

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

DATE: APRIL 13, 2020      TIME: 7:30 P.M. VIRTUAL MEETING

Join URL: <https://us02web.zoom.us/j/599162708?pwd=QXB1aG9WQ05aNXZITnZ3WEllQXZVQT09>

1. Call to Order and 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. Salute to the flag and moment of silence

3. Open Public Meeting 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.

5. Mayoral Proclamations

- a. Designating March as Women’s History Month
- b. Designating April as National Autism Awareness Month

6. Correspondence: Excerpt of Minutes from the Bordentown Regional School District Board of Education meeting held on April 1 regarding the Resolution Opposing Delay in Transmission of Quarterly Property Tax Revenue to School Districts; No action necessary.

7. Resolution #2020-92 entitled RESOLUTION TO READ BUDGET BY TITLE ONLY

8. 2020 MUNICIPAL BUDGET

- a. Administrator’s Overview of 2020 Municipal Budget
- b. Public Hearing on 2020 Municipal Budget
- c. Motion to postpone the adoption of the 2020 Municipal Budget

9. Administrative Review of Agenda

10. CONSIDERATION OF CONSENT AGENDA ITEMS:
  - a. Township Committee review and discussion of Consent Agenda Items.
  - b. Public comment on Consent Agenda items.
11. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2020-93 to #2020-99
  - a. Resolution #2020-93 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS
  - b. Resolution #2020-94 entitled APPOINTING TOWNSHIP APPRAISER FOR THE YEAR 2020
  - c. Resolution #2020-95 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO SALVATORE GUIDO UPON RETIREMENT
  - d. Resolution #2020-96 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO MEMORIALIZE ACCEPTANCE OF THE RESIGNATION OF JENNIFER PASSERELLA, PATROL OFFICER IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT
  - e. Resolution #2020-97 entitled RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO A MEMORIANDUM OF UNDERSTANDING WITH HABITAT FOR HUMANITY OF BURLINGTON COUNTY, INC. REGARDING THE FUTURE DEVELOPMENT OF 179, 181 AND 183 CROSSWICKS ROAD
  - f. Resolution #2020-98 entitled RESOLUTION AMENDING RESOLUTION #2020-90 ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR GROUNDWATER MONITORING ABANDONMENT AND INSTALLATION FOR THE PROPERTY LOCATED AT 262 CROSSWICKS ROAD TO INCLUDE TASK #2
  - g. Resolution #2020-99 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS
12. Consideration of Resolution #2020-100 entitled SUSPENDING COLLECTION OF BUSINESS LICENSE FEES FOR THE 2020-2021 LICENSING YEAR
13. Ordinance #2020-06 entitled ORDINANCE AMENDING THE BORDENTOWN TOWNSHIP MUNICIPAL CODE ADDING CHAPTER 8.31 REGARDING COMMERCIAL TENANCY CHANGE
  - a. Public Hearing
  - b. Consideration of Adoption
14. Ordinance #2020-07 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE AGWAY (GROWMARK)/YATES REDEVELOPMENT PLAN
  - a. Adoption of Ordinance #2020-07 was tabled from the March 23<sup>rd</sup> meeting. This necessitates a motion to Take Ordinance #2020-07 from the table (voice vote).
  - b. Motion to table the ordinance until June 22, 2020 (roll call vote)

