

**TOWNSHIP OF BORDENTOWN  
TOWNSHIP COMMITTEE REGULAR MEETING AGENDA**

DATE: FEBRUARY 24, 2020      TIME: 6:30 P.M.      MEETING ROOM, MUNICIPAL BUILDING

1. Roll Call

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

2. Resolution #2020-2-24 to meet in closed session

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby exclude the public to meet in Closed Executive Session for the purpose of discussing:

- Attorney/Client Privilege:      Municipal Complex
- Personnel:                              Finance Office

The minutes of the closed session may be disclosed to the public when it is determined that the above matter(s) no longer require confidentiality.

3. Salute to the flag and moment of silence

4. Open Public Meeting Announcement & Fire Announcement

This meeting is called pursuant to the provision of the Open Public Meeting Act. On January 8, 2020, a notice of the 2020 meeting schedule was sent to the *Burlington County Times* and *The Times* and was subsequently published by the *Burlington County Times* on January 10, 2020. The notice is posted on the bulletin boards in the Municipal Building and has remained continuously posted as required under the statute. In addition, a copy of the notice is available to the public and is on file in the office of the Township Clerk.

Proper notice having been given, the Township Clerk is directed to include this statement in the minutes of the meeting. 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 written form of the minutes. Minutes are kept for all meetings, whether open or closed to the public.

In case of an emergency, please note the location of the fire exits. They are in rear and left side of the room. In the case of a fire, do not use the elevator. Assistance will be provided to those in need.

5. Correspondence

- a. February 13, 2020 Letter to NJ DOT from State Senator Troy Singleton regarding four traffic related issues in Bordentown Township

6. Administrative Review of Agenda

7. CONSIDERATION OF CONSENT AGENDA ITEMS:
  - b. Township Committee review and discussion of Consent Agenda Items.
  - c. Public comment on Consent Agenda items.
8. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2020-59 to #2020-70
  - a. Resolution #2020-59 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS
  - b. Resolution #2020-60 entitled RESOLUTION APPROVING AND AUTHORIZING PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE #0304-36-019-001
  - c. Resolution #2020-61 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES
  - d. Resolution #2020-62 entitled RESOLUTION INCREASING THE BID THRESHOLD FOR CONTRACTS SUBJECT TO PUBLIC BIDDING UNDER THE LOCAL PUBLIC CONTRACTS LAW TO \$40,000
  - e. Resolution #2020-63 entitled RESOLUTION AUTHORIZING FINAL PAYMENT TO GOWER'S INC. FOR THE TERRY FIELD ENHANCEMENT AND BEAUTIFICATION PROJECT – PHASE I
  - f. Resolution #2020-64 entitled RELEASE OF TWO YEAR MAINTENANCE GUARANTEE FOR SAAJ URBAN RENEWAL, LLC, HOLIDAY INN EXPRESS HOTEL, BLOCK 63, LOT(S) 1, 2, & 39 AND BLOCK 64 LOT 3
  - g. Resolution #2020-65 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC FOR THE INSTALLATION OF ADA CURB RAMPS AND SIDEWALKS ON WILLIAMSBURG DRIVE AND HOLLOWAY LANE (FY2019 CDBG)
  - h. Resolution #2020-66 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC FOR VAPOR INTRUSION MITIGATION SYSTEM INSPECTION FOR 262 CROSSWICKS ROAD
  - i. Resolution #2020-67 entitled RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO AN INTERLOCAL SERVICE AGREEMENT FOR ANIMAL CONTROL SERVICES WITH THE TOWNSHIPS OF CHESTERFIELD AND MANSFIELD
  - j. Resolution #2020-68 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO DONNA MULDROW UPON RETIREMENT
  - k. Resolution #2020-69 entitled RESOLUTION TO APPOINT KITTINA WALLRATH AS TREASURER IN THE BORDENTOWN TOWNSHIP FINANCE DEPARTMENT
  - l. Resolution #2020-70 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS

9. Ordinance #2020-04 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE TO ESTABLISH PERMIT AND FEE SCHEDULE
  - a. Public Hearing
  - b. Consideration of Adoption
10. Introduction of Ordinance #2020-05 entitled CALENDAR YEAR 2020 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)
11. Old Business: Update on New 2020 Trash Pick-Up System
12. New Business: None
13. Administrator’s Report
14. Township Committee Liaison Reports
15. Public Participation: Questions, comments or statements from members of the public in attendance
16. Final Comments from Township Committee
17. Motion to Adjourn – Next Township Committee Meeting scheduled for Monday, March 9, 2020.

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

RESOLUTION 2020-2-24

RESOLUTION TO MEET IN CLOSED EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee of the Township of Bordentown wishes to discuss:

- Attorney/Client Privilege:   Municipal Complex
- Personnel:                       Finance Office

WHEREAS, minutes of the closed session will be kept and not be made public until the above matters no longer require confidentiality.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby exclude the public to meet in Closed Executive Session on February 24, 2020 for the purpose of discussing the above matters.



NEW JERSEY SENATE

SENATOR TROY SINGLETON  
7<sup>TH</sup> LEGISLATIVE DISTRICT  
400 NORTH CHURCH STREET  
SUITE 200  
MOORESTOWN, NJ 08057  
TEL: 856-234-2790  
FAX: 856-234-2957  
SenSingleton@njleg.org

COMMITTEES  
COMMUNITY AND URBAN AFFAIRS, CHAIR  
ECONOMIC GROWTH, VICE CHAIR  
BUDGET AND APPROPRIATIONS  
JUDICIARY

February 13, 2020

New Jersey Department of Transportation  
Attn: Commissioner Diane Gutierrez-Scaccetti  
PO Box 600  
Trenton NJ 08625-0600

Dear Commissioner Guterrez-Scaccetti,

I am writing this letter on behalf of my constituents in Bordentown Township. As the State Senator of the 7<sup>th</sup> Legislative District, I appreciate your attention to addressing these matters.

Recently, I had the opportunity to meet with Mayor Steve Benowitz and Administrator Michael Theokas. Among the items we discussed were several matters related to the New Jersey Department of Transportation:

1. **Farnsworth and Route 130 Intersection:** The Mayor expressed the urgent need to re-engineer the intersection of Farnsworth Avenue and Route 130 due to traffic concerns and ongoing pedestrian safety issues.
2. **Construction of new CVS:** The Mayor and Administrator also expressed concern regarding the increased traffic that the proposed CVS on the corner of Farnsworth and Route 130 would bring to the area. We would ask that NJDOT do additional traffic studies on the impact on area roads.
3. **Crosswicks and Route 130 Intersection** – Similar to the intersection at Farnsworth, there is a pressing need to address pedestrian safety here as well. Sadly, in 2018, an 18 year-old high school student lost her life while crossing the road.
4. **Weight Restrictions on County Road 545:** The Township also expressed their desire to have weight restrictions placed on part of County Road 545/ Georgetown Rd to prevent heavy tractor trailer traffic from traveling down that road. Yet, the Township has been told that since it is an intra-county road that goes to the Joint Base, they cannot put a weight restriction on it. However, the Township is hoping that a weight restriction can at

least be placed on a section of the road so that heavy truck traffic can instead be directed to Route 660 instead.

As always, I appreciate your time and consideration of these requests. I look forward to your response and to discussing these issues with in person. I am confident we can work with you on a solution that meets the needs of both Bordentown Township and the NJDOT.

Most sincerely,

A handwritten signature in black ink, appearing to read "Troy Singleton". The signature is stylized with a large, sweeping initial "T" and "S".

Hon. Troy Singleton  
Senator, 7<sup>th</sup> Legislative District

cc: Mayor Steve Benowitz  
Administrator Mike Theokas

RESOLUTION #2020-59

APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Regular and Closed Session Meeting Minutes of February 10, 2020; as submitted by the Clerk, are hereby approved as ( \_\_\_\_\_ submitted) ( \_\_\_\_\_ corrected) and authorized to be posted to the Municipal Bulletin Board and website.

BE IT RESOLVED that the following reports for the month of January 2020 as submitted by the Township Officials have been received, provided to the Township Committee and filed with the Township Clerk: Finance, Tax Collector, Township Clerk, Community Development, Construction and Municipal Court.

RESOLUTION #2020-60

RESOLUTION APPROVING AND AUTHORIZING PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE #0304-36-019-01

WHEREAS, the Township Committee of the Township of Bordentown has received an application for a person-to-person transfer of Plenary Retail Consumption License #0304-36-019-001 from Sean Enterprises LLC to DIA Hospitality LLC for the premises identified as 1073 Route 206; and

WHEREAS, a review and investigation by the various responsible officials of the Township with reference to the application has produced the following findings:

1. The submitted application form is complete in all respects and required transfer fees have been received.
2. A statement of consent to the transfer has been filed with the application.
3. Notice of said application was duly published according to law.
4. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations.
5. No written objection to the transfer of license has been filed with the Township.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby approve the person-to-person transfer of Plenary Retail Consumption License #0304-36-019-001 from Sean Enterprises, Inc. to DIA Hospitality, LLC for the premises identified as 1073 Route 206; and

BE IT FURTHER RESOLVED that said person-to-person transfer shall be effective as of February 24, 2020.

**RESOLUTION #2020-61**

**AUTHORIZING REFUND OF OVERPAYMENT OF TAXES**

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 2020 taxes in the amount of \$2,026.80 to COTTON, BARBARA for Block 93.01 Lot 82 commonly known as 13 WINDINGBROOK ROAD

2/24/20

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RESOLUTION #2020-62

RESOLUTION INCREASING THE BID THRESHOLD FOR CONTRACTS SUBJECT TO PUBLIC BIDDING UNDER THE LOCAL PUBLIC CONTRACTS LAW TO \$40,000

WHEREAS effective July 1, 2015, the Governor of the State of New Jersey authorized an adjustment to the bid thresholds for contracting units subject to the Local Public Contracts Law which allows local contracting units with an appointed Qualified Purchasing Agent to increase their bid threshold to a maximum of 40,000.00; and

WHEREAS, Jeffrey Elsasser was appointed Purchasing Agent by the Township Committee via Resolution #2019-148; and

WHEREAS, Jeffrey Elsasser now qualifies as a Qualified Purchasing Agent in accordance with N.J.S.A. 40A:11-9(b); and

WHEREAS, N.J.A.C. 5:34-5.4 provides that a government unit which employs a Qualified Purchasing Agent can take advantage of the higher bid threshold of \$40,000.00 pursuant to N.J.S.A. 40A:11-3(a) and grants the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, the Township of Bordentown desires to take advantage of the increased bid threshold.

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Township of Bordentown, in the County of Burlington, in the State of New Jersey hereby increases its bid threshold from \$17,500 to \$40,000.00.

RESOLUTION #2020-63

RESOLUTION AUTHORIZING FINAL PAYMENT TO GOWER'S INC. FOR THE TERRY FIELD ENHANCEMENT AND BEAUTIFICATION PROJECT – PHASE I

WHEREAS, on October 28, 2019, the Township Committee adopted Resolution #2019-280 which awarded a contract to Gower's, Inc. for Terry Field Enhancement and Beautification Project – Phase I; and

WHEREAS, on December 9, 2020, the Township Committee approved via Resolution #2019-307 a change order for the reestablishment of a drainage swale due to residents' drainage issues for \$4,660.00; and

WHEREAS, by way of correspondence dated February 29, 2020, Turek Consulting, LLC, Township Engineer, advised the Township Committee that the project has been completed and warrants final payment in the amount of \$53,030.00 (Original Contract of \$48,370.00 plus Change Order No. 1 of \$4,660.00); and

WHEREAS, Change Order No. 1 totaling \$4,660.00 has already been paid.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, in the County of Burlington, State of New Jersey, that it does hereby authorize final payment in the amount of \$48,370.00 to Gower's Inc. of 384 Eayrestown Road, Southampton, NJ 08088 for the Terry Field Enhancement and Beautification Project – Phase I.

## **TOWNSHIP OF BORDENTOWN**

### **RELEASE OF TWO YEAR MAINTENANCE GUARANTEE FOR SAAJ Urban Renewal, LLC Holiday Inn Express Hotel BLOCK 63, LOT(S) 1, 2, & 39 AND BLOCK 64 LOT 3**

#### **RESOLUTION NO. 2020-64**

WHEREAS, SAAJ Urban Renewal, LLC is the developer of a certain property within the Township of Bordentown and has been granted preliminary approval and final approval of development plans for the above captioned block and lot, known as the Holiday Inn Express Hotel, subject to certain terms and conditions, including, but not limited to, the filing of Third Party Performance Guarantees guaranteeing the satisfactory installation of certain site improvements; and

WHEREAS, SAAJ Urban Renewal, LLC provided a two year maintenance guarantee in the form of a Surety Bond the amount of \$173,892.12, (Bond 311968); and

WHEREAS, SAAJ Urban Renewal, LLC. has notified the Township in writing and in accordance with the procedures set forth in the Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-53.d, that the required improvements have been completed which are the subject matter of the aforementioned guarantee, and has requested a release of said maintenance guarantee; and

WHEREAS, the Director of Community Development has inspected all the improvements of which notice has been given and recommends herein that the Township Committee approve the release of the maintenance guarantee, and

WHEREAS, the Township Committee has reviewed said request and desires to act favorably with respect to the Director's recommendations in accordance with N.J.S.A. 40:55D-53.d.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown, in the County of Burlington and State of New Jersey, as follows:

1. That the Township Committee, for the aforementioned reasons, hereby approves release of the maintenance guarantee for SAAJ Urban Renewal, LLC., with the following conditions:
2. The release of the guarantee is also conditioned upon payment of any outstanding negative balance in the inspection escrow account.
3. The Township Clerk shall forward a certified copy of this resolution to: SAAJ Urban Renewal, LLC., 242 Grover Avenue, Trenton, NJ 08610, c/o Dinkeroo Taylor.

RESOLUTION #2020-65

RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC FOR THE INSTALLATION OF ADA CURB RAMPS AND SIDEWALKS ON WILLIAMSBURG DRIVE AND HOLLOWAY LANE (FY2019 CDBG)

WHEREAS, there is a continued need to build ADA curb ramps and sidewalks on Williamsburg Drive and Holloway Lane; and

WHEREAS, the proposed improvements were identified as part of the FY 2019 Burlington County Community Development Block Grant (“CDBG”) Application prepared by Turek Consulting, LLC which was awarded in the amount of \$75,000; and

WHEREAS, Turek Consulting LLC submitted a proposal for professional design, inspection services and contract administration for the removal of ADA barriers and installation of ADA curb ramps and sidewalks within the municipal right-of-way on Williamsburg Drive and Holloway Lane; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Turek Consulting LLC will best fulfill the needs of the Township at a price not to exceed \$13,350.00; 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-04-55-966-60	CAPITAL	\$13,350	ADA Ramps & Sidewalks – Williamsburg Dr & Holloway Ln

\_\_\_\_\_  
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 enter into a contract with Turek Consulting LLC of 712 E. Main Street, Suite 1A, Moorestown, NJ 08057 for ADA curb ramps and sidewalks on Williamsburg Drive and Holloway Lane (FY 2019 CDBG) in an amount not to exceed \$13,350.00.

RESOLUTION #2020-66

RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC FOR VAPOR INTRUSION MITIGATION SYSTEM INSPECTION FOR 262 CROSSWICKS ROAD

WHEREAS, there is a need for Vapor Instruction Mitigation System inspections regarding the property located at 262 Crosswicks Road owned by the Township of Bordentown; and

WHEREAS, Turek Consulting LLC has submitted a proposal of services for said purpose; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Turek Consulting LLC will best fulfill the needs of the Township at a price not to exceed \$4,200.00; 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-04-55-965-600	CAPITAL	\$4,200.00	Vapor Instruction Mitigation System Inspection

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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 enter into a contract with Turek Consulting LLC of 712 E. Main Street, Suite 1A, Moorestown, NJ 08057 for Vapor Intrusion Mitigation System Inspections in an amount not to exceed \$4,200.00.

RESOLUTION #2020-67

RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO AN INTERLOCAL SERVICE AGREEMENT FOR ANIMAL CONTROL SERVICES WITH THE TOWNSHIPS OF CHESTERFIELD AND MANSFIELD

WHEREAS, the Township of Bordentown has appointed Animal Control Officers; and

WHEREAS, the Townships of Chesterfield and Mansfield are in need of Animal Control Services and have expressed interest in continuing an Interlocal Services Agreement with the Township of Bordentown for Animal Control services; and

WHEREAS, said Interlocal Service Agreement has been prepared by the Township of Bordentown and has been found to be acceptable by the Township Committee of the Township of Bordentown; and

WHEREAS, N.J.S.A. 40:8A-1, et seq., the Interlocal Service Act, permits this Interlocal Service Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that the Mayor of the Township of Bordentown is hereby authorized to execute Interlocal Service Agreements with the Townships of Chesterfield and Mansfield concerning Animal Control services; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officer and the Municipal Clerks of the Township of Chesterfield and the Township of Mansfield.

RESOLUTION #2020-68

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO DONNA MULDROW UPON RETIREMENT

WHEREAS, Donna Muldrow will retire her position with Bordentown Township as the Treasurer effective March 1, 2020; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Treasurer Muldrow's service to the Township, its residents, and the community at large is noteworthy and that Treasurer Muldrow ends her service in good standing; and

WHEREAS, the Township Finance Department has determined that the total and final compensation due to Treasurer Muldrow upon retirement is \$7,417.68, as detailed in the summary as attached hereto and in accordance with Bordentown Township Municipal Code;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown hereby authorizes final compensation to Treasurer Muldrow upon retirement of a total of \$8,251.01; and

BE IT FURTHER RESOLVED that the Township Committee hereby directs the Township Clerk to provide Treasurer Muldrow a certified copy of this resolution; and

BE IT FURTHER RESOLVED that the Township Committee hereby states its wishes to Treasurer Muldrow for a happy and healthy retirement.

Donna Muldrow Retirement Payout

Annual Salary	\$ 54,355.39	
Daily Rate	\$ 182.93	
2020 Vacation	\$ 603.66	23.3 earned, 20 used, 3.3 left
2020 Personal	\$ (685.98)	3.5 earned, 7.25 used, -3.75 left
Sick Payout	\$ 7,500.00	
Benefits Waiver - Pro-rated	\$ 833.33	
Total	\$ 8,251.01	

RESOLUTION #2020-69

RESOLUTION TO APPOINT KITTINA WALLRATH AS TREASURER IN THE BORDENTOWN TOWNSHIP FINANCE DEPARTMENT

WHEREAS, there is a need to appoint a Treasurer in the Bordentown Township Finance Department; and

WHEREAS, the Township Administrator and Chief Financial Officer have determined that Ms. Kittina Wallrath is qualified for this position and therefore recommend the appointment of Ms. Wallrath as the Treasurer for the Finance Department; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown hereby appoints Ms. Kittina Wallrath as Treasurer for the Bordentown Township Finance Department effective March 1, 2020; and

BE IT FURTHER RESOLVED that compensation shall be set at \$50,000.00 per year; and

BE IT FURTHER RESOLVED that said appointment shall be made in accordance with the rules and regulations of the New Jersey Civil Service Commission.

RESOLUTION #2020-70

APPROVING 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 February 24, 2020, as submitted by the Office of Treasurer are hereby approved for payment and the Office of the Treasurer is directed to pay the same.

**TOWNSHIP OF BORDENTOWN**

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE TO ESTABLISH PERMIT AND FEE SCHEDULE**

**ORDINANCE #2020-04**

**WHEREAS**, the Township Committee of the Township of Bordentown has reviewed the permit and fee schedule in the Bordentown Township Municipal Code section 15.04.020; and

**WHEREAS**, the Township Committee of the Township of Bordentown has determined that the current permit and fee schedule needed to be reviewed for ease of use and completeness.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Bordentown in the County of Burlington, the State of New Jersey, as follows:

**Section 1.** Section 15.04.020 of the Bordentown Township Code is hereby amended to establish a schedule of fees, as follows:

**SECTION 15.04.020 PERMITS AND FEES**

**A. Building Fees**

1. New Construction and Additions

- a. Fees shall be based upon the volume of the structure. Volume shall be computed in accordance with NJAC 5:23-2.28.
- b. Use groups shall be classified and defined in chapter 3 of the Building Sub-code as adopted by NJAC 5:23-3. Class of building shall be determined in NJAC 5:23-4.3A(d).
- c. Single story structures or portions thereof for use groups S-1, S-2, F-1, F-2     \$0.032 per ft<sup>3</sup>
- d. All other use groups except as listed above                                     \$0.038 per ft<sup>3</sup>

NOTES: The calculated height shall be limited to 20' (plus below floor calculation) for uses groups S-1, S-2, F-1 and F-2. No fee shall be required for commercial farm buildings, or portions of, constructed of pre-engineered systems specified in N.J.A.C. 5:23-3.2(d). A fee shall be required, unless exempted, for commercial farm building work performed at the site.

2. Reconstruction, Alteration, Renovation and Repair

NOTES: Fees shall be based upon the estimated cost of work. Estimated cost of work shall be computed per N.J.A.C. 5:23-2.15(a)4 and N.J.A.C. 5:23- 4.20(c)2i3. If any material or labor proposed for installation in the building or structure is furnished or provided at no cost, the material or labor's normal or usual cost shall be included in the estimated cost. If requested by the Construction Official, the applicant shall submit to the Construction Official such cost data as may be available produced by the architect or engineer of record, or by a recognized estimating firm, or by the contractor for the purpose of determining estimated cost . A bono fide contractors bid, if available, shall be submitted. The Construction Official shall make the final decision

regarding cost.

- a. Use groups R-3 and R-5 shall be:
  - i. \$1.00 to \$50,000 \$30 per \$1,000
  - ii. \$50,001 to \$100,000 \$25 per \$1,000
  - iii. Over \$100,000 \$20 per \$1,000
- b. All other use groups shall be:
  - i. \$1.00 to \$50,000 \$35 per \$1,000
  - ii. \$50,001 to \$100,000 \$30 per \$1,000
  - iii. Over \$100,000 \$25 per \$1,000
3. Tents requiring a UCC permit \$150
4. Roofing and Siding .
  - a. Roofing: Group R-2,R-3, R-5; (townhouse and duplex structures only) \$ 65
  - b. Siding: Group R-2,R-3,R-5 (polypropylene siding only) \$ 65 each
  - c. All other use groups for both roofing and siding shall be calculated as a Renovation, Alteration, Renovation or Repair (see section A.2.)
5. Swimming Pools
  - a. Above ground pools for use groups R-3 and R-5 \$105
  - b. In ground pools for use groups R-3 and R-5 \$225
  - c. Hot tub and spas for use groups R-3 and R-5 \$65
  - d. All other use groups for swimming pools / hot tub / spas shall be calculated as a Renovation, Alteration, Renovation or Repair (see section A.2.)
6. Fences and pool barriers
  - a. Fences used as pool barriers \$75
  - b. Fences requiring a UCC permit, other than pool barriers shall be calculated as a Renovation, Alteration, Renovation or Repair (see section A.2.)
7. Storage sheds and similar structures i.e. gazebo, carport, trellis, etc.
  - a. 200 up to 300 square feet \$65
  - b. 301 to 400 square feet \$130
  - c. Over 400 square feet shall be calculated as either New Construction and Addition (section A.1. above) or as Renovation, Alteration, Renovation or Repair (see section A.2.) as applicable
8. Decks, porches, raised patios and similar structures.
  - a. 1 up to 100 square feet \$100
  - b. 101 up to 200 square feet \$200
  - c. 201 square feet and over \$300

NOTE: The square footage calculation shall include all stairs, landings, cantilevers and surface area(s).
9. Demolition of a building or structure (as determined in N.J.A.C. 5:23-4.3A(d))
  - a. Class I \$300
  - b. Class II \$200
  - c. Class III or R-3 and R-5 uses \$100
10. Radon mitigation system \$65
11. Storage and racking systems for all use groups except R-3 or R-5 shall be calculated per as a Renovation, Alteration, Renovation or Repair (see section A.2.)
12. Solar/Photovoltaic systems

- a. Use group R-3 or R-5 \$175
- b. All other use groups per section A.2.
- 13. Retaining walls
  - a. Use group R-3 or R-5
    - i. Less than 150 square feet of surface area (above and below grade) \$95
    - ii. 150 square feet or greater \$175
  - b. All other use groups shall be calculated per as a Renovation, Alteration, Renovation or Repair (see section A.2.)
- 14. Lead/Asbestos abatement
  - a. Lead hazard abatement work requiring a UCC permit \$175
  - b. Lead abatement clearance certificate \$50
  - c. Asbestos abatement work requiring a UCC permit \$175
- 15. Signs
  - a. Sign size shall be gross overall size of sign based upon square footage of one side only
  - b. Pylon signs
    - i. First 100 square feet \$6.00 per square foot
    - ii. Next 400 square feet \$4.75 per square foot
    - iii. Thereafter \$3.50 per square foot
  - c. Ground or wall signs
    - i. First 100 square feet \$3.50 per square foot
    - ii. Next 400 square feet \$3.00 per square foot
    - iii. Thereafter \$2.00 per square foot
- 16. Pre-manufactured solid fuel [wood] stoves, fireplaces, heaters, etc. \$75
- 17. Relocation of a building or structure/set fee
  - a. Includes construction trailer, pre-manufactured construction, modular, etc.
  - b. Shall be calculated as a Renovation, Alteration, Renovation or Repair (see Section A.2.).
  - c. Cost shall include new foundation, anchorage, pad, placement of structure in a completed condition at the site, etc.
  - d. Structures as listed in Section A.7. shall be excluded
- 18. Light standard, light pole, lamppost, flagpole, etc. requiring a footing
  - a. Height up to 8 feet \$25 each
  - b. Total height over 8 feet \$40 each

**B. Plumbing Fees**

- 1. Plumbing fixtures, devices, stacks
 

NOTE: Includes all fixtures, appliances, equipment, and devices such as, but not limited to, water closets, urinals, bidets, bath tubs, showers, lavatory, floor drain, floor sink, standpipe, sink, dishwasher, drinking fountain, washing machine, hose bibb/sillcock, condensate drain, air admittance device, area drain, vent/drainage stack, indirect waste trap, food waste disposer, roof drain, water filtration, roof hydrant, misc. connection, etc.

  - a. Use groups R-3 or R-5 \$20
  - b. All other use groups \$28
- 2. Backflow preventers
  - a. Use groups R-3 or R-5 \$50
  - b. All other uses non-testable \$50

c.	All other uses testable	\$85
d.	Certificate of Compliance for testable backflow preventers	\$50
	<u>NOTES:</u> Not applicable for use group R-3 or R-5 or for initial testing and commissioning	
3.	Interceptors (including grease), separators, neutralizers, dilution tanks	\$ 90
4.	Pumps	
a.	Use groups R-3 or R-5 sump pump/basin/pit	\$20
b.	All other use groups sump pump/basin/pit	\$50
c.	Sewage pump, ejector/grinder/booster pump, etc	\$85
d.	Individual fixture pump	\$35
5.	Sewer piping and connection	\$ 115
6.	Water service and connection	\$ 115
7.	Combination domestic and fire water service all use groups except R-3 or R-5	\$175
8.	Pools	
a.	Pool drain	\$35
b.	Hydrostatic pool pressure test per ISPSC	\$35
c.	Pool heater use group R-3 or R-5	\$50
d.	Pool heater all other use groups	\$100
9.	Gas, oil, or LPG piping systems (including rearrangement, extension, or new)	
a.	Use groups R-3 or R-5 piping system	\$65
b.	All other use groups piping system	\$95
c.	Use group R-3 or R-5 outlet or appliance/equipment connection	\$20
d.	All other use groups outlet or appliance/equipment connection	\$28
e.	Pressure test on existing gas piping system with no other work	\$65
10.	Equipment / appliance	
a.	Water heater	\$65
b.	Steam or hot water boiler, furnace, RTU, etc.	
i.	Use group R-3 or R-5 steam or hot water boiler, furnace	\$85
ii.	All other use groups	\$125
c.	Air conditioning only (no furnace) for use groups R-3 and R-5	\$50
d.	Air conditioning when replaced with a furnace for use groups R-3 and R-5	No fee
e.	Fireplace inserts all except solid fuel	\$50
f.	Generator or pool heater	
i.	Use groups R-3 and R-5	\$50
ii.	All other use groups	\$100
11.	Miscellaneous	
a.	Dental/Medical vacuum system	\$150
b.	Hydronic piping for geothermal, baseboard, floor heating, etc. (includes hydrostatic pressure test where applicable)	\$35
c.	Active solar thermal system	\$50
d.	Refrigeration system	\$100
e.	Carbonated beverage system requiring UCC permit	\$65
f.	Septic tank/cesspool abandonment	\$85

### C. Mechanical Fees

1. Use group R-3, R-4 or R-5 only. These fees shall be in lieu of plumbing fees when the mechanical sub-code is used and is for replacement or installation in an existing dwelling only. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.
2. Equipment/ appliance
  - a. Water heater \$65
  - b. Steam or hot water boiler, furnace \$85
  - c. Air conditioning only \$50
  - d. Air conditioning when replaced with a furnace No fee
  - e. Gas fireplace inserts and/or logs \$50
  - f. Generator or pool heater \$50
  - g. Chimney liner served by all types of fuel (except solid fuels) \$50

### D. Electric Fees

1. Fixtures or receptacles (shall include lighting fixtures/outlets, wall switches, convenience receptacles, low voltage outlets, sensors, dimmers, alarm devices, smoke and heat detectors/alarms, communication outlets, light standards 8 feet or less in height including luminaries, emergency lights, electric signs, exit lights, or similar electric fixtures and devices rated 20 amps or less including motors or equipment rated less than 1 horsepower or kilowatt.
  - a. First 25 \$65
  - b. Each additional 25 \$40
2. Motors, electrical devices, transformers, generators (each) in horsepower, kilowatt, or kilovolt
  - a. 1-9 hp/kw/kv \$20
  - b. 10-50 hp/kw/kv \$100
  - c. 51-100 hp/kw/kv \$200
  - d. Over 100 hp/kw/kv \$600
3. Service panels, service equipment, sub-panel, switchgear, switchboard, motor control center, disconnecting means, service entrance or feeder conductors (based upon the designated ampere rating of the overcurrent device (each)
  - a. Up to 150 amps \$100
  - b. 150.01 to 300 amps \$175
  - c. 300.01 to 1000 amps \$300
  - d. Over 1,000 amps \$700
4. Miscellaneous
  - a. Replacement of wiring involving one branch circuit or part \$20
  - b. Security/fire/burglar alarm control unit only
    - i. Use group R-3 or R-5 \$20
    - ii. All other use groups \$75
  - c. Receptacle
    - i. Rated from 20.01 to 50 amps \$20
    - ii. Rated over 50 amps \$75
  - d. Light standard, light pole, lamppost, including luminaries over 8 feet high \$25
  - e. Communications closet \$100
  - f. Electric sign rated over 20 amps including disconnecting means \$75

- g. For installations consisting of multi-meter stacks, the fee shall be based upon the ampere rating of the main bus and not upon the number of meters or rating of disconnects on the meter stack. Individual load side panel boards shall be charged in accordance with Sections D.2. or D.3. There shall be no additional fee for the concurrent installation of individual feeder conductors.
  - h. Fire pumps shall be calculated per Section D.3. with a minimum fee of \$100
  - i. Jockey pumps shall be calculated per Section D.2. with no minimum fee
  - j. The fee charged for process equipment shall be based upon the ampere rating of the overcurrent device protecting the conductor feeding the process equipment or the cutoff device.
  - k. For motors or similar devices requiring concurrent installation of individual controls, relays and switches, the fee shall be based only upon the rating of the motor or device. There shall be no additional fee charged for the concurrent installation of individual circuit components, for example, controllers, starters, and disconnecting means.
  - l. Photovoltaic
    - i. Use group R-3 or R-5
 

(a) Up to 12 kilowatt	\$100
(b) 12.01 to 25 kilowatt	\$150
(c) Over 25 kilowatt	\$450
(d) Inverter	\$50 each
(e) Micro inverter	\$3 each
    - ii. All other use groups
 

(a) Up to 10 kilowatt	\$100
(b) 10.01 to 25 kilowatt	\$250
(c) 25.01 to 100 kilowatt	\$350
(d) 100.01 to 500 kilowatt	\$550
(e) Over 500 kilowatt	\$1.00 per kw for every kw over 500 plus \$550
(f) Micro inverter	\$4 each
(g) All other associated equipment such as inverters, subpanels, disconnects, back-fed circuit breakers, etc. shall be calculated per D.1, D.2, D.3. or D.4.	
5. Pools
- a. Use group R-3 or R-5 swimming pools as defined in the building sub-code, spa, hot tub, or fountain including bonding, associated equipment such as pumps, motors, disconnecting means, switches, required receptacles, etc. except heaters, panel boards, or underwater lighting fixtures in \$100
  - b. Storable pool in use group R-3 or R-5 \$50
  - c. Underwater lighting fixture, additional \$35 each
  - d. All other use groups shall be calculated on the basis of the number of electrical fixtures and the rating of electrical devices involved as per D.1, D.2, D.3. or D.4.
6. Certificate of Compliance for public pools, spas, and hot tubs for 1st pool, spa, or hot tub on a site
- a. Annual pool inspection \$85
  - b. Each additional pool, spa, or hot tub on same site \$55
  - c. Re-inspection fee \$40

**E. Fire Protection Fees**

1. Sprinkler heads		
a. 1 to 20 heads	\$100	
b. 21 to 100 heads	\$200	
c. 101 to 200 heads	\$400	
d. 201 to 400 heads	\$800	
e. 401 to 1000 heads	\$1,500	
f. 1001 to 2000 heads	\$2,250	
g. Over 2000 heads	\$2,250 plus \$1.00 for each head over 2,000	
2. Initiation and notification devices, such as smoke/heat detectors, alarms, horn/strobe, pull stations, supervisory devices, etc.		
a. 1 to 10	\$75	
b. Each additional 25 devices (or portion thereof)	\$35	
3. Standpipe	\$350 each	
4. Alternate/independent fire extinguishing system (dry/wet chemical, foam, halon, etc.)		\$160
5. Clean agent system	\$200	
6. Fire pump		
a. Up to 500 gallons per minute	\$350	
b. Over 500 gallons per minute	\$500	
c. Jockey pump	\$100	
7. Fire department connection	\$100	
8. Smoke control system (each independent system)	\$350	
9. Hazardous exhaust system	\$250	
10. Alarm / Dry pipe / Pre-action valves	\$80	
11. Kitchen exhaust system		
a. Domestic Except R-3 or R-5	\$65	
b. Non-domestic	\$175	
12. Incinerator / Crematorium	\$500	
13. Tanks		
a. Fire suppression water storage tank for use groups R-3 or R-5		\$100
b. Fire suppression water storage tank for all other uses	\$200	
c. Fuel tank installation for use groups R-3 or R-5	\$85	
d. Fuel tank installation for all other use groups	\$150	
e. Demolition or abandonment of a tank - UST, BST, or AST		
i. Use groups R-3 or R-5	\$95	
ii. All other use groups	\$125	
14. Dedicated fire protection water service	\$175	
15. Gas or oil fired appliance use groups R-3 or R-5	\$65	
16. Gas or oil fire appliance all other use groups	\$85	
17. Spray booths, spaces, or rooms, dipping operations	\$350	
18. Fuel dispensing unit (service station type, each)	\$40	
19. Fire alarm control panel	\$95	
20. Smoke/heat vent	\$5	
21. Fire command center	\$250	
22. Portable fire extinguisher, all use groups except R-3 or R-5		

- a. 1 to 5 when applied with other fire protection permit items No Fee
- b. 1 to 5 \$65
- c. 6 to 50 \$75
- d. Over 50 \$100

**F. Administrative Fees**

1. Certificates

- a. Certificate of Occupancy for use groups R-3 or R-5 \$75
- b. Certificate of occupancy for all use groups except R-3 or R-5 shall be 10% of the construction permit fee. Minimum fee: \$175 Maximum fee \$5000
- c. Certificate of Continued Occupancy \$200
- d. Certificate of Occupancy for a change of use \$280
- e. Extension of a Temporary Certificate of Occupancy \$ 30
- f. Lead abatement clearance certificate \$50
- g. Certificate of Compliance for public pools, spas, and hot tubs for 1st pool, spa, or hot tub on a site
  - i. First pool, spa or hot tub \$85
  - ii. Each additional pool, spa, or hot tub on same site \$55
- h. Certificate of Compliance for testable backflow preventer (each) \$50

2. Variation fees

- a. Class I \$450
- b. Class II \$300
- c. Class III (all R-3 and R-5 uses are Class III) \$150

3. Reinstatement of a lapsed construction permit \$50/per sub-code

NOTES: New Jersey state permit surcharge fees shall be in accordance with N.J.A.C. 5:23-4.19. Development wide inspection fees shall be in accordance with N.J.A.C. 5:23-4.17(d). Annual permit fees shall be in accordance with N.J.A.C. 5:23-4.20(c)5.

4. Minimum permit fee per sub-code/discipline \$65

5. Plan review

- a. Hourly fees for additional review of any amendments or changes to a plan that has already been released (except for use group R-3 or R-5), or substantial repeated reviews, or development wide inspection fees \$80 per hour
- b. Plan review fee of use R-3 or R-5 for compliance under the alternate systems and nondepletable energy source provisions of the energy sub-code and for light commercial structures having an indoor temperature controlled from a single point. \$375
- c. All other use groups \$1,800

NOTES: The plan review fee shall be 15% of the amount to be charged for a new construction permit. This is the plan review fee for prototype plans. When plans have been reviewed and released by the State of New Jersey DCA, the permit fee shall be reduced by 20% from the amount otherwise specified in our fee schedule. Plan review fees are non-refundable.

**G. General Provisions**

- 1. The fee charged for a construction permit will be the sum of the basic construction fee computed in accordance with the fee schedule herein, plus any applicable special fees, such as but not limited to sign fees, racking, etc. This fee shall be paid before a permit is issued.

2. The fee charged for a certificate of occupancy shall be paid before a certificate is issued. This fee shall be in addition to the construction permit fee.
3. All other fees not specifically covered by this section shall be in accordance with N.J.A.C. 5:23-4.
4. Fees shall be rounded to the nearest dollar amount and all fees are shown in whole US dollars.

INTRODUCED: February 10, 2020

ADOPTED:

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE #2020-05**

**CALENDAR YEAR 2020 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Bordentown in the County of Burlington finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 337,923.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Bordentown, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Bordentown shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 337,923.46, and that the CY 2020 municipal budget for the Township of Bordentown be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.