

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: DECEMBER 23, 2019 TIME: 7:00 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Benowitz
_____	_____	Deputy Mayor Fuzy
_____	_____	Committeeman Holliday
_____	_____	Committeeman Kostoplis
_____	_____	Committeeman Mason
_____	_____	Michael Theokas, Administrator
_____	_____	Clerk Carrington
_____	_____	Attorney Fahey
_____	_____	Chief Financial Officer Elsasser

1. Salute to the flag and moment of silence
2. Roll Call
3. Open Public Meeting Announcement

In compliance with the Open Public Meetings Act, adequate notice of this meeting was provided in the following manner:

On January 7, 2019, advance written notice of this meeting was posted on the bulletin board opposite the main entrance to the meeting room in the Municipal Building; was emailed to the BURLINGTON COUNTY TIMES and THE TIMES; was filed with the Clerk of Bordentown Township; and was mailed to all persons who requested and paid for such notice.

The proceedings of this meeting, which are open to the public, are being electronically recorded and will act as the minutes of the meeting in conjunction with the abbreviated form of the minutes. Requisite minutes are kept for all meetings, whether open or closed to the public.

4. Resolution to meet in closed session

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby recess this Regular Meeting to meet in Closed Session for the purpose of discussing:

- Personnel: Per Diem EMT
Tax Collector
AFSCME Salary Adjustment
- Contractual Negotiations/Attorney-Client Privilege: UCC Shared Service

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

5. Administrative Review
 - a. Review of agenda
 - b. Review of correspondence

6. CONSIDERATION OF CONSENT AGENDA ITEMS:
 - a. Township Committee review and discussion of Consent Agenda Items.
 - b. Questions or comments from the audience on Consent Agenda items.
7. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2019-314 through #2019-326
 - a. Resolution #2019-314 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS
 - b. Resolution #2019-315 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES FOR BLOCK 92 LOT 3
 - c. Resolution #2019-316 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES FOR BLOCK 67 Lot 12.01
 - d. Resolution #2019-317 entitled AUTHORIZING SETTLEMENT OF A TAX APPEAL AND REFUND OF OVERPAYMENT OF TAXES
 - e. Resolution #2019-318 entitled RESOLUTION AUTHORIZING BUDGET TRANSFERS
 - f. Resolution #2019-319 entitled CANCELLATION OF 2019 BUDGET APPROPRIATIONS
 - g. Resolution #2019-320 entitled RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER TWO REQUIREMENTS
 - h. Resolution #2019-321 entitled RESOLUTION TO PARTIALLY RESCIND RESOLUTION #2019-304 REGARDING A PER DIEM EMT
 - i. Resolution #2019-322 entitled RESOLUTION APPOINTING JEFFREY ELSASSER AS TAX COLLECTOR
 - j. Resolution #2019-323 entitled RESOLUTION AMENDING RESOLUTION #2019-220 APPOINTING THOMAS KENNEDY AS PUBLIC WORKS LABORER IN THE DEPARTMENT OF PUBLIC WORKS
 - k. Resolution #2019-324 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR ADDITIONAL ARCHAEOLOGICAL SERVICES REGARDING THE CULVERT REPLACEMENT
 - l. Resolution #2019-325 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE CITY OF BORDENTOWN AND THE TOWNSHIP OF BORDENTOWN FOR CONSTRUCTION CODE SERVICES
 - m. Resolution #2019-326 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS
8. New Business/Additional Matters or correspondence to be reviewed, discussed or acted upon
9. Administrator and Staff Report
10. Township Committee Reports

11. Public Participation: Questions, comments or statements from members of the public in attendance
12. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee
13. Motion to Adjourn – Township Committee Reorganization Meeting is scheduled for Saturday, January 4th at 11 a.m.

**ALL LEGISLATION LISTED ABOVE IS SUBJECT TO CHANGE
UNTIL IT IS OFFICIALLY ADOPTED BY THE GOVERNING BODY.**

RESOLUTION #2019-314

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Regular and Closed Session Meeting Minutes of December 9, 2019; as submitted by the Clerk, are hereby approved as (_____ submitted) (_____ corrected) and to be posted to the Municipal Bulletin Board and website.

BE IT RESOLVED that the following reports for the month of November 2019 as submitted by the Township Officials are hereby received and filed: Finance, Tax Collector, Township Clerk, Community Development, Construction and Municipal Court.

RESOLUTION #2019-315

**AUTHORIZING REFUND OF OVERPAYMENT OF TAXES FOR BLOCK
92 LOT 3**

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2019 taxes in the amount of \$2,859.14 to Marc Berkeyheiser for Block 92 Lot 3 commonly known as 212 Crosswicks Road

12/23/19

JCE

RESOLUTION #2019-316

**AUTHORIZING REFUND OF OVERPAYMENT OF TAXES FOR BLOCK
67 LOT 12.01**

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2019 taxes in the amount of \$1,702.00 to VESCOVI, PETER J for Block 67 Lot 12.01 commonly known as 16 THORNTOWN DRIVE

12/23/19

JCE

RESOLUTION #2019-317

AUTHORIZING SETTLEMENT OF A TAX APPEAL AND REFUND OF OVERPAYMENT OF TAXES

WHEREAS, Colfin 2015-4 Industrial Owner, LLC filed tax appeals for years 2017 through 2019 for the property located at 401 Bordentown-Hedding Road and identified as Block 137.01, Lot 2 on the Township Tax map; and

WHEREAS the Plaintiff and Tax Assessor have agreed to a settlement pursuant to a form of stipulation agreed upon by the parties; and

WHEREAS, the settlement shall result in reduction of tax amounts previously paid and require the Tax Collector to refund an overpayment of 2017-2019 taxes; and

WHEREAS Tax Counsel and the Tax Assessor have recommended the terms of settlement to the Township Committee; and

WHEREAS, the Township Committee finds that it is in the best interest of the Township to approve the settlement.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown that the Township Committee hereby approves the settlement of this matter and authorizes the Tax Collector to issue refund of overpayment of 2017-2019 taxes, in the amount of \$75,751.00 to Archer & Greiner as Trustee for Colfin 2015-4 Industrial Owner, LLC for Block 137.01 Lot 2 commonly known as 401 Bordentown-Hedding Road.

RESOLUTION #2019-318

RESOLUTION AUTHORIZING BUDGET TRANSFERS

BE IT RESOLVED by the Township of the Township of Bordentown that it hereby approves and authorizes the Chief Financial Officer to make the following 2019 Budget Appropriation transfers pursuant to N.J.S.A. 40A:4-58:

<u>ACCOUNT NUMBER</u>	<u>NAME</u>	<u>TRANSFER IN</u>	<u>TRANSFER OUT</u>
9-01-26-310-215	Bldgs/Grounds O/E	\$ 1,500.00	
9-01-20-110-101	Mayor/Committee S/W	\$ 400.00	
9-01-20-110-215	Mayor/Committee O/E		\$ 400.00
9-01-20-130-215	FINANCE O/E		\$ 1,500.00
9-01-26-290-233	STREETS/ROADS SNOW REMOVAL		\$ 31,215.00
T-13-40-800-000	RESERVE-SNOW REMOVAL	\$ 31,215.00	
9-01-30-420-215	CELEBRATION OF PUBLIC EVENTS		\$ 750.00
T-13-40-900-000	RESERVE - CIVIC EVENTS	\$ 750.00	
9-01-30-425-215	CERT OF FIRE INSPECTIONS	\$ 1,500.00	
9-01-25-240-215	POLICE MISC EXP O/E		\$ 1,500.00
9-01-31-435-430	ELECTRICITY	\$ 350.00	
9-01-31-435-435	STREET LIGHTS	\$ 1,100.00	
9-01-31-435-446	NATURAL GAS		\$ 1,450.00
TOTAL		\$ 36,815.00	\$ 36,815.00

RESOLUTION #2019-319

CANCELLATION OF 2019 BUDGET APPROPRIATIONS

WHEREAS, the following Current Fund 2019 budget appropriations remain unexpended:

<u>ACCOUNT NUMBER</u>	<u>NAME</u>	
9-01-20-130-100	FINANCE - S/W	\$ 4,000.00
9-01-20-130-215	FINANCE - O/E	\$ 8,000.00
9-01-20-145-215	TAX COLLECTION - O/E	\$ 3,000.00
9-01-20-150-215	TAX ASSESSMENT O/E	\$ 10,000.00
9-01-20-152-200	INTEREST TAX APPEALS O/S CAP	\$ 25.00
9-01-20-155-215	LEGAL O/E	\$ 25,000.00
9-01-21-180-215	PLANNING BOARD O/E	\$ 2,500.00
9-01-21-180-500	PLANNING BOARD TWP PLANNER	\$ 1,000.00
9-01-21-185-200	ZONING BOARD O/E	\$ 2,750.00
9-01-21-190-101	COMMUNITY DEVELOPMENT S/W	\$ 2,750.00
9-01-21-190-215	COMM DEV O/E	\$ 15,000.00
9-01-21-200-101	UCC S/W	\$ 40,000.00
9-01-21-200-215	UCC O/E	\$ 4,500.00
9-01-23-215-000	WORKERS COMP INS	\$ 999.00
9-01-23-220-000	EMPLOYEE GROUP INSURANCE	\$ 65,000.00
9-01-26-290-101	STREETS/ROADS S/W	\$ 60,000.00
9-01-26-305-330	CONTRACTUAL SOLID WASTE COLLECTION	\$ 17,331.18
9-01-27-330-000	BOARD OF HEALTH	\$ 250.00
9-01-27-340-200	GREEN TEAM ADVISORY COMMITTEE O/E	\$ 2,500.00
9-01-28-370-200	REC SVCS O/E	\$ 25.00
9-01-28-375-100	MAINTENANCE OF PARKS S/W	\$ 25.00
9-01-28-375-215	MAINTENANCE OF PARKS O/E	\$ 50.00
9-01-31-440-000	TELECOMMUNICATIONS	\$ 10,000.00
9-01-31-447-201	PETROLEUM PRODUCTS	\$ 25,000.00
9-01-42-100-101	EMS S/W	\$ 30,000.00
9-01-42-100-215	EMS O/E	\$ 27,500.00
TOTAL		\$ 357,205.18

WHEREAS, it is necessary to formally cancel said appropriations so that such unexpended appropriations may be cancelled to budget operations:

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that the above listed unexpended appropriations of the Current Fund be cancelled.

Township of Bordentown

Resolution 2019-320

RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER TWO REQUIREMENTS

Whereas, the Township of Bordentown is a member of the BURLCO JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

Whereas, through its membership in the BURLCO JIF, the Township of Bordentown enjoys cyber liability insurance coverage to protect the Township of Bordentown from the potential devastating costs associated with a cyber related claim; and

Whereas, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

Whereas, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1 & Tier 2 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Township of Bordentown ; and

Whereas, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Township of Bordentown to claim a reimbursement of a paid insurance deductible in the event the member files a claim against Township of Bordentown's cyber insurance policy, administered through BURLCO JIF and the Municipal Excess Liability Joint Insurance Fund;

Now Therefore Be It Resolved, that the Township of Bordentown does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 2 of the NJ MEL Cyber Risk Management Plan;

- **Server Security**
- **Limiting Access Privileges**
- **Acceptable Use of Internet and Email**
- **Protection of Data**
- **Passwords Policy**
- **Appropriate level of Technology Support**
- **Leadership has Expertise to Support Technology Decision Making**

And, Be It Further Resolved, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval

This Resolution was duly adopted by the Township of Bordentown at a public meeting held on December 23, 2019.

Maria Carrington, Municipal Clerk

Mayor Stephen Benowitz

RESOLUTION # 2019-321

RESOLUTION TO PARTIALLY RESCIND RESOLUTION #2019-304 REGARDING A PER DIEM EMT

WHEREAS, the Township Committee of the Township of Bordentown has determined the continued need for an additional per diem EMT.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby partially rescind Resolution #2019-304 with regard to Brianna Moran; and

BE IT FURTHER RESOLVED that Brianna Moran remains appointed as a per diem EMT with compensation set at \$15.00 per hour in accordance with Resolution #2019-145.

RESOLUTION #2019-322

RESOLUTION APPOINTING JEFFREY ELSASSER AS TAX COLLECTOR

WHEREAS, Jeffrey Elsasser currently serves as the Tax Collector; and

WHEREAS, Jeffrey Elsasser has completed his first 4-year term as the Tax Collector for the Township of Bordentown; and,

WHEREAS, the Township Committee of the Township of Bordentown wish to appoint Jeffrey Elsasser to continue as Tax Collector; and

WHEREAS, N.J.S.A. 40A:9-142 states that every municipal Tax Collector hold his office for a term of four (4) years from the first day of January next following his appointment.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that:

1. It hereby agrees with the appointment of Jeffrey Elsasser as the Tax Collector for the Township of Bordentown for a second term that begins January 1, 2020, and who shall acquire tenure, and who shall hold that position during good behavior and efficiency and compliance with the requirements of law.
2. Jeffrey Elasser shall be paid in accordance with the current salary resolution for that position.
3. The continued appointment is contingent upon the filing of a financial disclosure form with the Municipal Clerk.

RESOLUTION #2019-323

RESOLUTION AMENDING RESOLUTION #2019-220 APPOINTING THOMAS KENNEDY AS
PUBLIC WORKS LABORER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Thomas Kennedy was appointed to the position of Public Works Laborer in the Department of Public Works effective August 19, 2019 via Resolution #2019-220; and

WHEREAS, Resolution #2019-220 set forth the salary provisions for 2019, it necessary to amend said resolution to encompass the remaining years of the union contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Mr. Kennedy's salary shall be \$15.30 per hour for the calendar year 2020 and \$15.61 for 2021.

RESOLUTION #2019-324

RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR
ADDITIONAL ARCHAEOLOGICAL SERVICES REGARDING THE CULVERT REPLACEMENT

WHEREAS, the Township Committee of the Township of Bordentown recognized in Resolutions #2019-209 and #2019-227 the need for archaeological services regarding the culvert replacement in the Township of Bordentown; and

WHEREAS, the Township Engineer, Turek Consulting LLC, has submitted documentation warranting the need for additional archaeological services in order to complete the culvert replacement project; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to expend additional funds for archaeological services rendered through Turek Consulting LLC to best fulfill the needs of the Township at a price increase of \$465.00; and

WHEREAS, this is to certify to the Township Committee of the Township of Bordentown that funds for this resolution are available as follows:

BUDGET ACCOUNT	YEAR	COST	DETAIL
C-04-55-963-100	CAPITAL	\$465.00	Archaeological Services

JEFFREY C. ELSASSER
CMFO/CTC/PURCHASING AGENT

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown as follows:

The Township Administrator is hereby authorized extend its contract with Turek Consulting LLC of 220 North Coles Avenue, Maple Shade NJ 08052, for Archaeological Services regarding the Culvert Replacement with an additional amount not to exceed \$465.00 (total contract amount not to exceed \$75,465.00).

RESOLUTION #2019-325

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
BETWEEN THE CITY OF BORDENTOWN AND THE TOWNSHIP OF BORDENTOWN FOR
CONSTRUCTION CODE SERVICES

WHEREAS, the City of Bordentown desires to contract with the Township of Bordentown for the provision of Construction Code Services; and

WHEREAS, the Township of Bordentown is agreeable to providing those services to the City of Bordentown in exchange for the fees generated by the construction office and upon certain other specified conditions; and

WHEREAS, the Uniform Shared Services and Consolidation Act, P.L. c.63 *N.J.S.A. 40A:65-1 et seq.*, permits local units of this State to enter into a contract with any other local unit for the joint provision within their combined jurisdictions of any service which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, *N.J.A.C. 5:23-4.6* authorizes two municipalities to administer and enforce the regulations and the sub code under the regulations;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, hereby approves entering into a Shared Services Agreement between the City of Bordentown and Township of Bordentown for the purpose of Construction Code Services; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign an agreement substantially similar to the attached document on behalf of the Township of Bordentown.

Agreement to be provided before
December 23, 2019 Meeting

RESOLUTION #2019-326

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated December 9, 2019, as submitted by the Office of Treasurer are hereby approved for payment and the Office of the Treasurer is directed to pay the same.