

May 5, 2015

AGENDA

Regular Meeting of the Hazlet Township Committee held at _____ p.m.

Salute to the flag and moment of silent prayer called by Mayor.

Mayor's Statement – Open Public Meetings Act & Emergency Fire Exits.

In Compliance with the “Open Public Meetings Act” of the State of New Jersey, adequate notice of this meeting of the Township Committee was provided in the following manner:

- (A) On January 5, 2015, advance written notice of this meeting was posted at:
1766 Union Avenue, Hazlet, New Jersey.
- (B) On January 5, 2015, advance written notice of this meeting was forwarded to the Independent and published in the Asbury Park Press on January 7, 2015.
- (C) On January 5, 2015, copies of advance written notice of this meeting were mailed to all persons who requested and paid for such notices on or before January 1, 2015.

FIRE EXITS are located in the directions I am indicating:

Farther down at the end of the room, through the doors and down the stairs, directly out the front door.

To my right is the door, make a right down the hallway which leads to the stairs and directly out the rear of the building.

If you are alerted for fire, please move in a calm and orderly manner to the nearest exit. Finally, let the record reflect that the minutes of this meeting will accurately reflect the topics addressed during this meeting but will not be a verbatim transcript of tonight's proceedings. Thank you. I direct the Municipal Clerk to enter into the minutes of this meeting these announcements.

ROLL CALL

PRESENT

ABSENT

Committeeman DiNardo

Committeewoman Kiley

Committeewoman Ronchetti

Deputy Mayor Aagre

Mayor Sachs

Approval of Minutes – Workshop Meeting – April 7, 2015 and April 21, 2015.
Regular Meeting – April 7, 2015 and April 21, 2015.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
(abstain 4/21/15) (abstain 4/21/15)
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

Approval of Executive Session Minutes – April 21, 2015.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
(abstain 4/21/15) (abstain 4/21/15)
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

1. ACTION ON THE 2015 MUNICIPAL BUDGET

Introduced: March 3, 2015.
Published in the Asbury Park Press, issue of March 6, 2015. Proof on file.
Posted in Town Hall – March 4, 2015.
Hearing was held on April 7, 2015.

Action of Committee: (Adopt) (Reject) (Other)

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

Ordinance Hearing:

1. AN ORDINANCE FIXING AND ESTABLISHING THE SCHEDULE OF SALARIES, SALARY RANGES, INCREMENTS, WAGES AND FEES FOR CERTAIN OFFICIALS AND EMPLOYEES OF HAZLET TOWNSHIP, COUNTY OF MONMOUTH STATE OF NEW JERSEY FOR 2015

Introduced: April 21, 2015.

Published in The Asbury Park Press, issue of April 24, 2015. Proof on file.

Posted in Town Hall – April 22, 2015.

Hearing to be held May 5, 2015.

Hearing:

Motion to close hearing:

Offered _____ 2nd _____

Voice vote: _____

Action of Committee: (Adopt) (Reject) (Other)

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Reports

MUNICIPAL COURT – March 2015 – Total fees collected - \$31,054.80.

DEPARTMENT OF PUBLIC WORKS – March 2015 – Received and read.

Resolutions, Motions and Appointments:

Resolutions #125 through #129 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussions of these items. If discussion is desired by the Mayor or any member of the Township Committee, that item will be removed and will be considered separately. Advance copies of each resolution have been given to each Committee Member. The original resolutions are with the Municipal Clerk for inspection as listed below.

- 125. Authorizing the First Aid Squad to solicit donations on Highway 35 and Poole Avenue.
- 126. Refund of 2015 Railroad Parking Fees to Chad Vahosky.
- 127. Issuance of Raffle License RL-4042 to Special Teen and Recreation Supporters.
- 128. Waiver of the Townships Raffle License fee for Special Teens and Adult Recreation Supporters (S.T.A.R.S.).
- 129. Refund of the overpayment of the Landlord Registration Fee for various properties.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

- 130. Authorizing retroactive pay to Cody Sachs for his promotion to Sewer Repairer I.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

- 131. 2015 Swim Club Salaries.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

132. Requesting Approval of items of Revenue and Appropriation N.J.S. 40A:4-87
Click it or Ticket 2015 Seat Belt Mobilization Grant.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

133. Resolution Authorizing the Township of Hazlet to Enter into a Cooperative Pricing Agreement.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

134. Authorizing the Municipal Administrator to execute Progress Payment No. 3 and final for the Blasting and Painting of the Swim and Tennis Club Pools.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

Payment of Bills:

Advance bill lists have been supplied to each Committee Member.

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____
Committeewoman Ronchetti _____ Deputy Mayor Aagre _____
Mayor Sachs _____

Ordinance Introduction:

1. AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 331 PRECIOUS METALS AND SECOND HAND GOODS OF THE TOWNSHIP CODE OF THE TOWNSHIP OF HAZLET, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

Title read by:

Hearing Date: May 19, 2015

Offered _____ 2nd _____

Roll Call: Committeeman DiNardo _____ Committeewoman Kiley _____

Committeewoman Ronchetti _____ Deputy Mayor Aagre _____

Mayor Sachs _____

Citizens Hearing:

Motion to close hearing:

Offered _____ 2nd _____

Voice Vote: _____

Motion to adjourn:

Offered _____ 2nd _____

Voice Vote: _____

Time: _____

AN ORDINANCE FIXING AND ESTABLISHING THE SCHEDULE
OF SALARIES, SALARY RANGES, INCREMENTS, WAGES AND FEES
FOR CERTAIN OFFICIALS AND EMPLOYEES OF HAZLET TOWNSHIP,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY FOR 2015

BE IT ORDAINED by the Township Committee of Hazlet Township, County of Monmouth and State of New Jersey as follows:

SECTION 1 The following is a schedule of salaries, salary ranges, increments, wages and fees for certain offices and positions under the municipal government of Hazlet Township.

<u>TITLE</u>	<u>SALARIES AND RANGES</u>
Sewer Repairer I	\$ 30,000.00 - \$ 45,000.00
Swim Club Management	\$ 200.00 - \$15,000/season
Swim Club Lifeguards	\$ 8.38 - \$12.00 per hour
Swim Club Maintenance	\$ 8.00 - \$12.00 per hour
Swim Club Gate Attendant	\$ 7.50 - \$12.00 per hour
Swim Lessons	\$ 50.00 per session
Swim Club Activities	\$ 7.75 - \$12.00 per hour
Swim Club Activities Director	\$3,000.00 - \$4,000.00/season

Section 2 – The Governing Body will adopt a resolution specifying the person or persons within each designation, where applicable.

Section 3 – This ordinance will take effect upon its final passage, adoption and publication in the manner prescribed by law and the salaries set forth herein shall be retroactive, where applicable.

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the members of the Hazlet First Aid and Rescue Squad are hereby authorized to solicit donations on State Highway 35 and Poole Avenue on the following dates: June 7, 2015, June 13, 2015, July 12, 2015, July 18, 2015, August 9, 2015 and August 15, 2015 from the hours of 10:00 a.m.to 2:00 p.m.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the below named shall receive a refund of his 2015 Railroad Parking Permit fee; and

Name

Amount

Chad Vahosky
95 Village Green Way
Hazlet, NJ 07730

\$133.36

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Finance Department.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the Municipal Clerk be and is hereby authorized to issue the following Raffle License:

RL-4042 – Special Teen and Adult Recreation Supporters

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS, Special Teens and Adult Recreation Supporter (S.T.A.R.S.) a non-profit organization is in the process of obtaining a raffle license for their winter raffle at their Special Olympics Winter Ball; and

WHEREAS, a request was received from S.T.A.R.S. to waive the local raffle license fee;
and

WHEREAS, it is the desire of the Township Committee to waive said fee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that the Township's license fee for the S.T.A.R.S. winter raffle be and are hereby waived; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Special Teens and Adult Recreation Supporters (S.T.A.R.S.).

CERTIFICATION

I, EVELYN A. GRANDI , Municipal Clerk of Hazlet Township do hereby certify that
The foregoing is a true copy of a Resolution duly passed and adopted by the Township
Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the following people be issued refunds for the overpayment of the Landlord Registration Fee.

<u>NAME</u>	<u>AMOUNT</u>
Anju Dang 14 Meadow Lake Lane Belle Mead, NJ 08502	\$100.00

Lauren Riskalla 35 Franklin Avenue Hazlet, NJ 07734	\$100.00
Fred Lo 2227 Fromkin Drive Wall, NJ 07719	\$100.00
Maria Mrucynski 238 Delmar Avenue Staten Island, NY 10312	\$100.00
Keith Garrison 14 Campbell Street Red Bank, NJ 07701	\$ 25.00
Ralph and Deborah Lara 26 Michigan Avenue Hazlet, NJ 07730	\$ 50.00

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Finance Office.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS Cody Sachs was provisionally appointed as a Sewer Repair I in the Sewer Department on July 30, 2013; and

WHEREAS it is stated in the Blue Collar Contract Article XXIII Section 6 – Upon promotion, an employee’s base salary will increase to a minimum for the promotional position or \$1,500.00 per year, whichever is greater; and

WHEREAS Cody Sachs did not receive the increase upon his promotion.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hazlet Township that Cody Sachs be paid retroactively in the amount of \$661.45 from 2013; \$1,665.30 from 2014 and \$426.88 from 2015 for a total of \$2,753.63.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Payroll Clerk.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the following named employees be and they are hereby appointed to the Hazlet Swim & Tennis Club for the

<u>NAME/TITLE</u>	<u>SALARY</u>
Sean Agar – Lifeguard	\$8.38/hour
Alyssa Barillari – Lifeguard	\$8.38/hour
Eric Broderick – Lifeguard	\$8.45/hour
Matthew Chang – Lifeguard	\$8.38/hour

Brianna Ciampa – Lifeguard	\$8.45/hour
Allison Clark – Lifeguard	\$8.35/hour
Zach Digiario – Lifeguard	\$8.38/hour
Nicholas Edinger – Lifeguard	\$8.45/hour
Drew Fitzgerald- Lifeguard	\$8.38/hour
Marisrose Fitzpatrick-Lifeguard	\$8.38/hour
Kaitlin Fortier – Lifeguard	\$8.45/hour
Phoebe Gartside – Lifeguard	\$8.38/hour
Krista Introcaso – Lifeguard	\$8.38/hour
Nicole Koestler – Lifeguard	\$8.38/hour
Danielle Largmann – Lifeguard	\$8.45/hour
Karley Leiman – Lifeguard	\$8.38/hour
Kelly Markwell – Lifeguard	\$8.45/hour
Nicholas Markwell – Lifeguard	\$8.45/hour
Molly McGroary – Lifeguard	\$8.38/hour
Philip Meehan – Lifeguard	\$8.38/hour
Thomas Rogan – Lifeguard	\$8.38/hour
Anastaia Shekhter – Lifeguard	\$8.45/hour
Andrew Smith-Lifeguard	\$8.38/hour
Christopher Smith-Lifeguard	\$8.38/hour
Brian Tucker – Lifeguard	\$8.38/hour
Chris Valada – Lifeguard	\$8.45/hour
Jared Valente-Lifeguard	\$8.38/hour
Kaylee Walsh – Lifeguard	\$8.45/hour
Lindsay Wenzel – Lifeguard	\$8.38/hour
Brittany Almeidinha – Gate	\$7.50/hour
Kate Arnold – Gate	\$7.50/hour
Lauren Arnold – Gate	\$7.50/hour
Alexis Bartels – Gate	\$7.50/hour
Eric Brady – Gate	\$7.50/hour
Lauren Christ – Gate	\$7.50/hour
Emily Ciccone – Gate	\$7.50/hour
Clare Dejoy – Gate	\$7.50/hour
Joseph Demoneris-Gate	\$7.50/hour
Kaitlin Felix – Gate	\$7.50/hour
Emily Gaffney – Gate	\$7.50/hour
Kyle Gleason – Gate	\$7.50/hour
Grace Henning – Gate	\$7.50/hour
Amanda Hession-Gate	\$7.50/hour
Jessica Knierim-Gate	\$7.50/hour
Reese Kovar – Gate	\$7.50/hour

NAME/TITLE

SALARY

Rebeca Larnaitis – Gate	\$7.50/hour
Jonathan Leverock – Gate	\$7.50/hour
Jenna McCann – Gate	\$7.50/hour
Sean O’Brien – Gate	\$7.50/hour
Christine Pobega – Gate	\$7.50/hour

Angela Porcello – Gate	\$7.50/hour
Julia Rivelli – Gate	\$7.50/hour
Danielle Rizek – Gate	\$7.50/hour
Gabrielle Rooke – Gate	\$7.85/hour
ToniAnn Widmaier – Gate	\$7.50/hour
Mike Wojtowicz-Gate	\$7.50/hour
Michaela Yennella-Gate	\$7.50/hour
Alex Aversano – Maintenance	\$8.00/hour
Tyler Cannon – Maintenance	\$8.10/hour
Joe Carlo – Maintenance	\$8.00/hour
Nicholas Casalapro – Maintenance	\$8.00/hour
Michael DeMatteo – Maintenance	\$8.00/hour
James Fiorillo – Maintenance	\$8.10/hour
Paul Giampiccolo – Maintenance	\$8.35/hour
Matthew Godkin – Maintenance	\$8.00/hour
Allison Hemsing – Maintenance	\$8.00/hour
James Higgins – Maintenance	\$8.00/hour
Shevan Keegan-Maintenance	\$8.35/hour
Michael Kenneally – Maintenance	\$8.00/hour
James Lynch – Maintenance	\$8.00/hour
Ryan Mandelbaum – Maintenance	\$8.00/hour
Sebastian Narath – Maintenance	\$8.00/hour
Liam Petry – Maintenance	\$8.00/hour
Daniel Picioccio – Maintenance	\$8.00/hour
James Rivelli – Maintenance	\$8.10/hour
Rayna Roman – Maintenance	\$8.00/hour
Kayla Schmidt – Maintenance	\$8.00/hour
Zach Zamora – Maintenance	\$8.00/hour
Dawson Zembizzck – Maintenance	\$8.00/hour
Matthew Zerli – Maintenance	\$8.00/hour

<u>NAME/TITLE</u>	<u>SALARY</u>
Michael Brandow-Manager	\$8,500.00
Patricia Brandow-Manager	\$4,500.00
Kelly Markwell-Manager-Lifeguard	\$4,300.00
Helen McDonald-Manager-Swim coach	\$1,950.00
Nicholas Markwell-Asst Mgr-Swim coach	\$ 450.00
Kaylee Walsh-Asst Mgr-Swim coach	\$ 450.00

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

R E S O L U T I O N

REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION N.J.S. 40A:4-87
CLICK IT OR TICKET 2015 SEAT BELT MOBILIZATION GRANT

WHEREAS, N.J.S 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Committee of the Township of Hazlet in the County of Monmouth, New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2015 in the sum of \$4,000.00, which is now available from the New Jersey Division of Highway Traffic Safety in the amount of \$4,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$4,000.00 is hereby appropriated under the caption Click It or Ticket 2015 Seat Belt Mobilization Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Division of Highway Traffic Safety in the amount of \$4,000.00.

C E R T I F I C A T I O N

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION AUTHORIZING THE TOWNSHIP OF HAZLET
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May, 5, 2015 the governing body of the Township of Hazlet, County of Monmouth, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Hazlet.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Qualified Purchasing Agent is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

CERTIFICATION

I, EVEYLN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that Dennis Pino, Municipal Administrator be and is hereby authorized to execute Progress Payment No. 3 and final for Tsivicos Enterprises, Inc. for the Blasting and Painting of the Swim and Tennis Club Pools in the amount of \$40,556.23.

CERTIFICATION

I, EVEYLN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 5th day of May, 2015.

Evelyn A. Grandi
Municipal Clerk

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 331 PRECIOUS
METALS AND SECOND HAND GOODS OF THE TOWNSHIP CODE
OF THE TOWNSHIP OF HAZLET,
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

The purpose and intent of this chapter is to assist law enforcement officials and victims of crime in recovering stolen precious metals and other secondhand goods by requiring minimum identification, reporting, maintenance and distribution criteria for licensed dealers in these goods.

No person shall use, exercise, or carry on the business, trade, or occupation of the buying, selling, or pawning of precious metals or other secondhand goods without complying with the requirements of this chapter in the exact manner described herein.

Chapter 331-2 Definitions.

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

ACCEPTABLE IDENTIFICATION

A current valid New Jersey driver's license or identification card, a current valid photo driver's license issued by another U.S. state, a valid United States passport, or other verifiable U.S. government issued identification, which will be recorded on the receipt retained by the dealer and subsequently forwarded to the local police department or request.

DEALER

Any person, partnership, limited-liability company, corporation, or other entity who, either wholly or in part, engages in or operates any of the following trades or businesses: the buying for purposes of resale of precious metals, jewelry, or other secondhand goods as defined herein; pawnbrokers as defined herein; itinerant businesses as defined herein. For the purposes of this chapter, transient buyers, as defined herein, are subject to the same licensing and reporting requirements as any other dealers.

ITINERANT BUSINESS

A dealer who conducts business intermittently within the municipality or at varying locations.

MUNICIPAL CLERK OR "TOWNSHIP CLERK"

The statutory officer whose duties are defined in N.J.S.A. 40A:9-133 and may refer to the duly appointed clerk of the "city," "town," "township," "village" or "borough."

PAWNBROKER

Any person, partnership, association or corporation lending money on deposit or pledge of personal property, other than choses in action, securities, or printed evidences of indebtedness; purchasing personal property on condition of selling it back at a stipulated price; or doing business as furniture storage warehousemen and lending money on goods, wares or merchandise pledged or deposited as collateral security.

PRECIOUS METALS

Gold, silver, platinum, palladium, and their alloys as defined in N.J.S.A. 51:5-1 et seq. and 51:6-1 et seq.

PUBLIC

Individuals and retail sellers, not to include wholesale transactions or transactions between other merchants.

REPORTABLE TRANSACTION

Every transaction conducted between a dealer and a member of the public in which precious metals, jewelry, or any other secondhand goods as defined herein are purchased or pawned.

SECONDHAND GOODS

Used goods such as antiques, gold, silver, platinum, or other precious metals, jewelry, coins, gemstones, gift cards, any tools, telephones, typewriters, word processors, GPS devices, computers, computer hardware and software, television sets, radios, record or stereo sets, electronic devices, musical instruments, sporting goods, automotive equipment, collectibles, game cartridges, DVDs, CDs, and other electronically recorded material, firearms, cameras and camera equipment, video equipment, furniture, clothing, and other valuable articles. For the purposes of this chapter, secondhand goods shall not include goods transacted in the following manner: i) judicial sales or sales by executors or administrators; ii) occasional or auction sales of household goods sold from private homes; iii) auctions of real estate; iv) the occasional sale, purchase, or exchange of coins or stamps by a person at his permanent residence or in any municipally owned building who is engaged in the hobby of collecting coins or stamps and who does not solicit the sale, purchase, or exchange of such coins or stamps to or from the general public by billboard, sign, handbill, newspaper, magazine, radio, television, or other form of printed or electronic advertising.

SELLER

A member of the public who sells or pawns used goods such as precious metal, jewelry, or other secondhand goods to a dealer.

TRANSIENT BUYER

A dealer, as defined herein, who has not been in a registered retail business continuously for at least six months at any address in the municipality where the dealer is required to register or who intends to close out or discontinue all retail business within six months.

Chapter 331-3 License requirement for dealers.

A. No person, partnership, limited-liability company, corporation, or other entity shall engage in the business of buying, selling, or pawning of precious metals or other secondhand goods, as defined above, within the jurisdiction of the municipality, without having first obtained a license therefor from the Municipal Clerk, which license shall bear a number issued by the Municipal Clerk.

B. The application for a license to the Municipal Clerk shall set forth the name, date of birth, and address of the dealer, whether or not he or she is a citizen of the United States, and whether or not he or she has ever been convicted of any crime(s), disorderly persons offense(s), or municipal ordinance violation(s), and the date(s) thereof.

C. Advertising in any print or electronic media or by sign that any of those articles or secondhand goods referred to in Chapter 331-2 above are being bought in any location within the municipality shall constitute engaging in business as a dealer of secondhand goods for purposes of this chapter. No person, partnership, limited-liability company, corporation or other entity shall place or cause to be placed any advertisement for purchase of such articles or goods without stating in the advertising the license number issued to a person or entity by the municipality. In any print advertisement, the license number shall appear in type no smaller than eight-point in the lower-right-hand corner of the advertisement. In any advertisement in electronic media, the license number shall be visually or audibly stated. Failure to state or indicate the license number shall be a violation of this chapter and shall be subject to the penalties established in Chapter 331-9.

D. Licensees may not operate at any location other than site specified in the license. Licensees operating at multiple locations must have each location separately licensed. Each location must be permanent. Itinerant businesses and transient buyers, as defined in Chapter 331-2 above, are not eligible for licensure and are prohibited from operating in the Township.

Chapter 331-4 Application process for dealers; approval or denial.

A. Upon receipt of an application completed pursuant to this chapter, the Municipal Clerk shall refer such application to the Chief of Police, who shall make an investigation of the prospective licensee, pursuant to this chapter for the purpose of determining the suitability of the applicant for licensing. The investigation shall include, but shall not be limited to, the following:

(1) The experience of the applicant in the business of purchase and sale of those articles or goods referred to in Chapter 331-2 above, although nothing in this section shall be construed to warrant denial of a license solely on the basis of lack of experience.

(2) The reputation of the applicant for fair dealing in the community, which shall be made among credible sources, which sources shall be disclosed to the applicant in the event of a denial of any license.

(3) Any criminal record of the applicant including any past convictions for any crime(s), disorderly persons offense(s), or municipal ordinance violation(s) within this or any other jurisdiction. The Chief of Police shall, as part of the initial application process and annual renewals, require fingerprint criminal background checks through the Federal Bureau of Investigation, Criminal Justice Information Services Division, for the applicant and all owners and employees, which may require payment of additional fees by the applicant.

(4) The type of operation contemplated to be conducted by the applicant, particularly whether the business is to be operated from a fixed location, whether it is to be conducted from a location primarily devoted to the purchase and sale of precious metal or other secondhand goods, and other factors bearing on whether the licensed business will be of a fixed and permanent nature.

B. The Chief of Police shall complete any investigation pursuant to this chapter within 30 days of the submission of the application to the Municipal Clerk, fully completed by the applicant. If a criminal record check has been requested within the thirty-day period and has not been received by the Chief of Police within that period, the Chief of Police may, if all other factors are satisfactory, recommend a conditional issuance of the license subject to the finding regarding criminal record.

C. The Chief of Police shall, upon completion of the investigation, recommend "grant" or "denial" of the license to the Municipal Clerk, who shall grant or deny the license. Any recommendation of the Chief of Police shall be in writing and, in the case of a recommendation of denial, shall state fully and specifically the reasons for said recommendation. If the Municipal Clerk accepts the recommendation of the Chief of Police to deny any license, the applicant shall be notified in writing within 10 days of such denial and the Clerk shall forward to the applicant a statement of the reason or reasons for such denial.

D. Grounds for recommending denial of license may include reliable information indicating that the applicant has in the past engaged in fraudulent or deceptive business practices in a business identical to or similar to a dealer in secondhand goods. A license may be denied if the investigation reveals a conviction of the applicant or any of its principal officers or employees of any crime(s), disorderly persons offense(s) in which deceit or misrepresentation is an element; or any conviction of any crime(s), disorderly persons offense involving theft or the receiving of stolen goods, regardless of whether the applicant was a principal, accessory before the fact, after the fact, or a co-conspirator; or any prior municipal ordinance violation(s) by the applicant or any of its principal officers or employees in this or any other jurisdiction. A license may be denied if the applicant fails to demonstrate an ability to satisfactorily comply with the electronic reporting requirements specified in Chapter 331-5, the retention and inspection requirements of Chapter 331-6, or any other portion of this chapter. Upon receipt of the recommendation of the Chief of Police, the Municipal Clerk shall issue or deny the license accordingly, contingent upon the receipt of a bond as required by Chapter 331-7 of this chapter.

E. Whenever any application for a permit is denied, the applicant shall be entitled to a hearing before the Township Attorney or one of the Assistant Township Attorneys in the Division of Law, or another official designated by the Township Attorney, at which time the applicant shall be permitted to introduce such evidence as may be deemed relevant to such denial. Any applicant exercising the right to appeal must file a written notice of appeal within 10 days of receiving written notice of denial of a license to act as a dealer of secondhand goods.

F. No license shall be assignable by the dealer.

Chapter 331-5 Identification of seller; recordkeeping requirements for dealers.

For every reportable transaction between a dealer and the public, the dealer shall be required to do as follows:

A. Require of each person selling or pawning precious metals or other secondhand goods acceptable identification as defined above in Chapter 331-2.

B. Require each seller to execute a "declaration of ownership," which shall contain the following certification: "My signature confirms that I am the sole legal owner of and am legally authorized to sell the goods being sold. By signing below I certify that I did not obtain and do not possess the identified goods through unlawful means. I am the full age of eighteen years and the identification presented is valid and correct."

C. Record and issue to each person selling or pawning such goods on a sequentially numbered receipt:

(1) The name, address, and telephone number of the purchaser, including the clerk or employee of the licensee making the purchase;

(2) The name, address, date of birth, and telephone number of the seller or sellers;

(3) A photographed recording of the seller in a format acceptable to the Chief of Police, along with a physical description of the seller, including height and weight (approximate), hair color, eye color, facial hair, if any, etc.;

(4) A photographed recording of the seller's presented acceptable identification, as set forth in Chapter 331-2, in a format acceptable by the Chief of Police;

(5) A photographed recording of all items sold in a format acceptable by the Chief of Police. When photographing, all items must be positioned in a manner that makes them readily and easily identifiable. Items should not be grouped together when photographing or imaging. Each item should have its own photograph;

(6) The receipt number;

(7) A detailed, legible description of the item(s) and the manufacturer and model of the item(s) if known; in the case of jewelry, the descriptions must include style, length, color, design, and stones, if any; any identifying marks, including numbers, dates, sizes, shapes, initials, names, monograms, social security numbers engraved thereon, serial numbers, series numbers, or any other information, which sets apart the particular object from others of like kind;

(8) The price paid for the purchase or pawn of the item(s);

(9) If precious metals, the net weight in terms of pounds Troy, pennyweight (Troy) or kilograms/grams; fineness in terms of karats for gold, and sterling or coin for silver, in accordance with N.J.S.A. 51:5-1 and 51:6-1 et seq.;

(10) The time and date of the transaction.

D. The information outlined in Subsection C above must additionally be electronically documented through the use of an electronic database system authorized by the Chief of Police. Installation and training in this software will be made mandatory as of the effective date of this chapter and licensing will be conditional upon compliance with proper use of the system as described herein. These records shall be subject to the inspection of any authorized police officer or any sworn law enforcement officer acting in the performance of his or her duty as set forth in Subsection F below. Through the use of applicably required computer equipment, and using the electronic format approved by the Chief of Police, every dealer shall enter all reportable transactions into the electronic database by the end of the close of business on the same date as the purchase or receipt of property for pawn or consignment. The information entered must contain all pertinent information outlined in Subsection C above.

E. In the event of a database failure, or dealer's computer equipment malfunction, all transaction information is required to be submitted on paper forms approved by the Chief of Police within 24 hours from the date of purchase. In the event that paper forms are used, the dealer is responsible to enter all transaction information set forth in Subsection C above into the database as soon as possible upon the dealer's equipment being repaired or replaced, or the database coming back into service. Failure by the dealer to properly maintain computer equipment in a reasonable fashion, or failure by the dealer to replace faulty computer equipment, may result in the dealer being cited for a violation of this chapter and subsequently being subject to the penalties for doing so including revocation of the dealer's license as described in Chapter 331-6.

F. It shall be the requisite duty of every dealer, and of every person in the dealer's employ, to admit to the premises during business hours any member of the Police Department to examine any database, book, ledger, or any other record on the premises relating to the reportable transactions of precious metals or other secondhand goods, as well as the articles purchased or received and, where necessary, relinquish custody of those articles as provided in Chapter 331-6.

Chapter 331-6 Retention; revocation; other restrictions.

A. All precious metals, jewelry, and other secondhand goods purchased, received for pawn, or received for consignment as described above, are to be made available for inspection by the Chief of Police or designee thereof at the designated business address for a period of at least 15 calendar days from the date the transaction information is actually reported to the Chief of Police in the approved manner described above in Chapter 331-5. All precious metal or other secondhand goods subject to inspection must remain in the same condition as when purchased or received for pawn and shall not be sold, disposed of, changed, modified, or melted by the dealer until the fifteen-day retention period has expired. Itinerant businesses and transient buyers will be responsible for notifying the Chief of Police of the location where the purchased item(s) are being held.

B. Upon probable cause that goods held by a dealer are stolen, and providing that the seller signed the mandatory statement required by Chapter 331-5B upon the sale of those goods, a law enforcement officer with jurisdiction should charge the seller with theft by deception under N.J.S.A. 2C:20-4 on behalf of the dealer, who shall be considered the "victim" of the offense for the purposes of N.J.S.A. 2C:43-3. The officer shall seize the goods, provide the dealer with a receipt, and issue a criminal complaint against the seller for theft by deception and any other criminal charges for which the officer has probable cause that the seller has committed. If convicted of theft by deception and if so found by an order of a court of valid jurisdiction, the

seller will be responsible for providing restitution to the dealer under N.J.S.A. 2C:44-2 for the amount paid by the dealer to the seller for the stolen goods.

C. In addition to all other reporting requirements, every dealer shall maintain, for at least five years, a paper record of all purchases of precious metals and other secondhand goods in the form prescribed in Chapter 331-5C.

D. No dealer shall purchase any item covered by this chapter from any person under the age of 18 or in the absence of providing prior notification of such purchase to the Chief of Police or business designee identifying the individual from whom such purchase is to be made and the item to be purchased.

E. Suspension. The Chief of Police or a designee thereof is hereby empowered to temporarily suspend for cause any dealer's license and rights to operate thereunder. This penalty shall be in addition to any fines and penalties the dealer may incur pursuant to Chapter 331-9 of this chapter.

(1) Grounds for suspension. The following shall constitute grounds for suspension: violation of any provisions of this chapter, including failure to comply with any training or fees associated with the electronic database software system in use by the municipality; violation of any other statute, regulation, or local ordinance; or any other illegal, improper, or fraudulent activity.

(2) Procedure for suspension. Upon determination that appropriate grounds exist and that a suspension is warranted, the Chief of Police or a designee thereof shall issue a written notice of suspension of license to the offending dealer and to the Municipal Clerk, which shall set forth the grounds for the suspension and notify the dealer of his or her right to appeal pursuant to Subsection G. A temporary suspension shall issue immediately, pending the outcome of any appeal taken. Suspended dealers must immediately cease engaging in the business of purchasing for resale, receiving for pawn, and/or selling of precious metals and/or other secondhand goods in the municipality until reinstatement.

(3) Reinstatement. Suspended dealers may be reinstated only when the grounds leading to the suspension have, in the determination of the Township Attorney, Assistant Township Attorney, or other official designated by the Township Attorney to review the grounds for suspension, been cured, corrected, or appropriately rectified.

F. Revocation. A license issued under this chapter may be revoked by the Municipal Clerk upon written recommendation from the Chief of Police or the Chief's designee that the dealer is no longer qualified, capable or competent to comply with the requirements of this chapter. This penalty shall be in addition to any fines and penalties the dealer may incur under Chapter 331-9.

(1) Grounds for revocation. The following shall constitute grounds for revocation: a third violation under this chapter; a second violation under this chapter less than one year after an earlier violation under this chapter; conviction for a criminal offense within this or any jurisdiction; or multiple violations of any other regulations or local ordinances within this or any jurisdiction.

(2) Procedure for revocation. Upon a determination that appropriate grounds exist and that a revocation is warranted, the Chief of Police or the Chief's designee shall so report to the Municipal Clerk in writing. A temporary suspension will immediately and automatically issue, if one is not already in effect, pending the outcome of the charge. The Township Attorney, Assistant Township Attorney, or other official designated by the Township Attorney, shall review the stated grounds for revocation and shall issue an appropriate disposition of either suspension, revocation, or reinstatement. If it is determined that revocation is the appropriate disposition, the grounds therefor shall be set forth in writing in the form of a notice of revocation, which shall be provided to the dealer. The notice shall advise the dealer of the right to appeal. If determined that suspension is the appropriate disposition, the dealer shall be so notified in writing and shall be advised of the right to appeal. Following revocation, the dealer must relinquish his or her license and must immediately and indefinitely cease operating as a dealer of precious metals or other secondhand goods within the municipality.

G. Appeal. Any applicant wishing to appeal a suspension or revocation shall be entitled to a hearing as provided in Chapter **331-4E**. Any applicant exercising the right to appeal must file a written notice of appeal within 10 days of receiving written notice of revocation or suspension of license.

H. A dealer shall have the right to change the location of the licensed business, provided that he or she notifies the Municipal Clerk, in writing, of the street address of said new location.

Chapter 331-7 Bond.

Each dealer covered under this chapter shall deliver a bond to the Municipal Clerk executed by the applicant as principal and executed by a surety company authorized to do business under the laws of the State of New Jersey as surety. The bond shall be subject to review and approval by the Municipal Attorney, as defined in N.J.S.A. 40A:9-139, and shall be in the penal sum of \$10,000, conditioned for the due and proper observance of and compliance with the provisions and requirements of all ordinances of the municipality in force or which may be adopted respecting the conduct of this business and conditioned also that the bond shall be and remain for the benefit of any person or persons who shall have received judgment against the dealer licensed under this chapter, which damage shall be established by a judgment of a court of proper jurisdiction. Said bond shall contain the following language: "The obligation of this bond shall, in addition to the Township of Hazlet, be and remain for the benefit of any person who shall obtain a judgment against obligor as a result of damage sustained in operation pursuant to any license granted under this chapter." Said bond shall be kept for a minimum of one year from the date of issuance of license and must be renewed annually along with the license.

Chapter 331-8 Fees; license term.

A. A nonrefundable fee for initial application and license for a pawnbroker or a dealer in precious metals or other secondhand goods, as covered under this chapter, is \$300. The annual renewal fee for a license is \$250. These fees are separate from and in addition to any fees the dealer must pay in relation to the mandatory electronic database system designated by the Chief of Police, as provided by Chapter **331-5D**. Payments are to be made in the manner directed by the Municipal Clerk.

B. Licenses issued pursuant to this chapter are valid for one year, from January 1 through December 31. Initial applications and applications for renewal must be submitted no later than October 1.

Chapter 331-9 Violations and penalties.

Violation of any provision of this chapter by any dealer shall, upon conviction thereof, be punished by a fine not in excess of the limitations of N.J.S.A. 40:49-5 or by a term of imprisonment or a period of community service not exceeding 90 days in addition to a suspension or revocation of operating license as provided in Chapter 331-6E and F above. Each and every violation shall be considered a separate violation. Each violation shall result in an additional suspension period. Any person who is found guilty of violating the provisions of this chapter within one year of the date of a previous violation and who was fined for the previous violation may be sentenced by the court to an additional fine as a repeat offender and, in addition, may be subject to revocation proceedings as provided in Chapter 331-6F. The additional fine imposed as a repeat offender shall not be less than the minimum or exceed the maximum fine provided herein, and same shall be calculated separately from the fine imposed for the violation of this chapter.

Chapter 331-10 Implementation.

A. Effective August 1, 2015, no existing licensee may continue to operate without having been licensed pursuant to this chapter.

B. Nothing contained in this chapter is intended to replace any preexisting statutory requirements governing pawnbrokers, as in N.J.S.A. 45:22-1 et seq., the sale of precious metals as in N.J.S.A. 51:6A-1 et seq., the sale of secondhand jewelry as in N.J.S.A. 2C:21-36 et seq., or any other statutory provision regarding any subject matter discussed herein.