15. Ordinance #2020-09 entitled AN ORDINANCE AMENDING THE BORDENTOWN TOWNSHIP MUNICIPAL CODE AND CREATING A PROJECT LABOR AGREEMENT REQUIREMENT FOR CERTAIN PUBLIC WORKS CONTRACTS AND PUBLICLY FUNDED PROJECTS
  - a. Adoption of Ordinance #2020-09 was tabled from the March 23<sup>rd</sup> meeting. This necessitates a motion to Take Ordinance #2020-09 from the Table (voice vote).
  - b. Motion to table the ordinance until May 26, 2020 (roll call vote)
16. Introduction of Ordinance 2020-10 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING CERTAIN APPROPRIATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN THE AGGREGATE AMOUNT OF \$177,396.24 AND RE-APPROPRIATING \$174,144.74 OF SAID APPROPRIATIONS FOR OTHER CAPITAL IMPROVEMENTS OR FOR TRANSFER TO THE CAPITAL SURPLUS FUND
17. Introduction of Ordinance 2020-11 entitled ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, AMENDING THE BORDENTOWN TOWNSHIP MUNICIPAL CODE AND ADDING SECTION 2.68.080 “POLICE OUTSIDE EMPLOYMENT” (By Title Only)
18. New Business: None
19. Administrator’s Report
20. Public Participation: Questions, comments or statements from members of the public in attendance
21. Final Comments from Township Committee
22. Motion to Adjourn – Next Township Committee Meeting scheduled for Monday, April 27, 2020.

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

*Office of the Mayor  
Township of Bordentown  
Proclamation*

**WHEREAS**, President Jimmy Carter in 1980 designated the week of March 8 as National Women’s History Week and in 1981 Congressional Resolution was created for National Women’s History Week; and

**WHEREAS**, in March of 1987 Congress declared March as National Women’s History Month in perpetuity and every year since then a special Presidential Proclamation is issued which honors extraordinary achievements by American women; and

**WHEREAS**, Women’s History Month stimulates an increased awareness and knowledge of women’s history and gives everyone a chance to celebrate the contributions of notable and ordinary women; and

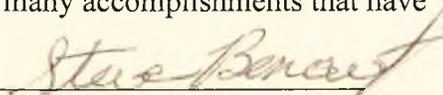
**WHEREAS**, the National Women’s History Alliance theme this year to recognize women’s achievements is **“Valiant Women of the Vote”**; this theme honors all the brave women who fought to win suffrage rights for women; and

**WHEREAS**, International Women’s Day 2020 is celebrated on March 8 and the theme is “I am Generation Equality; Realizing Women’s Rights;’ and

**WHEREAS**, women of every race, class and ethnic background have impacted our society on many levels such as social, cultural, economics and politics. They have served as teachers, as lawyers, and as leaders in our military and in the medical field and have established many charitable and cultural institutions which encourage us to celebrate these great progressive achievements by woman throughout history; and

**WHEREAS**, women have always had unique challenges but managed to carve out great legacies through hard work and determination; they have inspired, empowered, motivated others to reach their goals and a level of personal excellence that is admired by others.

**NOW, THEREFORE, LET IT BE RESOLVED**, I, Steve Benowitz, Mayor, of the Township of Bordentown, County of Burlington and State of New Jersey, in the Municipality of Bordentown Township do hereby proclaim March as Women’s History Month to recognize and celebrate all women for the many accomplishments that have served in shaping our great Nation.

  
**STEVE BENOWITZ**  
**MAYOR**



*Office of the Mayor  
Township of Bordentown*

*Proclamation*

**WHEREAS**, autism is a pervasive developmental disorder affecting the social, communication and behavioral skills of those affected by it; and

**WHEREAS**, as more health professionals become proficient in diagnosing autism, more children are being diagnosed on the autism spectrum, resulting in rates as high as 1 in 59 children nationally and 1 in 34 in New Jersey; and

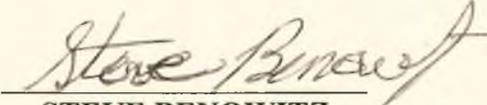
**WHEREAS**, while there is no cure for autism, it is well-documented that if individuals with autism receive early and intensive treatment throughout their lives, they lead significantly improved lives; and

**WHEREAS**, individuals with autism often require a lifetime of specialized-and community-support services to ensure their health and safety and to support families' resilience as they manage the psychological and financial burdens autism can present; and

**WHEREAS**, Autism in New Jersey is spearheading an awareness effort in order to educate parents, professionals and the general public about autism and its effects; and

**NOW, THEREFORE, LET IT BE RESOLVED**, I, Steve Benowitz, Mayor, of the Township of Bordentown, County of Burlington and State of New Jersey, do hereby proclaim **April 2020** as **National Autism Awareness Month** in the Municipality of Bordentown, and urge all employees and residents to participate in our municipality's National Autism Awareness Month activities, in order to become better educated about autism and create a better community for individuals with autism.



  
**STEVE BENOWITZ**  
**MAYOR**

Ms. Eileen Francisco-Cabus  
President

Mr. Salvatore Schiano  
Vice President

# Bordentown Regional School District

318 WARD AVENUE  
BORDENTOWN, NJ 08505

Dr. Edward J. Forsthoffer III  
Superintendent

Ms. Chifonda Henry  
Business Administrator

|   |                              |  |
|---|------------------------------|--|
| <b>Business<br/>Office</b><br>(609) 298-0025<br>Extension 1204                            | <b>FAX</b><br>(609) 298-2515 | <b>Superintendent's<br/>Office</b><br>(609) 298-0025<br>Extension 1211 |
| Internet Web Site: <a href="http://www.bordentown.k12.nj.us">www.bordentown.k12.nj.us</a> |                              |  |

I, Chifonda Henry, Secretary of the Board of Education of the Bordentown Regional School District, in the County of Burlington, State of New Jersey, hereby certify that the foregoing annexed extract from the minutes of the meeting of the Board of Education of said School District duly called and held on April 1, 2020, have been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Education and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

**A motion was made by Ms. Miller, seconded by Mr. Schiano to approve the following:**

Motion to approve Resolution Opposing Delay in Transmission of Quarterly Property Tax Revenue to School Districts.

### RESOLUTION

#### **Opposing Delay in Transmission of Quarterly Property Tax Revenue to School Districts**

**WHEREAS**, Assembly Bill 3902, currently pending in the State Legislature, would authorize the Department of Community Affairs to permit municipalities to delay the quarterly transmission of property tax revenues to school districts during gubernatorial-declared emergencies; and

**WHEREAS**, New Jersey's public schools are highly dependent on property tax revenue to support education programs; and

**WHEREAS**, on average, local property taxes constitute close to 60% of public-school revenue, with the percentage even greater in a significant number of districts; and

**WHEREAS**, a delay in payments from municipalities would result in a financial crisis for school districts, seriously disrupting the educational process—and bringing it to a halt; and

**WHEREAS**, although public school buildings are closed during the current health emergency, the education of our students is taking place through remote learning and home instruction; and

**WHEREAS**, continued timely transmission of school property taxes is critical for the education process to continue without interruption; and

Ms. Eileen Francisco-Cabus  
President

Mr. Salvatore Schiano  
Vice President

# Bordentown Regional School District

318 WARD AVENUE  
BORDENTOWN, NJ 08505

Dr. Edward J. Forsthoffer III  
Superintendent

Ms. Chifonda Henry  
Business Administrator

|  |                              |  |
|--|------------------------------|--|
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|--|------------------------------|--|

Internet Web Site: [www.bordentown.k12.nj.us](http://www.bordentown.k12.nj.us)

**WHEREAS**, even though municipalities are designated as the authorities to collect property taxes, these taxes are levied for specific purposes—e.g., municipal, school, county, fire district—and these obligations must continue to be met; and

**WHEREAS**, as currently written, A-3902, which is intended to ease a financial burden on municipalities, would place a severe strain on school districts and the students and families that they serve; and

**WHEREAS**, the Bordentown Regional School District Board of Education recognizes the impact of the current public health emergency on the state and local governments, as well as local school districts, but believes this legislation would worsen the situation for our communities.

**NOW, THEREFORE, BE IT RESOLVED** that the Bordentown Regional School District Board of Education urges the State Senate and the Governor to oppose A-3902; and be it further

**RESOLVED**, that this resolution be delivered to Governor Phil Murphy, State Senate President Stephen M. Sweeney, Assembly Speaker Craig Coughlin; State Senator Troy Singleton, Assemblywoman Carol Murphy, and Assemblyman Dr. Herb Conaway; Bordentown Township Administrator Michael Theokas, Mayor Steve Benowitz, Deputy Mayor Eric Holliday, Committeeman James Kostoplis, Committeeman Kenneth Mason, Committeeman Eugene Fuzy; Bordentown City Mayor James Lynch, Deputy Mayor John Brodowski, and Commissioner Joseph Myers; Fieldsboro Mayor Dave Hansell, Councilmember Amy Telford, Councilmember Charlene Lewis, Councilmember Richard Lynch, Councilmember John Norcross, Councilmember Rosemarie Weaver, and Councilmember Andrew Weber, and be it further

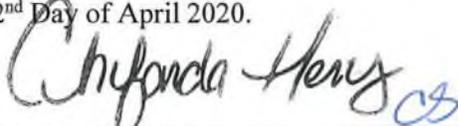
**RESOLVED**, that copies of this resolution be sent to the New Jersey School Boards Association.

ON A ROLL CALL VOTE:

AYES: Ms. Augustyn, Mr. Heberling, Mr. James, Ms. Miller, Ms. Nielsen, Mr. Schiano, Ms. Worthy and Ms. Francisco-Cabus. NOES: Mr. Barman. ABSTENTIONS: None. ABSENT: None.

Motion approved by majority

In witness whereof, I have hereunto  
set my hand and affixed the corporate  
Seal of said Board of Education this  
2<sup>nd</sup> Day of April 2020.



Chifonda Henry, Board Secretary

RESOLUTION #2020-92

RESOLUTION TO READ BUDGET BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995, provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the 2020 Municipal Budget to be read by title only.

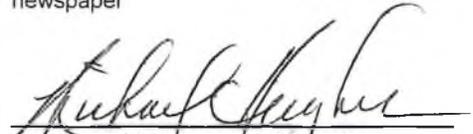
2-095902004

0007338617-01

Michael Hughes being duly sworn or affirmed according to law, deposes and says that he/she is the Legal Billing Coordinator of the BURLINGTON TIMES, INC. Publisher of the "Burlington County Times" and that a copy of a notice published in such paper on

March 17, 2020

appears hereto, exactly as published in said newspaper

  
LEGAL BILLING CO-ORDINATOR

Sworn and subscribed to before me this 23rd day of March 2020 A.D.

  
Kristen Smith  
My commission expires on  
October 30, 2022

**2020 Municipal Budget**  
**of the TOWNSHIP of BORDENTOWN County of**  
**BURLINGTON for the fiscal year 2020.**

**Revenue and Appropriations Summaries**

| Summary of Revenues                            | Anticipated   |               |
|--|---------------|---------------|
|  | 2020          | 2019          |
| 1. Surplus                                     | 2,160,000.00  | 2,185,000.00  |
| 2. Total Miscellaneous Revenues                | 8,071,685.00  | 5,043,929.15  |
| 3. Receipts from Delinquent Taxes              | 475,000.00    | 850,000.00    |
| 4. a) Local Tax for Municipal Purposes         | 6,630,315.00  | 6,543,493.22  |
| b) Addition to Local School District Tax       |               |               |
| c) Minimum Library Tax                         |               |               |
| Tot Amt to be Rsd by Taxes for Sup of Muni Bnd | 6,630,315.00  | 6,543,493.22  |
| Total General Revenues                         | 17,337,000.00 | 14,622,422.37 |

| Summary of Appropriations                     | 2020 Budget   | Final 2019 Budget |
|---|---------------|-------------------|
| 1. Operating Expenses: Salaries & Wages       | 5,290,000.00  | 5,104,425.37      |
| Other Expenses                                | 6,588,674.52  | 4,333,275.46      |
| 2. Deferred Charges & Other Appropriations    | 1,435,663.13  | 1,180,577.48      |
| 3. Capital Improvements                       | 300,000.00    | 50,000.00         |
| 4. Debt Service (Include for School Purposes) | 3,111,956.90  | 3,083,398.72      |
| 5. Reserve for Uncollected Taxes              | 610,705.45    | 870,745.34        |
| Total General Appropriations                  | 17,337,000.00 | 14,622,422.37     |
| Total Number of Employees                     | 105           | 102               |

| Balance of Outstanding Debt |               |
|-----------------------------|---------------|
|                             | General       |
| Interest                    | 761,956.90    |
| Principal                   | 1,430,000.00  |
| Outstanding Balance         | 20,705,000.00 |

Notice is hereby given that the budget and tax resolution was approved by the COMMITTEE PERSONS of the TOWNSHIP of BORDENTOWN, County of BURLINGTON on March 9, 2020.

A hearing on the budget and tax resolution will be held at 1 Municipal Dr, on April 13, 2020 at 7:30 o'clock PM at which time and place objections to the Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested parties.

Copies of the budget are available in the office of the Municipal Clerk at the Municipal Building, 1 Municipal Drive, Bordentown, New Jersey, 609-298-2800 during the hours of 9:00 a.m. to 4:30 p.m.

Adv. Fee: \$154.56  
BCT: March 17, 2020  
Aff. Chg.: \$20.00

8C-0007338617-01

RESOLUTION #2020-93

APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Regular Session Meeting Minutes of March 23, 2020; as submitted by the Clerk, are hereby approved as ( \_\_\_\_\_ submitted) ( \_\_\_\_\_ corrected) and authorized to be posted to the Municipal Bulletin Board and website.

RESOLUTION #2020-94

APPOINTING TOWNSHIP APPRAISER FOR THE YEAR 2020

WHEREAS, the Township of Bordentown published a notice for the solicitation of proposals for professional service agreements for an Appraiser to be appointed by the Township Committee; and

WHEREAS, proposals were solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, prior to awarding the professional service agreements herein, the Township Committee considered six criteria that included the applicant's qualifications; general experience; specific experience with the Township of Bordentown, if any; quantified achievements within the scope and nature of the services required; compensation; and references; and

NOW, THEREFORE, BE IT RESOLVED that after receiving said proposals, the Township Committee desires to award a professional service agreements for the year 2020 to J.McHale & Associates, Inc. to serve as the Township Appraiser.

RESOLUTION #2020-95

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO  
AUTHORIZE FINAL COMPENSATION TO SALVATORE GUIDO UPON RETIREMENT

WHEREAS, Salvatore Guido will retire his position with Bordentown Township Police Department as the Sergeant effective April 1, 2020; and

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

WHEREAS, the Township Finance Department has determined that the total and final compensation due to Sergeant Guido upon retirement is \$13,231.14, 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 Sergeant Guido upon retirement of a total of \$13,231.14; and

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

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

RESOLUTION #2020-96

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO  
MEMORIALIZE ACCEPTANCE OF THE RESIGNATION OF JENNIFER PASSERELLA, PATROL  
OFFICER IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT

WHEREAS, Jennifer Passerella, Patrol Officer, has resigned her position with the Township of Bordentown Police Department effective April 2, 2020;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept the resignation of Ms. Passerella's employment with the Township and further terminates all benefits provided to Ms. Passerella effective April 2, 2020; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bordentown that the above employment termination is in accordance with and under the regulations of the New Jersey State Civil Service Commission.

RESOLUTION #2020-97

RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH HABITAT FOR HUMANITY OF BURLINGTON COUNTY, INC. FOR DEVELOPMENT OF 179, 181 AND 183 CROSSWICKS ROAD

WHEREAS, in response to the New Jersey Supreme Court's decision In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015), on or about July 2, 2015, the Township filed an action with the Superior Court of New Jersey ("Court"), entitled In the Matter of the Application of the Township of Bordentown, County of Burlington Docket No. BUR-L-1620-15, seeking a Judgment of Compliance and Repose approving its Affordable Housing Plan (as defined herein), in addition to related reliefs (the "Compliance Action"); and

WHEREAS, the Township of Bordentown has secured an Order from the New Jersey Courts protecting the Township from all exclusionary zoning lawsuits while it pursues approval of its Fair Share Plan; and

WHEREAS, Habitat for Humanity of Burlington County, Inc. ("Habitat") is an experienced and reputable entity in providing affordable home ownership opportunities to low- and moderate-income households; and

WHEREAS, pursuant to N.J.S.A. 52:27D-325, the Township of Bordentown has or is about to acquire real properties located at 179, 181 and 183 Crosswicks Road (the "Property") for the purpose of providing low- and moderate-income housing; and

WHEREAS, the Township of Bordentown and Habitat for Humanity of Burlington County, Inc. have reached an agreement in principal to create a realistic opportunity for the construction of affordable housing units on the Property and credits towards the Township's affordable housing obligation; and

WHEREAS, the Township and Habitat wish to enter into a Memorandum of Understanding to memorialize general terms for the proposed development of the Property which is to be incorporated into a mutually acceptable Affordable Housing Agreement.

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 Mayor and Township Clerk are hereby authorized to execute the attached Memorandum of Understanding with Habitat for Humanity of Burlington County, Inc., and
- 2) The Township hereby authorizes and approves any non-substantive modifications to the Memorandum of Understanding as may be recommended and approved by the Township Engineer and Township Attorney prior to execution.

RESOLUTION #2020-98

RESOLUTION AMENDING RESOLUTION #2020-90 ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR GROUNDWATER MONITORING ABANDONMENT AND INSTALLATION FOR THE PROPERTY LOCATED AT 262 CROSSWICKS ROAD TO INCLUDE TASK #2

WHEREAS, there is a need for Groundwater Monitoring, Abandonment and Installation regarding the property located at 262 Crosswicks Road in the Township of Bordentown; and

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

WHEREAS, the Township Committee of the Township of Bordentown determined via Resolution #2020-90 that Turek Consulting LLC will best fulfill the needs of the Township at a price not to exceed \$7,500.00; and

WHEREAS, Task #2 of Turek Consulting's proposal was inadvertently excluded; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Task #2 is necessary to best fulfill the needs of the Township thus increasing the price not to exceed by \$1,200 for a total of \$8,700.

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 | \$8,700 | Groundwater Monitoring |

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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 that Resolution #2020-90 is hereby amended as follows:

The Township Administrator is hereby authorized increase the contract amount with Turek Consulting LLC of 220 North Coles Avenue, Maple Shade NJ 08052, for Groundwater Monitoring Abandonment Installation regarding 262 Crosswicks Road by \$1,200 for a total contract price not to exceed \$8,700.

RESOLUTION #2020-99

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 April 13, 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.

RESOLUTION #2020-100

SUSPENDING COLLECTION OF BUSINESS LICENSE FEES FOR THE 2020-2021 LICENSING YEAR

WHEREAS, the United States of America is currently facing a national emergency in the form of a health pandemic causing businesses and residents economic distress; and

WHEREAS, all businesses in the Township of Bordentown will be soon required to file an application for annual business licenses for the 2020-2021 licensing year which runs from July 1, 2020 through June 30, 2021; and

WHEREAS, the Township of Bordentown, during this crisis, does not wish to further burden Township businesses by charging fees that cover the administrative and enforcement costs for the upcoming business license year; and

WHEREAS, administrative benefits remain for the Township to require business license applications; and

WHEREAS, Resolution #2019-295 set forth fees for the Business Licenses fees as set forth below:

|                                  |   |
|----------------------------------|---|
| Business Licenses                |   |
| Per Establishment                | \$100.00 annually                                   |
| Late Fee                         | \$10.00   |
| Hotel/Motel Business License     | additional \$5.00 per room                          |
| Bowling Alley Business License   | additional \$50.00 per alley                        |
| With Vending Machine             | \$40.00 per machine                                 |
| Food Handling License            | \$200.00 plus \$2.00 per seat annually              |
| Automatic Coin Operated Machines | \$125.00 per machine annually                       |
| Towing Operator License          | \$200 per business                                  |
| Motor Vehicle Dealer License     | \$1,000.00 annually                                 |
| Adult Bookstore License          |   |
| Bookstore                        | \$2,000.00 annually                                 |
| Mini Motion Picture Theater      | \$1,500.00 plus \$50.00 each machine/booth annually |
| