FY 2017 OJP programs. OJP also may apply similar certification requirements to State and local governments under certain other FY 2017 grant or related reimbursement programs. OJP will update this page as appropriate to identify any additional FY 2017 OJP programs that will require a certification regarding compliance with 8 U.S.C. § 1373, and will post the forms for such certifications on this webpage.

Not finding what you need? Contact us!

Financial Questions?

- 1-800-458-0786 (TTY: 202-616-3867)
- Email the Customer Service Branch
- 2015 DOJ Grants Financial Guide
- 2014 OJP Financial Guide

Grant System Questions?

- 202-514-2024
- Email the Grants Management System (GMS) Help Desk

application # 2017-H2272-NJ-DJ

OMB No. 1121-0329
Approval Expires 12/31/2018

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is seeking applications for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting State, local, and tribal efforts to prevent or reduce crime and violence.

Edward Byrne Memorial Justice Assistance Grant Program

FY 2017 Local Solicitation

Applications Due: September 5, 2017

Eligibility

Only units of local government may apply under this solicitation. By law, for purposes of the JAG Program, the term "units of local government" includes a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribal government that performs law enforcement functions (as determined by the Secretary of the Interior). A unit of local government may be any law enforcement district or judicial enforcement district established under applicable State law with authority to independently establish a budget and impose taxes; for example, in Louisiana, a unit of local government means a district attorney or parish sheriff.

A JAG application is not complete, and a unit of local government may not receive award funds, unless the chief executive of the applicant unit of local government (e.g., a mayor) properly executes, and the unit of local government submits, the "Certifications and Assurances by Chief Executive of Applicant Government" attached to this solicitation as Appendix I.

In addition, as discussed further below, in order validly to accept a Fiscal Year (FY) 2017 JAG award, the chief legal officer of the applicant unit of local government must properly execute, and the unit of local government must submit, the specific certification regarding compliance with 8 U.S.C. § 1373 attached to this solicitation as Appendix II. (Note: this requirement does not apply to Indian tribal governments.) (The text of 8 U.S.C. § 1373 appears in Appendix II.)

Eligible allocations under JAG are posted annually on the JAG web page under "Funding."

Deadline

Applicants must register in the OJP Grants Management System (GMS) prior to submitting an application under this solicitation. All applicants must register, even those that previously registered in GMS. Select the "Apply Online" button associated with the solicitation title. All registrations and applications are due by 5 p.m. eastern time on September 5, 2017.

This deadline does **not** apply to the certification regarding compliance with 8 U.S.C. § 1373. As explained below, a unit of local government (other than an Indian tribal government) may not validly accept an award unless that certification is submitted to the Office of Justice Programs (OJP) on or before the day the unit of local government submits the signed award acceptance documents.

For additional information, see How to Apply in Section D. Application and Submission Information.

Contact Information

For technical assistance with submitting an application, contact the Grants Management System (GMS) Support Hotline at 888–549–9901, option 3, or via email at GMS.HelpDesk@usdoj.gov. The GMS Support Hotline operates 24 hours a day, 7 days a week, including on federal holidays.

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must email the National Criminal Justice Reference Service (NCJRS) Response Center at grants@ncjrs.gov **within 24 hours after the application deadline** in order to request approval to submit its application. Additional information on reporting technical issues appears under "Experiencing Unforeseen GMS Technical Issues" in How to Apply in Section D. Application and Submission Information.

For assistance with any other requirement of this solicitation, applicants may contact the NCJRS Response Center by telephone at 1–800–851–3420; via TTY at 301–240–6310 (hearing impaired only); by email at grants@ncjrs.gov; by fax to 301–240–5830, or by web chat at https://webcontact.ncjrs.gov/ncjchat/chat.jsp. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date. Applicants also may contact the appropriate BJA State Policy Advisor.

Funding opportunity number assigned to this solicitation: BJA-2017-11301

Release date: August 3, 2017

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Edward Byrne Memorial Justice Assistance Grant Program
FY 2017 Local Solicitation
CFDA #16.738

A. Program Description

Overview
The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to States and units of local government. BJA will award JAG Program funds to eligible units of local government under this FY 2017 JAG Program Local Solicitation. (A separate solicitation will be issued for applications to BJA directly from States.)

Statutory Authority: The JAG Program statute is Subpart I of Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968. Title I of the "Omnibus Act" generally is codified at Chapter 26 of Title 42 of the United States Code; the JAG Program statute is codified at 42 U.S.C. §§ 3750-3758. See also 28 U.S.C. § 530C(a).

Program-Specific Information

Permissible uses of JAG Funds – In general
In general, JAG funds awarded to a unit of local government under this FY 2017 solicitation may be used to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including for any one or more of the following:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)
- Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams

Under the JAG Program, units of local government may use award funds for broadband deployment and adoption activities as they relate to criminal justice activities.

Limitations on the use of JAG funds

Prohibited and controlled uses of funds – JAG funds may not be used (whether directly or indirectly) for any purpose prohibited by federal statute or regulation, including those purposes specifically prohibited by the JAG Program statute as set out at 42 U.S.C. § 3751(d):

(1) Any security enhancements or any equipment to any nongovernmental entity that is not engaged in criminal justice or public safety.

(2) Unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of such funds to provide such matters essential to the maintenance of public safety and good order—

(a) Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters)
(b) Luxury items
(c) Real estate
(d) Construction projects (other than penal or correctional institutions)
(e) Any similar matters

For additional information on expenditures prohibited under JAG, as well as expenditures that are permitted but "controlled," along with the process for requesting approval regarding controlled items, refer to the JAG Prohibited and Controlled Expenditures Guidance. Information also appears in the JAG FAQs.

Cap on use of JAG award funds for administrative costs – A unit of local government may use up to 10 percent of a JAG award, including up to 10 percent of any earned interest, for costs associated with administering the award.

Prohibition of supplanting; no use of JAG funds as "match" – JAG funds may not be used to supplant State or local funds but must be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities. See the JAG FAQs on BJA's JAG web page for examples of supplanting.

Although supplanting is prohibited, as discussed under "What An Application Should Include," the leveraging of federal funding is encouraged.

Absent specific federal statutory authority to do so, JAG award funds may not be used as "match" for the purposes of other federal awards.

Other restrictions on use of funds – If a unit of local government chooses to use its FY 2017 JAG funds for particular, defined types of expenditures, it must satisfy certain preconditions:

- Body-Worn Cameras (BWC)
  A unit of local government that proposes to use FY 2017 JAG award funds to purchase BWC equipment or to implement or enhance BWC programs, must provide to OJP a certification(s) that the unit of local government has policies and procedures in place related to BWC equipment usage, data storage and access, privacy considerations, training, etc. The certification can be found at: https://www.bja.gov/Funding/BodyWornCameraCert.pdf.

A unit of local government that proposes to use JAG funds for BWC-related expenses will have funds withheld until the required certification is submitted and approved by OJP.

The BJA BWC Toolkit provides model BWC policies and best practices to assist departments in implementing BWC programs.

Apart from the JAG Program, BJA provides funds under the Body-Worn Camera Policy and Implementation Program (BWC Program). The BWC Program allows jurisdictions to develop and implement policies and practices required for effective program adoption and address program factors including the purchase, deployment, and maintenance of camera systems and equipment; data storage and access; and privacy considerations. Interested units of local government may wish to refer to the BWC web page for more information. Units of local government should note, however, that JAG funds may not be used as any part of the 50 percent match required by the BWC Program.

- Body Armor

  Ballistic-resistant and stab-resistant body armor can be funded through the JAG Program, as well as through BJA's Bulletproof Vest Partnership (BVP) Program. The BVP Program is designed to provide a critical resource to local law enforcement through the purchase of ballistic-resistant and stab-resistant body armor. For more information on the BVP Program, including eligibility and application, refer to the BVP web page. Units of local government should note, however, that JAG funds may not be used as any part of the 50 percent match required by the BVP Program.

  Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the body armor has been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. In addition, body armor purchased must be made in the United States.

  As is the case in the BVP Program, units of local government that propose to purchase body armor with JAG funds must certify that law enforcement agencies receiving body armor have a written "mandatory wear" policy in effect. FAQs related to the mandatory wear policy and certifications can be found at: https://www.bja.gov/Funding/JAGFAQ.pdf. This policy must be in place for at least all uniformed officers before any FY 2017 funding can be used by the unit of local government for body armor. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. The certification must be signed by the Authorized Representative and must be attached to the application if proposed as part of the application. If the unit of local government proposes to change project activities to utilize JAG funds to purchase body armor after the award is accepted, the unit of local government must submit the signed certification to BJA at that time. A mandatory wear concept and issues paper and a model policy are available by contacting the BVP Customer Support Center at vests@usdoj.gov or toll free at 1–877–758–3787. The certification form related to mandatory wear can be found at: www.bja.gov/Funding/BodyArmorMandatoryWearCert.pdf.

- DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database

If JAG Program funds will be used for DNA testing of evidentiary materials, any resulting **eligible** DNA profiles must be uploaded to the Combined DNA Index System (CODIS, the national DNA database operated by the Federal Bureau of Investigation [FBI]) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA.

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS.

- Interoperable Communication
  Units of local government (including subrecipients) that use FY 2017 JAG funds to support emergency communications activities (including the purchase of interoperable communications equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission [FCC] Waiver Order) should review FY 2017 SAFECOM Guidance. The SAFECOM Guidance is updated annually to provide current information on emergency communications policies, eligible costs, best practices, and technical standards for State, local, tribal, and territorial grantees investing federal funds in emergency communications projects. Additionally, emergency communications projects should support the Statewide Communication Interoperability Plan (SCIP) and be coordinated with the fulltime Statewide Interoperability Coordinator (SWIC) in the State of the project. As the central coordination point for their State's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of SWICs for each of the States and territories. Contact OEC@hq.dhs.gov. All communications equipment purchased with FY 2017 JAG Program funding should be identified during quarterly performance metrics reporting.

  In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety communities, OJP requires the recipient to comply with DOJ's Global Justice Information Sharing Initiative guidelines and recommendations for this particular grant. Recipients must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://www.it.ojp.gov/gsp_grantcondition. Recipients must document planned approaches to information sharing and describe compliance to GSP and an appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

Required compliance with applicable federal laws

By law, the chief executive (e.g., the mayor) of each unit of local government that applies for an FY 2017 JAG award must certify that the unit of local government will "comply with all provisions of [the JAG program statute] and all other applicable Federal laws." To satisfy this requirement, each unit of local government applicant must submit two properly executed certifications using the forms shown in Appendix I and Appendix II.

All applicants should understand that OJP awards, including certifications provided in connection with such awards, are subject to review by DOJ, including by OJP and by the DOJ

Office of the Inspector General. Applicants also should understand that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in a certification submitted to OJP in support of an application may be the subject of criminal prosecution, and also may result in civil penalties and administrative remedies for false claims or otherwise. Administrative remedies that may be available to OJP with respect to an FY 2017 award include suspension or termination of the award, placement on the DOJ high risk grantee list, disallowance of costs, and suspension or debarment of the recipient.

BJA areas of emphasis

BJA recognizes that there are significant pressures on local criminal justice systems. In these challenging times, shared priorities and leveraged resources can make a significant impact. As a component of OJP, BJA intends to focus much of its work on the areas of emphasis described below, and encourages each unit of local government recipient of an FY 2017 JAG award to join us in addressing these challenges:

- *Reducing Gun Violence* – Gun violence has touched nearly every State and local government in America. While our nation has made great strides in reducing violent crime, some municipalities and regions continue to experience unacceptable levels of violent crime at rates far in excess of the national average. BJA encourages units of local government to invest JAG funds in programs to combat gun violence, enforce existing firearms laws, and improve the process for ensuring that persons prohibited from purchasing guns are prevented from doing so by enhancing reporting to the FBI's National Instant Criminal Background Check System (NICS).

- *National Incident-Based Reporting System (NIBRS)* – The FBI has formally announced its intentions to establish NIBRS as the law enforcement crime data reporting standard for the nation. The transition to NIBRS will provide a more complete and accurate picture of crime at the national, State, and local levels. Once this transition is complete, the FBI will no longer collect summary data and will accept data only in the NIBRS format. Also, once the transition is complete, JAG award amounts will be calculated on the basis of submitted NIBRS data. Transitioning all law enforcement agencies to NIBRS is the first step in gathering more comprehensive crime data. BJA encourages recipients of FY 2017 JAG awards to use JAG funds to expedite the transition to NIBRS.

- *Officer Safety and Wellness* – The issue of law enforcement safety and wellness is an important priority for the Department of Justice. Preliminary data compiled by the National Law Enforcement Officers Memorial Fund indicates that there were 135 line-of-duty law enforcement deaths in 2016—the highest level in the past 5 years and a 10 percent increase from 2015 (123 deaths).

  Firearms-related deaths continued to be the leading cause of death (64), increasing 56 percent from 2015 (41). Of particular concern is that of the 64 firearms-related deaths, 21 were as a result of ambush-style attacks representing the highest total in more than two decades. Traffic-related deaths continued to rise in 2016 with 53 officers killed, a 10 percent increase from 2015 (48 deaths). Additionally, there were 11 job-related illness deaths in 2016, mostly heart attacks.

  BJA sees a vital need to focus not only on tactical officer safety concerns but also on health and wellness as they affect officer performance and safety. It is important for law enforcement to have the tactical skills necessary, and also be physically and mentally well, to perform, survive, and be resilient in the face of the demanding duties of the

profession. BJA encourages units of local government to use JAG funds to address these needs by providing training, including paying for tuition and travel expenses related to attending trainings such as VALOR training, as well as funding for health and wellness programs for law enforcement officers.

- *Border Security* – The security of United States borders is critically important to the reduction and prevention of transnational drug-trafficking networks and combating all forms of human trafficking within the United States (sex and labor trafficking of foreign nationals and U.S. citizens of all sexes and ages). These smuggling operations on both sides of the border contribute to a significant increase in violent crime and U.S. deaths from dangerous drugs. Additionally, illegal immigration continues to place a significant strain on federal, State, and local resources—particularly on those agencies charged with border security and immigration enforcement—as well as the local communities into which many of the illegal immigrants are placed. BJA encourages units of local government to use JAG funds to support law enforcement hiring, training, and technology enhancement in the area of border security.

- *Collaborative Prosecution* – BJA supports strong partnerships between prosecutors and police as a means to improve case outcomes and take violent offenders off the street. BJA strongly encourages State and local law enforcement to foster strong partnerships with prosecutors to adopt new collaborative strategies aimed at combating increases in crime, particularly violent crime. (BJA's "Smart Prosecution" Initiative is a related effort by OJP to promote partnerships between prosecutors and researchers to develop and deliver effective, data-driven, evidence-based strategies to solve chronic problems and fight crime.)

Goals, Objectives, and Deliverables
In general, the FY 2017 JAG Program is designed to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice. The JAG Local Program is designed to assist units of local government with respect to criminal justice.

As discussed in more detail below, a unit of local government that receives an FY 2017 JAG award will be required to prepare various types of reports and to submit data related to performance measures and accountability. The Goals, Objectives, and Deliverables are directly related to the JAG Progam accountability measures.

Evidence-Based Programs or Practices
OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates
- Integrating evidence into program, practice, and policy decisions within OJP and the field
- Improving the translation of evidence into practice

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention.

Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The OJP CrimeSolutions.gov website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

A useful matrix of evidence-based policing programs and strategies is available through the Center for Evidence-Based Crime Policy at George Mason University. BJA offers a number of program models designed to effectively implement promising and evidence-based strategies through the BJA "Smart Suite" of programs, including Smart Policing, Smart Supervision, Smart Pretrial, Smart Defense, Smart Prosecution, Smart Reentry, and others (see: https://www.bja.gov/Programs/CRPPE/smartsuite.html). BJA encourages units of local government to use JAG funds to support these "smart on crime" strategies, including effective partnerships with universities, research partners, and non-traditional criminal justice partners.

BJA Success Stories
The BJA Success Stories web page features projects that have demonstrated success or shown promise in reducing crime and positively impacting communities. This web page will be a valuable resource for States, localities, territories, tribes, and criminal justice professionals that seek to identify and learn about JAG and other successful BJA-funded projects linked to innovation, crime reduction, and evidence-based practices. **BJA strongly encourages the recipient to submit success stories annually (or more frequently).**

If a unit of local government has a success story it would like to submit, it may be submitted through My BJA account, using "add a Success Story" and the Success Story Submission form. Register for a My BJA account using this registration link.

B. Federal Award Information

BJA estimates that it will make up to 1,100 local awards totaling an estimated $83,000,000.

Awards of at least $25,000 are 4 years in length, and award periods will be from October 1, 2016 through September 30, 2020. Extensions beyond this period may be made on a case-by-case basis at the discretion of BJA and must be requested via GMS no less than 30 days prior to the grant end date.

Awards of less than $25,000 are 2 years in length, and award periods will be from October 1, 2016 through September 30, 2018. Extensions of up to 2 years can be requested for these awards via GMS **no less than 30 days prior to the grant end date**, and will be automatically granted upon request.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by statute.

Type of Award
BJA expects that any award under this solicitation will be in the form of a grant. See Statutory and Regulatory Requirements; Award Conditions, under Section F. Federal Award Administration Information, for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

JAG awards are based on a statutory formula as described below.

Once each fiscal year's overall JAG Program funding level is determined, BJA works with the Bureau of Justice Statistics (BJS) to begin a four-step grant award calculation process, which, in general, consists of:

(1) Computing an initial JAG allocation for each State, based on its share of violent crime and population (weighted equally).

(2) Reviewing the initial JAG allocation amount to determine if the State allocation is less than the minimum award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the State is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining States receive the minimum award plus an additional amount based on its share of violent crime and population.

(3) Dividing each State's final award amount (except for the territories and District of Columbia) between the State and its units of local governments at a rate of 60 and 40 percent, respectively.

(4) Determining unit of local government award allocations, which are based on their proportion of the State's 3-year violent crime average. If the "eligible award amount" for a particular unit of local government as determined on this basis is $10,000 or more, then the unit of local government is eligible to apply directly to OJP (under the JAG Local solicitation) for a JAG award. If the "eligible award amount" to a particular unit of local government as determined on this basis would be less than $10,000, however, the funds are not made available for a direct award to that particular unit of local government, but instead are added to the amount that otherwise would have been awarded to the State.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities[1]) must, as described in the Part 200 Uniform Requirements[2] as set out at 2 C.F.R. 200.303:

(a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

(b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

[1] For purposes of this solicitation, the phrase "pass-through entity" includes any recipient or subrecipient that provides a subaward ("subgrant") to carry out part of the funded award or program.

[2] The "Part 200 Uniform Requirements" refers to the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

(c) Evaluate and monitor [the recipient's (and any subrecipient's)] compliance with statutes, regulations, and the terms and conditions of Federal awards.

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand the administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available here.

Budget and Financial Information

Trust Fund – Units of local government may draw down JAG funds either in advance or on a reimbursement basis. To draw down in advance, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds.

Tracking and reporting regarding JAG funds used for State administrative costs – As indicated earlier, a unit of local government may use up to 10 percent of a JAG award, including up to 10 percent of any earned interest, for costs associated with administering the award. Administrative costs (when utilized) must be tracked separately; a recipient must report in separate financial status reports (SF-425) those expenditures that specifically relate to each particular JAG award during any particular reporting period.

No commingling – Both the unit of local government recipient and all subrecipients of JAG funds are prohibited from commingling funds on a program-by-program or project-by-project basis. *For this purpose, use of the administrative JAG funds to perform work across all active awards in any one year is not considered comingling.*

Disparate Certification – In some cases, as defined by the legislation, a disparity may exist between the funding eligibility of a county and its associated municipalities. Three different types of disparities may exist:

- The first type is a zero-county disparity. This situation exists when one or more municipalities within a county are eligible for a direct award but the county is not; yet the county is responsible for providing criminal justice services (such as prosecution and incarceration) for the municipality. In this case, the county is entitled to part of the municipality's award because it shares the cost of criminal justice operations, although it may not report crime data to the FBI. This is the most common type of disparity.

- A second type of disparity exists when both a county and a municipality within that county qualify for a direct award, but the award amount for the municipality exceeds 150 percent of the county's award amount.

- The third type of disparity occurs when a county and multiple municipalities within that county are all eligible for direct awards, but the sum of the awards for the individual municipalities exceeds 400 percent of the county's award amount.

Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant or fiscal agent for joint funds must be completed and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to: www.bja.gov/Funding/JAGMOU.pdf.

Cost Sharing or Match Requirement
The JAG Program does not require a match.

For additional cost sharing and match information, see the DOJ Grants Financial Guide.

Pre-Agreement Costs (also known as Pre-award Costs)
Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the grant award.

OJP does *not* typically approve pre-agreement costs. An applicant must request and obtain the prior written approval of OJP for any such costs. All such costs incurred prior to award and prior to approval of the costs are incurred *at the sole risk* of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.)

Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on "Costs Requiring Prior Approval" in the DOJ Grants Financial Guide for more information.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs
OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at:
https://www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm.

OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)
If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services

or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the "Civil Rights Compliance" section under "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards" in the OJP Funding Resource Center.

C. Eligibility Information

For information on eligibility, see the title page of this solicitation.

Note that, as discussed in more detail below, the certification regarding compliance with 8 U.S.C. § 1373 must be executed and submitted before a unit of local government (other than an Indian tribal government) can make a valid award acceptance. Also, a unit of local government may not receive award funds (and its award will include a condition that withholds funds) until it submits a properly executed "Certifications and Assurances by Chief Executive of Applicant Government."

D. Application and Submission Information

What an Application Should Include
This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

An applicant may combine the Budget Narrative and the Budget Detail Worksheet in one document. If an applicant submits only one budget document, however, it must contain **both** narrative and detail information. Please review the "Note on File Names and File Types" under How to Apply to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Résumés") for all attachments. Also, OJP recommends that applicants include résumés in a single file.

In general, if a unit of local government fails to submit required information or documents, OJP either will return the unit of local government's application in the Grants Management System (GMS) for submission of the missing information or documents, or will attach a condition to the award that will withhold award funds until the necessary information and documents are submitted. (As discussed elsewhere in this solicitation, the certification regarding compliance with 8 U.S.C. § 1373—which is set out at Appendix II—will be handled differently. Unless and until that certification is submitted, the unit of local government (other than an Indian tribal government) will be unable to make a valid acceptance of the award.)

1. **Information to Complete the Application for Federal Assistance (SF-424)**
The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. GMS takes information from the applicant's profile to populate the fields on this form.

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. Current OJP award recipients, when completing the field for "Legal Name," should use the same legal name that appears on the prior year award document, which is also the legal name stored in OJP's financial system. On the SF-424, enter the Legal Name in box 5 and Employer Identification Number (EIN) in box 6 exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should submit a Grant Adjustment Notice updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter the Official Legal Name and address of the applicant entity in box 5 and the EIN in box 6 of the SF-424.

Intergovernmental Review: This solicitation ("funding opportunity") **is** within the scope of Executive Order 12372, concerning State opportunities to coordinate applications for federal financial assistance. See 28 C.F.R. Part 30. An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: https://www.whitehouse.gov/omb/grants_spoc/. If the State appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the "Program is subject to E.O. 12372 but has not been selected by the State for review.")

2. **Project Abstract**
Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be:

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins.
- Include applicant name, title of the project, a brief description of the problem to be addressed and the targeted area/population, project goals and objectives, a description of the project strategy, any significant partnerships, and anticipated outcomes.
- Identify up to 10 project identifiers that would be associated with proposed project activities. The list of identifiers can be found at www.bja.gov/funding/JAGIdentifiers.pdf.

3. **Program Narrative**
The following sections **should** be included as part of the program narrative[3]:

a. Statement of the Problem – Identify the unit of local government's strategy/funding priorities for the FY 2017 JAG funds, the subgrant award process and timeline, and a

[3] For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under Section D. Application and Submission Information.

description of the programs to be funded over the grant period. Units of local government are strongly encouraged to prioritize the funding on evidence-based projects.

b. Project Design and Implementation – Describe the unit of local government's strategic planning process, if any, that guides its priorities and funding strategy. This should include a description of how the local community is engaged in the planning process and the data and analysis utilized to support the plan; it should identify the stakeholders currently participating in the strategic planning process, the gaps in the needed resources for criminal justice purposes, and how JAG funds will be coordinated with State and related justice funds.

c. Capabilities and Competencies – Describe any additional strategic planning/coordination efforts in which the units of local government participates with other criminal justice criminal/juvenile justice agencies in the State.

d. Plan for Collecting the Data Required for this Solicitation's Performance Measures – OJP will require each successful applicant to submit specific performance measures data as part of its reporting under the award (see "General Information about Post-Federal Award Reporting Requirements" in Section F. Federal Award Administration Information). The performance measures correlate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables" in Section A. Program Description. Post award, recipients will be required to submit quarterly performance metrics through BJA's Performance Measurement Tool (PMT), located at: https://bjapmt.ojp.gov. The application should describe the applicant's plan for collection of all of the performance measures data listed in the JAG Program accountability measures at: https://bjapmt.ojp.gov/help/jagdocs.html.

BJA does not require applicants to submit performance measures data with their application. Performance measures are included as an alert that BJA will require successful applicants to submit specific data as part of their reporting requirements. For the application, applicants should indicate an understanding of these requirements and discuss how they will gather the required data, should they receive funding.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements, likely do not constitute "research." Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research that appears at 28 C.F.R. Part 46 ("Protection of Human Subjects").

Research, for the purposes of human subjects protection for OJP-funded programs, is defined as "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge." 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the "Research and the Protection of Human Subjects" section of the "Requirements related to Research" web page of the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017" available through the OJP Funding Resource Center. Every prospective applicant whose application may propose a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that web page.

4. Budget and Associated Documentation

(a) Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf. An applicant that submits its budget in a different format should use the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should break out costs by year.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide.

(b) Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the proposed Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). This narrative should include a full description of all costs, including administrative costs (if applicable).

An applicant should demonstrate in its Budget Narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The Budget Narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should describe costs by year.

(c) Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)

Applicants for OJP awards typically may propose to make "subawards." Applicants also may propose to enter into procurement "contracts" under the award.

Whether—for purposes of federal grants administrative requirements—a particular agreement between a recipient and a third party will be considered a "subaward" or instead considered a procurement "contract" under the award is determined by federal rules and applicable OJP guidance. It is an important distinction, in part because the

federal administrative rules and requirements that apply to "subawards" and procurement "contracts" under awards differ markedly.

In general, the central question is the relationship between what the third party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a subaward for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a "subaward" or is instead a procurement "contract" under an award.

Additional guidance on the circumstances under which (for purposes of federal grants administrative requirements) an agreement constitutes a subaward as opposed to a procurement contract under an award is available (along with other resources) on the OJP Part 200 Uniform Requirements web page.

(1) Information on proposed subawards and required certification regarding 8 U.S.C. § 1373 from certain subrecipients

General requirement for federal authorization of any subaward; statutory authorizations of subawards under the JAG Program statute. Generally, a recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) particular subawards, a recipient must have authorization from OJP before it may make a subaward.

JAG subawards that are required or specifically authorized by statute (see 42 U.S.C. § 3751(a) and 42 U.S.C. § 3755) do not require prior approval to authorize subawards. This includes subawards made by units of local government under the JAG Program.

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the application as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation and is not sufficiently described and justified in the application as approved by OJP, the recipient will be required, post award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, and those subawards are not specifically authorized (or required) by statute or regulation, the applicant should: (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the

subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative but also in the Budget Detail Worksheet and budget narrative.

NEW ***Required certification regarding 8 U.S.C. § 1373 from any proposed subrecipient that is a unit of local government or "public" institution of higher education.*** Before a unit of local government may subaward FY 2017 award funds to another unit of local government or to a public institution of higher education, it will be required (by award condition) to obtain a properly executed certification regarding compliance with 8 U.S.C. § 1373 from the proposed subrecipient. (This requirement regarding 8 U.S.C. § 1373 will not apply to subawards to Indian tribes). The specific certification the unit of local government must require from another unit of local government will vary somewhat from the specific certification it must require from a public institution of higher education. The forms will be posted and available for download at: https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm.

(2) Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over $150,000)

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and budget narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the (DOJ) Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement "contracts" under awards will be entered into on the basis of full and open competition. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, $150,000—a recipient of an OJP award may not proceed without competition, unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement.

An applicant that (at the time of its application) intends—without competition—to enter into a procurement contract that would exceed $150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition. Various considerations that may be pertinent to the justification are outlined in the DOJ Grants Financial Guide.

(d) Pre-Agreement Costs

For information on pre-agreement costs, see Section B. Federal Award Information.

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs may be charged to an award only if:

(a) The recipient has a current (that is, unexpired), federally approved indirect cost rate; or

(b) The recipient is eligible to use, and elects to use, the "de minimis" indirect cost rate described in the (DOJ) Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

Note: This rule does not eliminate or alter the JAG-specific restriction in federal law that charges for administrative costs may not exceed 10 percent of the award amount, regardless of the approved indirect cost rate.

An applicant with a current (that is, unexpired) federally approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant's accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the OCFO Customer Service Center at 1–800–458–0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at: www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf.

Certain OJP recipients have the option of electing to use the "de minimis" indirect cost rate. An applicant that is eligible to use the "de minimis" rate that wishes to use the "de minimis" rate should attach written documentation to the application that advises OJP of both: (1) the applicant's eligibility to use the "de minimis" rate, and (2) its election to do so. If an eligible applicant elects the "de minimis" rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The "de minimis" rate may no longer be used once an approved federally-negotiated indirect cost rate is in place. (No entity that ever has had a federally approved negotiated indirect cost rate is eligible to use the "de minimis" rate.)

6. **Tribal Authorizing Resolution (if applicable)**
An applicant that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, a letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands.

OJP will not deny an application for an FY 2017 award for failure to submit such tribal authorizing resolution (or other appropriate documentation) by the application deadline, but a unit of local government will not receive award funds (and its award will include a condition that withholds funds) until it submits the appropriate documentation.

7. **Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**
Every unit of local government is to complete the OJP Financial Management and System of Internal Controls Questionnaire as part of its application. In accordance with the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.205, federal agencies must have in place a framework for evaluating the risks posed by applicants before they receive a federal award.

8. **Applicant Disclosure of High Risk Status**
Applicants that are currently designated high risk by another federal grant making agency must disclose that status. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal agency that currently designated the applicant as high risk
- Date the applicant was designated high risk
- The high risk point of contact at that federal awarding agency (name, phone number, and email address).
- Reasons for the high risk status, as set out by the federal awarding agency

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered "high risk" by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

9. **Disclosure of Lobbying Activities**
An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL).

10. **Certifications and Assurances by the Chief Executive of the Applicant Government**
A JAG application is not complete, and a unit of local government may not receive award funds, unless the chief executive of the applicant unit of local government (e.g., the mayor) properly executes, and the unit of local government submits, the "Certifications and Assurances by the Chief Executive of the Applicant Government" attached to this solicitation as Appendix I.

OJP will not deny an application for an FY 2017 award for failure to submit these "Certifications and Assurances by the Chief Executive of the Applicant Government" by the application deadline, but a unit of local government will not receive award funds (and its award will include a condition that withholds funds) until it submits these certifications and assurances, properly executed by the chief executive of the unit of local government (e.g., the mayor).

11. **Certification of Compliance with 8 U.S.C. § 1373 by the Chief Legal Officer of the Applicant Government**
The chief legal officer of an applicant unit of local government (e.g., the General Counsel) is to carefully review the "State or Local Government: FY 2017 Certification of Compliance with 8 U.S.C. § 1373" that is attached as Appendix II to this solicitation. If the chief legal officer determines that he or she may execute the certification, the unit of local government is to submit the certification as part of its application. (Note: this requirement does not apply to Indian tribal governments.)

As discussed further below, a unit of local government (other than an Indian tribal government) applicant will be *unable to make a valid award acceptance* of an FY 2017 JAG

award unless and until a properly executed certification by its chief legal officer is received by OJP on or before the day the unit of local government submits an executed award document.

12. Additional Attachments

(a) Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation and (2) would cover identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to State agencies that will subaward ("subgrant") federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or State funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or State funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health & Human Services/ Substance Abuse and Mental Health Services Administration	Drug-Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

SAMPLE

Each applicant should include the table as a separate attachment to its application. The file should be named "Disclosure of Pending Applications." The applicant Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: "[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover identical cost items outlined in the budget submitted as part of this application."

(b) Research and Evaluation Independence and Integrity (if applicable)
If an application involves research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses **both** i. and ii. below.

i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:

a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest—whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients)—that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified—including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients—that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an

instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:

a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

(c) Local Governing Body Review

Applicants must submit information via the Certification and Assurances by the Chief Executive (See Appendix I) which documents that the JAG application was made available for review by the governing body of the unit of local government, or to an organization designated by that governing body, for a period that was not less than 30

days before the application was submitted to BJA. The same Chief Executive Certification will also specify that an opportunity to comment on this application was provided to citizens prior to the application submission to the extent applicable law or established procedures make such opportunity available. In the past, this has been accomplished via submission of specific review dates; now OJP will only accept a chief executive's certification to attest to these facts. Units of local government may continue to submit actual dates of review should they wish to do so, in addition to the submission of the Chief Executive Certification.

How to Apply

An applicant must submit its application through the Grants Management System (GMS), which provides support for the application, award, and management of awards at OJP. Each applicant entity **must register in GMS for each specific funding opportunity.** Although the registration and submission deadlines are the same, OJP urges each applicant entity to **register promptly**, especially if this is the first time the applicant is using the system. Find complete instructions on how to register and submit an application in GMS at www.ojp.gov/gmscbt/. An applicant that experiences technical difficulties during this process should email GMS.HelpDesk@usdoj.gov or call 888–549–9901 (option 3), 24 hours every day, including during federal holidays. OJP recommends that each applicant **register promptly** to prevent delays in submitting an application package by the deadline.

Note on File Types: GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. If an applicant entity has not fully complied with applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

All applicants should complete the following steps:

1. **Acquire a unique entity identifier (DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866–705–5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1–2 business days.

2. **Acquire registration with the SAM.** SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database.

Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

Information about SAM registration procedures can be accessed at https://www.sam.gov/.

3. Acquire a GMS username and password. New users must create a GMS profile by selecting the "First Time User" link under the sign-in box of the GMS home page. For more information on how to register in GMS, go to www.ojp.gov/gmscbt. Previously registered applicants should ensure, prior to applying, that the user profile information is up-to-date in GMS (including, but not limited to, address, legal name of agency and authorized representative) as this information is populated in any new application.

4. Verify the SAM (formerly CCR) registration in GMS. OJP requires each applicant to verify its SAM registration in GMS. Once logged into GMS, click the "CCR Claim" link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.

5. Search for the funding opportunity on GMS. After logging into GMS or completing the GMS profile for username and password, go to the "Funding Opportunities" link on the left side of the page. Select BJA and **FY 17 Edward Byrne Memorial Local Justice Assistance Grant (JAG) Program.**

6. Register by selecting the "Apply Online" button associated with the funding opportunity title. The search results from step 5 will display the "funding opportunity" (solicitation) title along with the registration and application deadlines for this solicitation. Select the "Apply Online" button in the "Action" column to register for this solicitation and create an application in the system.

7. Follow the directions in GMS to submit an application consistent with this solicitation. Once the application is submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, applicants must wait for GMS approval before submitting an application. OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date.

Note: Application Versions
If an applicant submits multiple versions of the same application, OJP will review **only** the most recent system-validated version submitted.

Experiencing Unforeseen GMS Technical Issues
An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline may contact the GMS Help Desk or the SAM Help Desk (Federal Service Desk) to report the technical issue and receive a tracking number. The applicant is expected to email the NCJRS Response Center identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any GMS Help Desk or SAM tracking number(s).

Note: OJP does not automatically approve requests to submit a late application. After OJP reviews the applicant's request, and contacts the GMS Help Desk to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application

has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions to OJP solicitations:

- Failure to register in SAM or GMS in sufficient time (SAM registration and renewal can take as long as 10 business days to complete.)
- Failure to follow GMS instructions on how to register and apply as posted on the GMS website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment such as issues with firewalls

E. Application Review Information

Review Process
OJP is committed to ensuring a fair and open process for making awards. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. BJA will also review applications to help ensure that JAG program-statute requirements have been met.

Pursuant to the (DOJ) Part 200 Uniform Requirements, before awards are made, OJP also reviews information related to the degree of risk posed by applicants. Among other things, to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award. In addition, if OJP anticipates that an award will exceed $150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; "FAPIIS").

Important note on FAPIIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants. OJP takes into account information pertinent to matters such as—

1. Applicant financial stability and fiscal integrity
2. Quality of the management systems of the applicant, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide
3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies

4. Reports and findings from audits of the applicant, including audits under the (DOJ) Part 200 Uniform Requirements
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

F. Federal Award Administration Information

Federal Award Notices
OJP expects to issue award notifications by September 30, 2017. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official. The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

NOTE: In order validly to accept an award under the FY 2017 JAG Program, a unit of local government (other than an Indian tribal government) must submit to GMS the certification by its chief legal officer regarding compliance with 8 U.S.C. § 1373, executed using the form that appears in Appendix II. (The form also may be downloaded at https://ojp.gov/funding/Explore/SampleCertifications-8USC1373.htm.) Unless the executed certification either (1) is submitted to OJP together with the signed award document or (2) is uploaded in GMS no later than the day the signed award document is submitted, **OJP will reject as invalid** any submission by a unit of local government (other than an Indian tribal government) that purports to accept an award under this solicitation.

Rejection of an initial submission as an invalid award acceptance is not a denial of the award. Consistent with award requirements, once the unit of local government **does** submit the necessary certification regarding 8 U.S.C. § 1373, the unit of local government **will** be permitted to submit an award document executed by the unit of local government on or after the date of that certification.

Also, in order for a unit of local government applicant validly to accept an award under the FY 2017 JAG Program, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including **all** award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning of the fully executed award document (along with the required certification regarding 8 U.S.C. § 1373, if not already uploaded in GMS) to OJP.

Statutory and Regulatory Requirements; Award Conditions
If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award requirements (including all award conditions), as well as all applicable requirements of federal statutes and regulations (including those referred to in assurances and certifications executed as part of the application or in

connection with award acceptance, and administrative and policy requirements set by statute or regulation).

OJP strongly encourages prospective applicants to review information on post-award legal requirements generally applicable to FY 2017 OJP awards and common OJP award conditions **prior** to submitting an application.

Applicants should consult the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards," available in the OJP Funding Resource Center. In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents in GMS before it may receive any award funds.

- Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

- OJP Certified Standard Assurances (attached to this solicitation as Appendix IV)

The web pages accessible through the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards" are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2017. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

Individual FY 2017 JAG awards will include two new express conditions that, with respect to the "program or activity" that would be funded by the FY 2017 award, are designed to ensure that States and units of local government that receive funds from the FY 2017 JAG award: (1) permit personnel of the U.S. Department of Homeland Security (DHS) to access any correctional or detention facility in order to meet with an alien (or an individual believed to be an alien) and inquire as to his or her right to be or remain in the United States and (2) provide at least 48 hours' advance notice to DHS regarding the scheduled release date and time of an alien in the jurisdiction's custody when DHS requests such notice in order to take custody of the alien pursuant to the Immigration and Nationality Act.

Compliance with the requirements of the two foregoing new award conditions will be an authorized and priority purpose of the award. The reasonable costs (to the extent not reimbursed under any other federal program) of developing and putting into place statutes, rules, regulations, policies, or practices as required by these conditions, and to honor any duly authorized requests from DHS that is encompassed by these conditions, will be allowable costs under the award.

General Information about Post-Federal Award Reporting Requirements
A unit of local government recipient of an award under this solicitation will be required to submit the following reports and data:

Required reports. Recipients typically must submit quarterly financial status reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the (DOJ) Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed $500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP website at: https://ojp.gov/funding/FAPIIS.htm

Data on performance measures. In addition to required reports, each recipient of an award under this solicitation also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ with fulfilling its responsibilities under GPRA and the GPRA Modernization Act of 2010, OJP will require State recipients to provide accountability metrics data. Accountability metrics data must be submitted through BJA's Performance Measurement Tool (PMT), available at https://bjapmt.ojp.gov. The accountability measures are available at: https://bjapmt.ojp.gov/help/jagdocs.html. (Note that if a law enforcement agency receives JAG funds from a State, the State must submit quarterly accountability metrics data related to training that officers have received on use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public.)

OJP may restrict access to award funds if a recipient of an OJP award fails to report required performance measures data in a timely manner.

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see the title page of this solicitation.

For contact information for GMS, see the title page.

H. Other Information

Freedom of Information Act and Privacy Act (5 U.S.C. § 552 and 5 U.S.C. § 552a)
All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate

circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This email is for feedback and suggestions only. OJP does **not** reply to messages it receives in this mailbox. A prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this solicitation document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to ojppeerreview@lmsolas.com. (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

Application Checklist

Edward Byrne Memorial Justice Assistance Grant (JAG) Program:

FY 2017 Local Solicitation

This application checklist has been created as an aid in developing an application.

What an Applicant Should Do:

Prior to Registering in GMS:

_____ Acquire a DUNS Number (see page 27)

_____ Acquire or renew registration with SAM (see page 27)

To Register with GMS:

_____ For new users, acquire a GMS username and password* (see page 27)

_____ For existing users, check GMS username and password* to ensure account access (see page 27)

_____ Verify SAM registration in GMS (see page 27)

_____ Search for correct funding opportunity in GMS (see page 27)

_____ Select correct funding opportunity in GMS (see page 27)

_____ Register by selecting the "Apply Online" button associated with the funding opportunity title (see page 27)

_____ Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm (see page 14)

_____ If experiencing technical difficulties in GMS, contact the NCJRS Response Center (see page 2)

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*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contact designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

Overview of Post-Award Legal Requirements:

_____ Review the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards" in the OJP Funding Resource Center.

Scope Requirement:

_____ The federal amount requested is within the allowable limit(s) of the FY 2017 JAG Allocations List as listed on BJA's JAG web page.

What an Application Should Include:

_____ Application for Federal Assistance (SF-424) (see page 16)
_____ Project Abstract (see page 16)
_____ Program Narrative (see page 17)
_____ Budget Detail Worksheet (see page 18)
_____ Budget Narrative (see page 18)
_____ Indirect Cost Rate Agreement (if applicable) (see page 21)
_____ Tribal Authorizing Resolution (if applicable) (see page 21)
_____ Financial Management and System of Internal Controls Questionnaire (see page 22)
_____ Disclosure of Lobbying Activities (SF-LLL) (if applicable) (see page 22)
_____ Certifications and Assurances by Chief Executive (see page 22)
_____ Certification of Compliance with 8 U.S.C. § 1373 by Chief Legal Officer (Note: this requirement does not apply to Indian tribal governments.) (see page 23)
_____ OJP Certified Standard Assurances (see page 40)
_____ Additional Attachments
_____ Applicant Disclosure of Pending Applications (see page 23)
_____ Research and Evaluation Independence and Integrity (if applicable) (see page 24)

Appendix III

8 U.S.C. § 1373 (as in effect on June 21, 2017)

Communication between government agencies and the Immigration and Naturalization Service

(a) In general

Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

(b) Additional authority of government entities

Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

(1) Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.
(2) Maintaining such information.
(3) Exchanging such information with any other Federal, State, or local government entity.

(c) Obligation to respond to inquiries

The Immigration and Naturalization Service shall respond to an inquiry by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.

See also provisions set out at (or referenced in) 8 U.S.C. § 1551 note ("Abolition ... and Transfer of Functions")

Appendix IV

OJP Certified Standard Assurances

OMB No. 1121-0140
Expires 5/31/2019

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

CERTIFIED STANDARD ASSURANCES

On behalf of the Applicant, and in support of this application for a grant or cooperative agreement, I certify under penalty of perjury to the Office of Justice Programs (OJP), U.S. Department of Justice ("Department"), that all of the following are true and correct:

(1) I have the authority to make the following representations on behalf of myself and the Applicant. I understand that these representations will be relied upon as material in any OJP decision to make an award to the Applicant based on its application.

(2) I certify that the Applicant has the legal authority to apply for the federal assistance sought by the application, and that it has the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project costs) to plan, manage, and complete the project described in the application properly.

(3) I assure that, throughout the period of performance for the award (if any) made by OJP based on the application—

(a) the Applicant will comply with all award requirements and all federal statutes and regulations applicable to the award;

(b) the Applicant will require all subrecipients to comply with all applicable award requirements and all applicable federal statutes and regulations; and

(c) the Applicant will maintain safeguards to address and prevent any organizational conflict of interest, and also to prohibit employees from using their positions in any manner that poses, or appears to pose, a personal or financial conflict of interest.

(4) The Applicant understands that the federal statutes and regulations applicable to the award (if any) made by OJP based on the application specifically include statutes and regulations pertaining to civil rights and nondiscrimination, and, in addition—

(a) the Applicant understands that the applicable statutes pertaining to civil rights will include section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d); section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); section 901 of the Education Amendments of 1972 (20 U.S.C. § 1681); and section 303 of the Age Discrimination Act of 1975 (42 U.S.C. § 6102);

(b) the Applicant understands that the applicable statutes pertaining to nondiscrimination may include section 815(c) of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d(c)); section 1407(e) of the Victims of Crime Act of 1984 (42 U.S.C. § 10604(e)); section 299A(b) of the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); and that the grant condition set out at section 40002(b)(13) of the Violence Against Women Act (42 U.S.C. § 13925(b)(13)) also may apply;

(c) the Applicant understands that it must require any subrecipient to comply with all such applicable statutes (and associated regulations); and

(d) on behalf of the Applicant, I make the specific assurances set out in 28 C.F.R. §§ 42.105 and 42.204.

(5) The Applicant also understands that (in addition to any applicable program-specific regulations and to applicable federal regulations that pertain to civil rights and nondiscrimination) the federal regulations applicable to the award (if any) made by OJP based on the application may include, but are not limited to, 2 C.F.R. Part 2800 (the DOJ "Part 200 Uniform Requirements") and 28 C.F.R. Parts 22 (confidentiality - research and statistical information), 23 (criminal intelligence systems), and 46 (human subjects protection).

(6) I assure that the Applicant will assist OJP as necessary (and will require subrecipients and contractors to assist as necessary) with the Department's compliance with section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108), the Archeological and Historical Preservation Act of 1974 (54 U.S.C. §§ 312501-312508), and the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4335), and 28 C.F.R. Parts 61 (NEPA) and 63 (floodplains and wetlands).

(7) I assure that the Applicant will give the Department and the Government Accountability Office, through any authorized representative, access to, and opportunity to examine, all paper or electronic records related to the award (if any) made by OJP based on the application.

(8) I assure that, if the Applicant is a governmental entity, with respect to the award (if any) made by OJP based on the application—

(a) it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and

(b) it will comply with requirements of 5 U.S.C. §§ 1501-1508 and 7324-7328, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 42 U.S.C. § 3795a), and also may subject me and the Applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by the Department, including by OJP and by the Department's Office of the Inspector General.

Listed below are all jurisdictions in the state that are eligible for FY 2017 JAG funding, as determined by the JAG formula. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the updated JAG Technical report here: https://www.bja.gov/Jag/pdfs/JAG-Technical-Report.pdf and current JAG Frequently Asked Questions here: https://www.bja.gov/Funding/JAGFAQ.pdf

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the WHITE HOUSE *PRESIDENT DONALD J. TRUMP*

Intergovernmental Review (SPOC List)

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In 2016 the Federal Government will outlay more than $600 billion in grants to State and local governments. **Executive Order 12372**, , "Intergovernmental Review of Federal Programs," was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The Order allows each State to designate an entity to perform this function. Below is the official list of those entities."

States that are not listed on this page have chosen not to participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency.

Contact information for Federal agencies that award grants can be found in **Appendix IV of the Catalog of Federal Domestic Assistance**.

**** SPOC List as of April 06, 2017 ****

Arizona:
Matthew Hanson
Statewide Grant Administrator
ADOA, Office of Grants and Federal Resources
100 N. 15th Avenue, Suite 305
Phoenix, AZ 85007
Telephone: (602) 542-7567
Fax: none
Email: **matthew.hanson@azdoa.gov**

Arkansas:
Jeanette Krohn (Acting)
Manager, State Clearinghouse

Office of Intergovernmental Services
Department of Finance and Administration
1515 W. 7th St., Rm 412
Little Rock, Arkansas 72203
Telephone: (501) 682-1074
Fax: (501) 682-5206
Email: **jeanette.krohn@dfa.arkansas.gov**

California:
Grants Coordination
State Clearinghouse
Governor's Office of Planning and Research
1400 Tenth Street, Room 222
P.O. Box 3044
Sacramento, California 95812-3044
Telephone: (916) 445-0613
Fax: (916) 323-3018
Email: **state.clearinghouse@opr.ca.gov**

Delaware:
Valorie Luke
SPOC/Federal Aid Master Contact
Budget Development, Planning and Administration
Office of Management and Budget
122 Martin Luther King Jr. Blvd South
Dover, Delaware 19901
Telephone: (302) 672-5115
Fax: (302) 739-5661
Email: **valorie.luke@state.de.us**

District of Columbia:
Pat Henry
Office of Partnerships and Grant Services
441 4th St, NW (Judiciary Square)
Suite 707 North
Washington, DC 20001
Telephone: (202) 727-0946
Email: **pat.henry@dc.gov**

Florida:
Chris Stahl, Coordinator
Florida State Clearinghouse
Florida Department of Environmental Protection
2600 Blaid Stone Road, MS 47
Tallahassee, Florida 32399-2400
Telephone: (850) 717-9076
Email: **State.clearinghouse@dep.state.fl.us**

Iowa:
Debra Scrowther
Iowa Department of Management
State Capitol Building Room G12
1007 E. Grand Avenue
Des Moines, Iowa 50319
Telephone: (515) 281-7076
Fax: (515) 281-8034
Email: **debra.scrowther@iowa.gov**

Kentucky:
Lee Nalley
The Department for Local Government
1024 Capital Center Drive, Suite 340
Frankfort, Kentucky 40601
Telephone: (502) 573-2382 Ext. 274
Fax: (502) 573-1519
Email: **lee.nalley@ky.gov**

Louisiana:
Terry Thomas
Louisiana SPOC for EPA Grants
Office of Management and Finance
LA Department of Environmental Quality
P.O. Box 4303
Baton Rouge, Louisiana 70821-4303
Phone: (225) 219-3840
Fax: (225) 219-3846
Email: **terry.thomas@la.gov**

Maryland:
Jason Dubow
Manager, Resource Conservation and Management
Maryland Department of Planning
301 West Preston Street, Suite 1101
Baltimore, Maryland 21201-2305
Telephone: (410) 767-4490
Fax: (410) 767-4480
Email: **mdp.clearinghouse@maryland.gov**

Michigan:
Ed Hug
Southeast Michigan Council of Governments
1001 Woodward, Suite 1400
Detroit, Michigan 48226
Telephone: (313) 324-3335
Fax: (313) 961-4869
Email: **hug@semcog.org**

Missouri:
Sara VanderFeltz
Federal Assistance Clearinghouse\Office of Administration
Commissioner's Office
Capitol Building, Room 125
Jefferson City, Missouri 65102
Telephone: (573) 751-0337
Fax: (573) 751-1212
Email: **sara.vanderfeltz@oa.mo.gov**

Nevada:
Office of Grant Procurement, Coordination and Management
Single Point of Contact
406 East 2nd Street, First Floor
Carson City, Nevada 89701
Email: **grants@admin.nv.gov**

New Hampshire:
Michele Zydel
New Hampshire Office of Energy and Planning

Attn: Intergovernmental Review Process
107 Pleasant Street, Johnson Hall
Concord, New Hampshire 03301
Telephone: (603) 271-2155
Fax: (603) 271-2615
Email: **michele.zydel@nh.gov**

North Dakota:
Rikki Roehrich
Program Administrator
North Dakota Department of Commerce
1600 East Century Avenue, Suite 2
Bismark, North Dakota 89701
Telephone: (701) 328-2687
Email: r**roehrich@nd.gov**

South Carolina:
Bonny L. Anderson
Grants Services Coordinator
Executive Budget Office
1205 Pendleton Street
Edgar A. Brown Building, Suite 529
Columbia, South Carolina 29201
Telephone: (803) 734-0435
Fax: (803) 734-0645
Email: **bonny.anderson@admin.sc.gov**

Utah:
Ken Matthews
Utah State Clearinghouse
Governor's Office of Management and Budget
Utah State Capitol Complex
Suite E210
P.O. Box 142210
Salt Lake City, Utah 84114-2210
Telephone: (801) 538-1149
Fax: (801) 538-1547
Email: **stategrants@utah.gov**

West Virginia:

Mary Jo Thompson
Director, Community Advancement and Development Division
West Virginia Development Office
Building 6, Room 553
Capitol Complex
Charleston, West Virginia 25305
Telephone: (304) 558-2234
Fax: (304) 558-3248
Email: **mary.jo.thompson@wv.gov**

American Samoa:

Jerome Ierome
Administrator, Office of Grants Oversight and Accountability
Coordinator, ASG High Risk Task Force
Office of the Governor
American Samoa, 96799
Telephone: (604) 633-4116
Fax: (684) 633-2269
Email: **jerome.ierome@go.as.gov** or **jerome.ierome.asg.govoffice@gmail.com**

Puerto Rico:

Jose I. Marrero Rosado
Puerto Rico Planning Board
Federal Proposals Review Office
P.O. Box 9023228
San Juan, Puerto Rico 00902-3228
Phone: (787) 725-9420
Fax: (787) 725-7066
Email: **jmarrero@ogp.pr.gov**
*Please cc Alexandra Ortiz **alexandra.ortiz@ogp.pr.gov** on all emails.

Virgin Islands:

Nellon L. Bowry
Director, Office of Management and Budget
#41 Norre Gade Emancipation Garden Station, Second Floor
Saint Thomas, Virgin Islands 00802
Telephone: (340) 774-0750

Fax: none
Email: **nellon.bowry@omb.vi.gov**

Changes to this list can be made only after OMB is notified by a State's officially designated representative. E-mail messages can be sent to **Hai_Tran@omb.eop.gov**. If you prefer, you may send correspondence to the following postal address:

Attn: Grants Management
Office of Management and Budget
New Executive Office Building, Suite 6025
725 17th Street, NW
Washington, DC 20503

Please note: Inquiries about obtaining a Federal grant should not be sent to the OMB e-mail or postal address shown above. The best source for this information is the *Catalog of Federal Domestic Assistance* or CFDA (**http://www.cfda.gov**) and the Grants.gov website (**http://www.grants.gov**).

R-6

MAR:dh
08-24-17

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE CITY OF CAMDEN AND CAMDEN COUNTY, CHERRY HILL TOWNSHIP, GLOUCESTER TWP., LINDENWOLD BORO, AND PENNSAUKEN TWP. UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FY 2017

WHEREAS, N.J.S.A. 40A:65-1 et. seq. authorized local units of government to enter into agreement for the joint provision of services; and

WHEREAS, there is a need, to establish the rights and responsibilities of all entities as it relates to the Edward Byrne Memorial 2017 Justice Assistance Grant (JAG) Program to be entered into with the City of Camden and Camden County, Cherry Hill, Gloucester Twp., Gloucester Twp., Lindenwold Boro, and Pennsauken Twp.; and

WHEREAS, the City of Camden will be the lead/fiscal agent for this grant program in the amount of $226,677.00 from the Bureau of Justice Assistance; and

WHEREAS, the City of Camden (Finance/Grants Management) will submit the quarterly financial status and progress report for all agencies in this collaborative effort; and

WHEREAS, funds have been allocated as such: Camden City $11,000.00, Camden County Police Department Camden-Metro Division $145,723.00, Camden County Prosecutor's Office $10,000.00, Camden County Sheriff's Office $10,000.00, Cherry Hill Twp. $11,160.00, Gloucester Twp. $15,806.00, Lindenwold Boro $12,603.00, and Pennsauken Twp. $10,385.00; now, therefore

BE IT RESOLVED by the City of Council of the City of Camden that a Shared Services Agreement is hereby authorized between the City of Camden and Camden County, Cherry Hill, Gloucester Twp., Lindenwold Boro, and Pennsauken Twp. for the Edward Byrne Memorial FY 17 Justice Assistance Grant (JAG) Program.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

CITY OF CAMDEN
CITY COUNCIL REQUEST FORM

Council Meeting Date: August 2017
Special Meeting

TO: *Robert Corrales, Business Administrator*
DATE: *August 7th, 2017*
FROM: *Glynn E. Jones, Director of Finance*
Department Making Request: FINANCE (Bureau of Grants Management)

TITLE OF RESOLUTION/ORDINANCE: Resolution to enter into an Inter-Local/Shared Services Agreement between Camden City and Camden County, Cherry Hill Township, Gloucester Township, Lindenwold Boro, and Pennsauken Township under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY '17 Local Solicitation.

BRIEF DESCRIPTION: *(Procurement Process: Bid#, RFP#, State Contract#, Non-Fair & Open, EUS):* The City of Camden (Finance/Grants Management) will be the lead/fiscal agent for a $226,677.00 grant from the Bureau of Justice Assistance. Camden's Finance Department will submit the quarterly financial status and progress report for all agencies in this collaborative effort. Camden City will set aside $145,723.00 for the Camden County Police Department-Camden Metro Division; $10,000.00 for the Camden County Sheriff's Office and $10,000.00 for the Camden County Prosecutor's Office. All agencies/municipalities will be responsible for: signing the inter-local agreement/memorandum of understanding (m.o.u.); obtaining resolutions from their respective municipalities; setting up their own trust accounts; purchasing their own equipment; and submitting proof of payment/documents to Camden City in a timely manner for reimbursement. All agencies will be required to sign a certification that they are in compliance with all Federal Laws including 8 U.S.C. § 1373. Funds have been allocated as such: Camden City=$11,000.00; Camden County Police Department-Metro Division=$145,723.00; Camden County Prosecutor's Office=$10,000.00; Camden County Sheriff's Office=$10,000.00; Cherry Hill Twp=$11,160.00; Gloucester Twp=$15,806.00; Lindenwold Boro =$12,603.00; and Pennsauken Twp=$10,385.00. **Respectfully requesting a quick review by DCA.**

Amount of Grant: $226,677.00

Appropriation Account To be Credited: N/A

	Date	*Signature*
Approved by Relevant Director:		
Approved by Promise Zone Coordinator:		***(If applicable)***
Approved by Finance Director: ☐*CAF –Certifications of Availability of Funds*	8/9/17	
Approved by Purchasing Agent:		
Approved by Business Administrator:	8/10/17	
Received by City Attorney:		

	(Name) Please Print	***(Extension #)***
Prepared By:	*Erica Coy-Pitts*	*27008*
Contact Person:	*Erica Coy-Pitts*	*27008*

Initial Report __√__ Revised Report _____ Closing Report

Bureau of Grants Management Grant Summary Form

Grant Status Code: G

(green - g; yellow - y; red - r)

Department: Grants Management

Grant Analyst: Erica M. Coy-Pitts Grant Analyst #: 856-757-7008

Grant/Project Name:			FY '17 Justice Assistance Grant (JAG) Program- Shared Services/Inter-Local Agreement			
Grant #:						
City Contract Date:				City Contract #:		
Application Resolution #:			8/8/17 Walk-On	Appropriation Code:		
Funding Source:			USDOJ--Office of Justice Programs			
Pass Through:			Source:			
Amount of Grant:			$226,677.00 (City's portion: $11,000.00)			
Local Match:	Y	N	Cash:		In-Kind:	
Budget Insertion Resolution # & Date:				Accepting Grant Resolution # MC:		
Term of Grant:			4 years 10/1/16-9/30/20	Location of Activity:		Camden County
Date of Analysis:			08/7/2017	Reviewed By:		Erica M. Coy-Pitts ECMC

Summary: The City of Camden (Finance/Grants Management) will be the lead/fiscal agent for a $226,677.00 grant from the Bureau of Justice Assistance. Camden's Finance Department will submit the quarterly financial status and progress report for all agencies in this collaborative effort. Camden City will set aside $145,723.00 for the Camden County Police Department-Camden Metro Division; $10,000.00 for the Camden County Sheriff's Office and $10,000.00 for the Camden County Prosecutor's Office. All agencies/municipalities will be responsible for: signing the inter-local agreement/memorandum of understanding (m.o.u.); obtaining resolutions from their respective municipalities; setting up their own trust accounts; purchasing their own equipment; and submitting proof of payment/documents to Camden City in a timely manner for reimbursement. All agencies will be required to sign a certification that they are in compliance with all Federal Laws including 8 U.S.C. § 1373. Funds have been allocated as such: Camden City=$11,000.00; Camden County Police Department-Metro Division=$145,723.00; Camden County Prosecutor's Office=$10,000.00; Camden County Sheriff's Office=$10,000.00; Cherry Hill Twp=$11,160.00; Gloucester Twp=$15,806.00; Lindenwold Boro =$12,603.00; and Pennsauken Twp=$10,385.00.

Time Lines:

Problematic Areas/Recommendations :

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NJ	UNION COUNTY		County	*	
NJ	ELIZABETH CITY		Municipal	$116,700	
NJ	LINDEN CITY		Municipal	$14,574	
NJ	PLAINFIELD CITY		Municipal	$39,358	$170,632

SHARED SERVICES AGREEMENT BETWEEN THE CITY OF CAMDEN, CHERRY HILL TOWNSHIP, GLOUCESTER TOWNSHIP, LINDENWOLD BOROUGH, PENNSAUKEN TOWNSHIP, and CAMDEN COUNTY

This document constitutes a Shared Services Agreement pursuant to N.J.S.A. 40A:65-1 et seq. entered between the City of Camden, Cherry Hill Township, Gloucester Township, Lindenwold Borough, Pennsauken Township, Camden County, and collectively, hereinafter referred to as the "parties."

Whereas, the parties desire to apply for and accept funding for the total amount of Two Hundred Twenty-Six Thousand Six Hundred Seventy-Seven Dollars ($226,677.00) from the FY 2017 U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation. The breakdown of the award is as follows:

Camden City	Municipal	$ 11,000.00
Camden County (Police Dept.-Metro Division)	County	145,723.00
Camden County (Prosecutor's Ofc)	County	10,000.00
Camden County (Sheriff's Ofc)	County	10,000.00
Cherry Hill Township	Township	11,160.00
Gloucester Township	Township	15,806.00
Lindenwold Borough	Municipal	12,603.00
Pennsauken Township	Township	10,385.00

THIS AGREEMENT, made and entered into this _____ day of _____, in the year of Our Lord, Two Thousand Seventeen (2017).

DRAFT

In consideration of the mutual promises of the parties hereto and as set forth in Resolution R-__ adopted by Camden City Council on August 8, 2017, it is agreed as follows:

1. TERM

This Agreement shall be in effect for the life of the entire term of the Grant Agreement, the content of which is incorporated by reference as though set forth fully herein at length.

2. SCOPE OF SERVICES

a. The City of Camden will be the lead agency for the submission of the grant and will be responsible to submit quarterly financial status and progress reports to the U.S. Department of Justice. The City of Camden will also purchase equipment on behalf of the Camden County Police Department (Camden City Metro Division). Each municipality, the Camden County Prosecutor's Office and the Camden County Sheriff's Office will be responsible for establishing separate trust accounts. Each municipality, the Prosecutor's Office and Sheriff's Office shall purchase their respective equipment to effectuate the purpose of this grant and submit purchase orders/receipts, serial numbers and photographs of items for reimbursement to the lead agency for the purposes of this grant.

b. Municipalities/county agencies conducting overtime initiatives and/or training must maintain separate record keeping/payroll files and activity reports.

c. Each municipality/county agency will ensure that vendors do not appear on the "Excluded Parties List System (EPLS)" by searching the System for Award Management's (SAM) website at https://www.sam.gov/portal/SAM/#1 before purchasing equipment.

d. Each municipality/county agency will be required to sign a Certification assuring that they will be in compliance with 8 U.S.C. § 1373 and all Federal Laws before funds will be released.

3. ADHERENCE TO LOCAL PUBLIC CONTRACTS LAW

If any party performing a service on behalf of another party or parties to this agreement utilizes the services of a private contractor to perform all or most of such service, or all or most of a specific and separate segment of the services so contracted for, such party shall be required to award the agreement for the work to be performed by a private contractor under such agreement in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

4. AUDIT

Pursuant to the Single Audit Act of 1984, the Agency agrees to permit the City and/or its agents to examine any and all records relevant to this Agreement and shall make the same available upon demand at a reasonable time and place for the purpose of auditing the records, reports and documents relative to this Agreement.

5. RIGHT TO INSPECT

The Municipalities/county agencies shall permit the City or its authorized representative to make visits to the site or sites where the specified services are being provided, at a time convenient and agreed upon by the City and Municipality, for the purpose of assuring the Municipalities'/counties' compliance with the terms of this Agreement.

6. CONSTRUCTION OF THIS AGREEMENT

The parties acknowledge that this Agreement was prepared under New Jersey Law and shall, therefore, be interpreted under the Laws of the State of New Jersey and is binding upon all parties hereto.

7. AMENDMENTS

This Agreement may not be amended, altered or modified in any manner except in writing signed by the parties hereto.

8. FUNDING

This Shared Services Agreement is contingent upon the availability and appropriation of sufficient funds for each year during which it is in effect.

9. ASSIGNABILITY

This Shared Services Agreement and all rights, duties and obligations contained herein may not be assigned without all of the parties' prior written permission.

10. WAIVER

It is understood and agreed by the parties that a failure or delay in the enforcement of any of the provisions of this Shared Services Agreement by any or all of the parties shall not be construed as a waiver of those provisions.

11. ENTIRE AGREEMENT

This written Agreement represents the entire understanding of the parties.

IN WITNESS WHEREOF, the parties have caused these present to be signed by its proper officers and sealed with its common or corporate seals, the day and year first aforesaid.

Signed, Sealed :
and delivered in :
the presence of :

_____

CITY OF CAMDEN

By: _____
DANA L. REDD
Mayor

Attest: _____
LUIS PASTORIZA
Municipal Clerk

approved as to form:

_____
MARC RIONDINO
Camden City Attorney

Signed, Sealed :
and delivered in :
the presence of :

_____

CHERRY HILL TOWNSHIP

By: _____
Mayor

Attest: _____
Municipal Clerk

Signed, Sealed :
and delivered in :
the presence of :

_____

GLOUCESTER TOWNSHIP

By: _____
Mayor

Attest: _____
Municipal Clerk

Signed, Sealed :
and delivered in :
the presence of :

_____

LINDENWOLD BOROUGH

By: _____
Mayor

Attest: _____
Municipal Clerk

Signed, Sealed :
and delivered in :
the presence of :

_____

PENNSAUKEN TOWNSHIP

By: _____
Mayor

Attest: _____
Municipal Clerk

DRAFT

Signed, Sealed :
and delivered in :
the presence of :

_____

COUNTY OF CAMDEN

By: _____
County Administrator

Attest: _____
Clerk to the Board of Freeholders

DRAFT

R-7

JJA
08-24-17

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A.E. STONE INC.'S, 1435 DOUGHTY ROAD, EGG HARBOR TOWNSHIP, NJ 08234, WITHDRAWAL OF ITS BIDS FOR CITY OF CAMDEN BIDS #17-19 (FY2015 NJDOT TRUST FUND: MILLING AND RESURFACING OF VARIOUS STREETS) AND #17-20 (FY2016 NJDOT TRUST FUND: MILLING AND RESURFACING OF VARIOUS STREETS) ON JULY 27, 2017

WHEREAS, A.E. Stone Inc. ("Stone"), 1435 Doughty Road, Egg Harbor Township, NJ 08234, submitted the lowest bids for City of Camden Bids #17-19 (FY2015 NJDOT Trust Fund: Milling and Resurfacing of Various Streets) and #17-20 (FY2016 NJDOT Trust Fund: Milling and Resurfacing of Various Streets) on July 27, 2017; and

WHEREAS, on August 1, 2017, Stone timely delivered a letter to the Purchasing Agent requesting her to withdraw Stone's aforesaid bids based on a "mistake," as defined in N.J.S.A. 40A:11-2(42), and detailed proof that said mistake falls under the criteria of N.J.S.A. 40A:11-23.3(b); and

WHEREAS, pursuant to N.J.S.A. 40A:11-23.3 (Withdrawal of public works bid) the Purchasing Agent, in consultation with the City Attorney's Office, has reviewed Stone's above request and recommends to the governing body that it accept Stone's request to withdraw both bids; now, therefore

BE IT RESOLVED, by the City Council of the City of Camden that, for all the above stated reasons, it hereby accepts bidder A.E. Stone Inc.'s submitted bids to City of Camden Bids #17-19 (FY2015 NJDOT Trust Fund: Milling and Resurfacing of Various Streets) and #17-20 (FY2016 NJDOT Trust Fund: Milling and Resurfacing of Various Streets).

BE IT RESOLVED, by the City Council that all pertinent City officials are hereby authorized to take all necessary actions to return A.E. Stone Inc.'s bid guarantee to the bidder, and continue the contract award process with the remaining bids for Bids #17-19 and Bids #17-20.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

R-7

CITY OF CAMDEN
SPECIAL MEETING CITY COUNCIL REQUEST FORM

Council Meeting Date: August 2017

TO: Robert Corrales, Business Administration

DATE: August 7, 2017

FROM: L. Chandler, Assistant Purchasing Agent

Department Making Request: Purchasing Bureau

TITLE OF RESOLUTION/ORDINANCE: Resolution authorizing the acceptance of A.E. Stone Inc., 1435 Doughty Road, Egg Harbor Township, NJ 08234 withdrawal of Bids #17-19 (FY2015 NJDOT Trust Fund: Milling and Resurfacing of Various Streets) and #17-20 (FY2016 NJDOT Trust Fund: Milling and Resurfacing of Various Streets)

BRIEF DESCRIPTION: The Purchasing Agent opened and received 4 bids each for Bids #17-19 (FY2015 NJDOT Trust Fund: Milling and Resurfacing of Various Streets) and #17-20 (FY2016 NJDOT Trust Fund: Milling and Resurfacing of Various Streets) on July 27, 2017. A.E. Stone, Inc. was the lowest bidder for each bid. On August 1, 2017 the Purchasing Agent received a letter from A.E. Stone, Inc withdrawing their bid based on a "mistake" as defined in 40A:11-2. A.E. Stone, Inc.'s letter details significant proof that their "mistake" falls under the criteria of 40A:11-23.3(b) and the Purchasing Bureau recommends acceptance of their withdrawal.

BIDDING PROCESS: N/A

APPROPRIATION ACCOUNT: N/A

AMOUNT: N/A

	Date	Signature
Approved by Relevant Director:		
Approved by Finance Director:	8/10/17	
☐COF –Certifications of Funds Attached (if applicable)		
Approved by Asst Purchasing Agent:	8/10/17	
Approved by Business Administrator:	8/11/17	
Approved by City Attorney:		

	(Name) Please Print	*(Extension #)*
Contact Person 1:	Lateefah Chandler	X7475
Contact Person 2:	R. Pratt	X7139

Please note that you are the responsible party that will be notified for any pertinent information that is requested.

If request is a walk-on, you will be the responsible party for picking up request(s) from City Attorney's Office to make necessary copies for Council Meeting.

R-8

MAR:dh
08-24-17

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE CAMDEN COUNTY BOARD OF CHOSEN FREEHOLDERS AND CITY OF CAMDEN FOR THE 2017-2018 MUNICIPAL DRUG ALLIANCE PROGRAM IN THE AMOUNT OF $59,617.17

WHEREAS, N.J.S.A. 40A:65-1 et. seq. authorizes local units of government to enter into agreement for the joint provision of services; and

WHEREAS, the City of Camden and the County of Camden seeks to enter into a Shared Services Agreement; and

WHEREAS, there is a need, to establish the rights and responsibilities of both entities as it relates to the 2017-18 Camden City Municipal Drug Alliance Program for the purpose of administering this program that provides drug prevention/awareness programming for Camden City residents, specifically youth during the period of July 1, 2017 through June 30, 2018; and

WHEREAS, the City of Camden seeks to accept funding from the Camden County Board of Chosen Freeholders for the City of Camden's 2017-18 Municipal Drug Alliance Program in the amount of $59,617.17; and

WHEREAS, the City is required to match funds in the amount of $59,617.17 with a cash match of $14,909.29 and an in-kind match of $44,712.88 for a total funding level of One Hundred Nineteen Thousand Two Hundred Thirty-Four Dollars and Thirty-Four Cents ($119,234.34); now, therefore

BE IT RESOLVED by the City of Council of the City of Camden that a Shared Services Agreement is hereby authorized between the City of Camden and Camden County to accept funds for the City of Camden's 2017-18 Municipal Drug Alliance Program.

BE IT FURTHER RESOLVED, that the proper officers of the City of Camden are hereby authorized to execute the necessary documents in order to accept said grant.

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A. 52:27BBB-23, a true copy of this Resolution shall be forwarded to the State Commissioner of Community Affairs, who shall have ten (10) days from the receipt thereof to veto this Resolution. All notices of veto shall be filed in the Office of the Municipal Clerk.

Date of Introduction: August 24, 2017

The above has been reviewed
and approved as to form.

MARC A. RIONDINO
City Attorney

FRANCISCO MORAN
President, City Council

ATTEST:

LUIS PASTORIZA
Municipal Clerk

R-8

CITY OF CAMDEN

CITY COUNCIL REQUEST FORM SPECIAL MEETING

Council Meeting Date: August 23, 2017

TO: Robert Corrales, Business Administrator

FROM: Mark L. Merrill, Dept. of Human Services

DEPARTMENT MAKING REQUEST: Human Services

TITLE OF RESOLUTION/ORDINANCE: "Resolution authorizing a Shared Services Agreement with the Camden County Board of Chosen Freeholders, which includes a grant from the City of Camden's 2017-2018 Municipal Drug Alliance Program in the amount of $59,617.17.

BRIEF DESCRIPTION: This resolution will provide funding in the amount of $119,234.34 ($59,617.17-grant; 14,909.29-City match; $44,712.88-In-Kind) for DHS to implement its' Municipal Drug Alliance program during the period July 1, 2017 through June 30, 2018. This program provides drug prevention/awareness programs for City of Camden residents, specifically youth.

BIDDING PROCESS: (N/A)

APPROPRIATION ACCOUNT: (*If applicable*) **(N/A)**

AMOUNT: *(If applicable)* **(N/A)**

	Date	Signature
Approved by Relevant Director:	8-10-17	
Approved by Grants Management:		
Approved by Purchasing Agent:		
Approved by Finance Director:	8/10/17	
Approved by Business Administrator:	8/10/17	
Approved by City Attorney:		

	(Name) Please Print	***(Extension #)***
Contact Person 1:	Mark L. Merrill	Ext. 7317
Contact Person 2:	Calvin Brown	Ext. 7598

******Please attach all supporting documents******

Initial Report ____ Revised Report __X__ Closing Report

Bureau of Grants Management Grant Summary Form

Grant Status Code: G
(green-g, yellow-y, red-r)

Department: HEALTH AND HUMAN SERVICES

Grant Administrator: Calvin Brown Grant Administrator #: 757-7598

Grant/Project Name:			MDA Municipal Drug Alliance FY 2017/18			
Grant #:						
City Contract Date:				City Contract #:		
Application Resolution #:				Appropriation Code :	G-1?- -414- 900/907	
Funding Source:			The State of NJ, & COUNTY The Governor's Council on Alcoholism and Drug Abuse			
Pass-Through:	Y	N	Source:			
Amount of Grant:			$59,617.17 TOTAL $119,234.34			
Local Match:	Y	N	Cash:	$14,909.29	In-Kind:	$44,712.88
Budget Insertion Resolution # & Date:				Accepting Grant Resolution # MC:		
Term of Grant:		7/1/17-6/30/18		Location of Activity:	CITYWIDE	
Date of Analysis:		8/10/17		Reviewed By:	LINDA R. PUGH LRP	

Summary: - Department of Human Services is requesting council authorization for a "Shared Services Agreement with the Camden County Board of Chosen Freeholders. This grant is for the purpose of funding the FY 2018 Municipal Drug Alliance Program in the amount of $59,617.17 to provide drug prevention/awareness programming for City. The match is the same as stated above. ***Please proceed with this resolution.***

Time Lines: Contract term – July 1, 2017 to June 30, 2018

Problematic Areas/Recommendations:
Based on the information provided, I see no reason why there should be any problem.

Cabinet #	Drawer #
2	1

File: DHHS-MDA-MDA grant sum doc-FY 17 -18

FOR COUNTY USE ONLY
Approved:
____ YES ____ NO
Date:

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2014-June 2019

FORM 1A

STRATEGIC PLAN FOR FUNDING MUNICIPAL ALLIANCES

Grant Year: July 2018

APPLICANT MUNICIPALITY/IES CITY OF CAMDEN	COUNTY: Camden
ALLIANCE NAME: CITY OF CAMDEN MUNICIPAL DRUG ALLIANCE	ALLIANCE WEBSITE:
ALLIANCE STREET ADDRESS: 1000 NORTH 6TH STREET TOWN: CAMDEN STATE: NJ ZIP: 08102	
TELEPHONE: 856-757-7598	FAX: 856-757-7335
ALLIANCE CHAIRPERSON: MARK L MERRILL STREET ADDRESS: 1000 NORTH 6TH ST TOWN: CAMDEN STATE: NJ ZIP: 08102	ALLIANCE COORDINATOR: CALVIN C. BROWN STREET ADDRESS: 1000 NORTH 6TH STREET TOWN: CAMDEN STATE: NJ ZIP: 08102
DATE OF RESOLUTION AUTHORIZING THE STRATEGIC PLAN (MM/DD/YYYY): 03/11/2014	

A) Alliance DEDR Allocation	$59,617.17
B) Cash Match (must be 25% of DEDR Allocation)	$14,904.29
C) In-Kind Match (must be 75% of the DEDR Allocation)	$44,712.88
TOTAL ALLIANCE BUDGET (add A + B + C)	$119,234.34

CAMDEN	DANA L. REDD	
*MUNICIPALITY	NAME/ MAYOR	SIGNATURE
CAMDEN	Luis Pastoriza, Municipal Clerk	
*MUNICIPALITY	NAME/TITLE OF GOVERNING BODY REPRESENTATIVE	SIGNATURE
CAMDEN	CALVIN C BROWN, ALLIANCE COORDINATOR	
MUNICIPALITY	NAME/TITLE OF GOVERNING BODY REPRESENTATIVE	SIGNATURE
MARK L. MERRILL		12-5-16
ALLIANCE CHAIRPERSON	SIGNATURE	DATE

* If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirement.

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2014-June 2019

FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Camden City Council of the CAMDEN CITY of the County of CAMDEN, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Camden City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Camden City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of CAMDEN;

NOW, THEREFORE, BE IT RESOLVED by the City of Camden, County of CAMDEN, State of New Jersey hereby recognizes the following:

1. The Camden City Council does hereby authorize submission of a strategic plan for the (name) Municipal Alliance grant for fiscal year 2018____ in the amount of:

DEDR	$ 59,617.17
Cash Match	$ 14,904.29
In-Kind	$ 44,712.88

2. The Camden City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
(Name), Mayor

CERTIFICATION

I, CAMDEN, Municipal Clerk of the City of CAMDEN, County of CAMDEN, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Camden City Council on this (13) day of December, 2016

_____
(Name), Municipal Clerk

Department of Health
& Human Services

Carmen G. Rodriguez
Freeholder Liaison

Ann D. Biondi
Department Director

Paschal Nwako, MPH
County Health Officer

Making It Better, Together.

www.camdencounty.com

Community Health Services
DiPiero Center, 6th Floor
512 Lakeland Road, Suite 601
Blackwood, New Jersey 08012
Phone (856) 374 -6361
Fax (856) 374-6381

July 2017

RE: MUNICIPAL ALLIANCE 2017-2018 AGREEMENT WITH THE COUNTY OF CAMDEN IN CONJUNCTION WITH THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE.

Enclosed please find three (3) original Municipal Alliance agreements for signature by the proper municipal officials. Please have all three agreements executed, and return them to BettyAnn Cowling-Carson at the address below for signature by the proper county officials. A fully executed original contract will be sent back to you for your file once it is executed.

If you are part of a consortium, please forward to the next municipality for signature.

BettyAnn Cowling-Carson
Camden County Department of Health & Human Services
512 Lakeland Road
Suite 512
Blackwood, NJ 08012

Sincerely,

BettyAnn Cowling-Carson
Camden County Municipal Alliance Coordinator

PLEASE SIGN THE CONTRACTS IN BLUE INK AND RETURN.

SHARED SERVICES AGREEMENT
BY AND BETWEEN
THE COUNTY OF CAMDEN
AND
CITY OF CAMDEN

This document constitutes an SHARED SERVICES AGREEMENT pursuant to N.J.S.A. 40:8A-1 et seq. Entered into between the County of Camden, a body politic and corporate of the State of New Jersey with the offices located at the 14th Floor, 520 Market Street, Camden, New Jersey 08102, hereinafter referred to as GRANTEE and the City of Camden, a body politic and corporate of the State of New Jersey with offices located at City Hall, 6th & Market Street, Camden, NJ 08101 hereinafter referred to as SUB-GRANTEE:

THIS AGREEMENT, made and entered into this day of , 2017

WITNESSETH:

WHEREAS, the GRANTEE and the SUB-GRANTEE are desirous of entering into an agreement to provide the SUB-GRANTEE funds provided by the Governor's Council on Alcoholism and Drug Abuse and authorized by resolution of the Board of Chosen Freeholders of the County of Camden on July 20, 2017; and

WHEREAS, pursuant to said program, the SUB-GRANTEE, with funds received from the GRANTEE, shall provide a comprehensive and coordinated effort to establish prevention and early intervention programs to fight alcoholism and drug abuse as detailed herein. Now therefore,

In consideration of the mutual promises set forth herein the GRANTEE and the SUB-GRANTEE agrees as follows:

1. **TERM**

This agreement shall commence July 1, 2017 and end July 30. 2018. It is specifically understood between the GRANTEE and the SUB-GRANTEE that the Governor's Council on Alcoholism and Drug Abuse as outlined in the fiscal requirements for said funds, "requires that all funds awarded through this letter agreement will be expended during the agreement period. Monies carried forwarded must have the written permission of the Executive Director of the Council. "

2. **SCOPE OF SERVICES**

The SUB-GRANTEE shall perform all services set forth in the scope of services attached hereto as Exhibit A and hereby incorporated into this agreement by reference. The SUB-GRANTEE agrees to provide all services in compliance with all applicable federal, state and local statutes, rules and regulations.

3. **FUNDING OF AGREEMENT**

(a) The GRANTEE shall provide to the SUB-GRANTEE funds designated to the SUB-GRANTEE as follows:

City of Camden $ 59.617.17

The SUB-GRANTEE may only use these funds for the purpose of conducting the activities or providing the materials as set forth in Exhibit "A", the Scope of Services of this agreement;

(b) The GRANTEE shall provide said funding to the SUB-GRANTEE in four installments representing four (4) quarterly payments, provided all required expenditure reports and County Vouchers are submitted in a timely manner.

(c) The GRANTEE and the SUB-GRANTEE specifically understand and agree that both the GRANTEE and the SUB-GRANTEE are bound by all rules and regulations promulgated by the Governor's Council on Alcoholism and Drug Abuse, specifically attachments A, which is hereby made a part of this agreement. Attachment A outlines programmatic requirements, fiscal requirements, and "other compliance requirements" and "general conditions", for municipal alliance grants. The GRANTEE and the SUB-GRANTEE recognizes that N.J.A.C. 17:4-1 et seq requires the TOWNSHIP to produce a 100% match of grant funds. The State of New Jersey Governor's Council on Alcoholism and Drug Abuse requires the SUB-GRANTEE to provide the 100% match funds as follows: A minimum 25% cash match, the remaining 75% in kind match for the period of this agreement.

4. **TERMINATION OF AGREEMENT**

(a) This Agreement may be terminated in whole or in part by the GRANTEE for any reason upon thirty (30) days written notice to the SUB-GRANTEE;

(b) Upon receipt of the Notice of Termination, the SUB-GRANTEE shall promptly discontinue all services affected unless otherwise directed by the GRANTEE. The GRANTEE shall not be liable for funding any services continued by the SUB-GRANTEE after the effective date of the termination of this agreement.

5. **COMPLIANCE WITH THE LOCAL PUBLIC CONTRACT LAW**

The SUB-GRANTEE shall comply with the Local Public Contract Law with respect to

the award of any Contract for the performance of services or the purchase of any goods to be provided under this agreement.

6. AUDIT

The Contractor shall permit the County and/or its independent auditors to have access, at a reasonable time and place, to the records and financial statements necessary to comply with the following audit requirements as applicable:

Type of Contractor	Audit Requirements
Non-Profits and Institutions of Higher Education	**State Funds-** N.J.O.M.B. Circular Letter 15-08 **Federal Funds-** OMB's Uniform Administrative Requirements Cost Principles, and Audit Requirements for Federal Awards
State and Local Governments	**State Funds-** N.J.O.M.B. Circular Letter 15-08 **Federal Funds** OMB's Uniform Administrative Requirements Cost Principles, and Audit Requirements for Federal Awards
For-Profit	County's requirement of access as detailed above.

Copies of the above-referenced circulars are available upon request from the Camden County Chief Financial Officer.

All non-profits, institutions of higher education, and state and local government contractors shall, annually, forward a copy of their Single Audit Report to the Camden County Chief Financial Officer, 9th Floor – Court House, 520 Market Street, Camden, New Jersey 08102-1375. Failure to comply with this procedure will result in the withholding of payment pursuant to this contract.

7. **RIGHT TO INSPECT**

The Borough shall permit the GRANTEE or its authorized representative to make visits to the site or sites where specified services are being provided for the purposes of assuring the SUB-GRANTEE compliance with the terms of the Agreement.

8. **INDEMNIFICATION**

The SUB-GRANTEE shall defend, indemnify and hold harmless the State of New Jersey, the Governor's Council on Alcoholism and Drug Abuse and the GRANTEE, their officers, agents and/or employees from any and all suits and actions of every nature and kind which may be brought for or on account of any injury, death or damage arising or growing out of the acts or omissions of the SUB-GRANTEE, its officers and/or its employees under this agreement.

9. **INSURANCE**

The SUB-GRANTEE shall provide and maintain during the term of the agreement adequate insurance coverage for the services to be performed pursuant to this agreement. Said insurance coverage shall include, but not limited to, general liability and workers compensation insurance.

10. **NOTICE**

All notice hereunder shall be in writing and mailed postage paid, certified mail, return receipt requeste to the Office of County Counsel, 14th Floor, Courthouse, 520 Market Street, Camden, NJ 08102.

11. **MISCELLANEOUS**

The following miscellaneous provisions shall apply to this agreement:

A. **CONSTRUCTION OF THIS AGREEMENT**

The parties acknowledge that this agreement was prepared under New Jersey Law and shall therefore be interpreted under the Laws of the State of New Jersey.

B. **AMENDMENTS**

This Agreement may not be amended, altered or modified in any manner except in writing signed by the parties hereto.

C. **HEADINGS**

This section and any other headings contained in this agreement are for reference only and shall not affect the meanings or interpretation of this contract.

D. **INVALID CLAUSE**

The invalidity of any clause contained herein shall not render any other provision invalid and the balance of this agreement shall be binding upon all parties hereto.

E. **ENTIRE AGREEMENT**

This agreement together with all attachments shall consist of the entire agreement of the parties and it is acknowledged that there are no other outstanding agreements regarding to this undertaking.

F. **ASSIGNABILITY**

This agreement and all rights, duties and obligations herein may not be assigned by the SUB-GRANTEE.

G. **NON-DISCRIMINATION**

The parties to this Agreement agree that the provisions of N.J.S.A 10:2-1 through 10:2-4 and 10:5-40, dealing with discrimination in employment on public contracts, and the rules and regulations promulgated pursuant thereunto, are hereby made a part of this contract and binding upon them.

H. **FUNDING**

In accordance with the provision of N.J.S.A. 40 A: 11-15 this contract is subject to the availability and appropriation of sufficient funds in the year in which it is in effect and the receipts of said funds from the State of New Jersey.

I. **INTERPRETATION OF DOCUMENTS CONSTITUTED IN THIS AGREEMENT**

If the language of this agreement is ambiguous with the language outlined in attachment A of this agreement the language contained in attachment A of this agreement shall prevail.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be duly executed on this day and year mentioned on the first of this agreement.

ATTEST:

_____

Clerk of the Board

COUNTY OF CAMDEN

_____

Ross G. Angilella,
COUNTY ADMINISTRATOR

ATTEST:

_____

City Clerk
City of Camden

_____

Dana Redd, Mayor
City of Camden

EXHIBIT A

Camden City

Drug Priority: Reduce the Use of Illegal Substance

TOTALS: DEDR $ 59,617.17 Cash Match $ 14,904.29 In-Kind $ 44.712.88

1. Risk Reduction Program

Risk Reduction consist of five workshops and random Special Events. The workshops are purposed to enhance access for Camden youth to be informed, educated and deterred from the illicit drug culture (use and/or activities). The workshops are part of a multidisciplinary approach to redirect youth from enticements to engage the drug culture and discover and engage alternative positive cultures. This is accomplished by removing barriers that discourage youth from participating in anti-illicit drug programs.

Special Events are exciting activities and including trips that are used as incentive and rewards for youth who are have consistent attendance, participation in Risk Reduction and Alternative Culture programs at the five City Community Centers and their progress reports demonstrate their retention and adherence to what they have learned in the programs.

These multidisciplinary programs (Risk Reduction & Alternative Culture) are managed by real-time data gathering system designed to assure evidence based outcomes. Some workshops may include field trips to various institution, e.g., drug rehab centers, police stations, hospitals, etc.

The five Risk Reduction Workshops work in sync with the Alternative Culture Programs as part of the Office of Youth Services after/out of school programs, facilitated at five DHS Community Centers. All five workshops are categorized under Substance Abuse Prevention; successful outcome will be prove quantifiable and qualitative results among the majority of youth participants.

A.Lead Workshop - Substance Abuse Prevention

A comprehensive data driven evidence based workshop that is purposed to mitigate risk factors and provide information and practical responses crucial to assuring youth, ages 8 – 17 years old, learn and understand the facts and most relevant trends (in particular to the increasing opioid epidemic) of Drug, alcohol and tobacco abuse, and the dangerous effects.

B.Various Types of Drugs - Special Focus on the Emergence of Opiates A comprehensive data driven evidence based group-workshop, attended by youth ages 8-17 years old and parents and community partners. The workshop is keenly focused on educating participants about the current Opioid Crisis, heroin lased and all other forms of illicit opioid uses. Special attention/training will be focused on the dangers of use – but more importantly, the dangers of and enticement for youths' involvement in selling opioid-lased heroin, which is pervasive in Camden city. Parents are encouraged to attend.

Youth will benefit from learning greater knowledge as to what opioids are, the dangers of opioid use and consequences for involvement in opioid street dealing.

C. Youth Truancy Intervention Program

The purpose of the Youth Truancy Prevention Program is to provide evidence based interventions that reduce student truancy and encourages youth to pursue their education. Students' grades 9–12 will learn interventions to truant behavior though a mentorship process that provides parents/guardians with counseling, accompanies and advocated for them at truancy court hearings, frequent school visit follow-up/check-ups and registering students in Youth Services Risk Reduction Programs. Students have access to interventions, are motivated and assisted to stay in school and change consequences by abating illicit drug use and activity.

D. Group and Family Counseling A comprehensive data driven evidence based group-workshop, attended by youth ages 8-17 years old, their parents and community partners. The workshops are held evenings and weekends (when parents are most assessable) and designed to encourage round-table discussions and engaging fun activates that provoke congenial communication, regarding substance abuse, between parents and their children. Both parent and their children will learn the most up-to-date information about illicit drugs (the opiate epidemic), the dangers of drug use/participation in drug dealing and innovative ways to communicate - parent to child – at home.

Youth will benefit from learning greater knowledge as to the dangers of illicit drug use, and how to communicate with their parents in a mutually supportive manner to avoid drugs.

E. Special Events

An incentive driven, evidence based incentive program, which is designed to expose youth ages 8-17 to vast cultural expenses outside of the contextual cultural experiences in their communities through Alternative Culture Excursions to various cities such as New York, Baltimore, Washington DC, White House, Capital Building, King Memorial, Monuments and Smithsonian Museums. The primary purpose of the program is to provide access for youth to discover and explore the vast alternative culture opportunities available for them to take part in, and circumvent their interest/participation in drug culture.

Youth benefit from access and exposure to even greater opportunities that helps them change consequences by providing them with rational to make positive decisions, and deters their interest/participation in drug culture.

CADCA Strategy/ies: Enhance Skills, reduce Barriers/Enhance Access, Change Consequences

Program Funding: DEDR $ 25,000 Cash match $ 4,968.10 In-kind $ 18,712.87

2. Alternative Culture Programs

Four comprehensive data driven evidence based programs designed for youth ages 8 to 17 years old to expose youth to alternative anti-drug culture choices, through providing High Attraction programs and interactive activities that draw and sustain the interest of youth to attend and participate in Risk Reduction Workshops.

A. Full Spectrum Music & Video Production Training

A High Attraction program designed to draw and register greater numbers of youth, and peek their interest to participate in 'mandatory' Risk Reduction Workshops.

Youth learn all aspects of music and video production, produce and participate in anti-illicit drug videos & DVDs in which they distribute, perform and showcase what they are learning/have learned in Risk Reduction Workshops.

Youth benefit from having access to alternative activities, enhanced skills and changing consequences by engaging their time, energy efforts in the creative culture of the arts, as a viable deterrent involvement in the drug culture.

B. Youth Leadership Academy

An evidence based program, open to high school students' grade 9-12, that offers an outstanding opportunity for young men and women to experience a wide array of cultural, academic and social activities. The program focuses on two primary components, Youth Readiness and the Youth forum (court). At the end of training for this unique program a formal Cotillion Ball will be held in the fall for all participants

Students will learn how to contribute positively to their school, and become actively involved in their community.

Students and their families benefit from making better decisions and avoiding involvement in drug culture and the justice system.

C. Conflict Resolution

A comprehensive data driven evidence based workshop attended by youth ages 8-17 years old. The workshop is focused on teaching youth practical anger management and de-escalation skills. Anger issues in youth often leads to crime, anti-social behaviors and self-medicating with illicit drugs and other addictive substance choices.

Participants will learn to recognize and manage their 'anger triggers' helping them to develop a de-escalation skillset. Youth will benefit from learning how to say NO to illicit drugs and drug selling activity.

D. Self-Esteem

A comprehensive data driven evidence based group-workshop, attended by youth ages 8-17 years old. The workshop is designed to guide youth to develop coping skills, particular to their dealing with the drug culture inherent within their everyday living environments.

Youth will benefit from learning how to develop confidence in saying NO to peer and other pressures to use/be involved in illegal drug activities, and how to influence their peers to do the same.

When/Where/How: they provide 50 sessions at 2 hours a day, five days a week through out the year.

CADCA Strategy/ies: Reduce Barriers/Enhance Access, Enhance Skills, Change consequences

Program Funding: DEDR $ 24,156.17 Cash match $ 6,649.10 In-kind $ 20,000

3. Camden City Youth Day

Camden Youth Day is a City-wide capacity development operation purposed to attract Camden youth to participate in Office of Youth Services anti-drug 'Risk Reduction and Alternative Culture' programs while simultaneously encouraging youth to engage in exciting and productive activities, refrain from drug use, gangs, violence and stay in school.

Youth currently All participants will learn the latest information about illicit drugs – a strong and continuing focus on opioids, about the numerous activities offered at the City's Community Centers and how to register for the programs.

Participants will benefit from receiving direct and passive information about the dangers of illicit drug use and activities.

Provide support and encouragement to youth to stay in school, refrain from drug use, gangs and violence. Distribute anti drug information, guidance and various other anti drug activities in a festive atmosphere.

When/Where/How: Annual City wide event in August of each year at Robert B. Johnson Park featuring recreational and educational ATOD Activities.

CADCA Strategy/ies: Enhance Skills, Reduce Barriers/Enhance Access, Change Consequences

Program Funding: DEDR $ 10,461 Cash match $ 3,287.10 In-kind $ 6,000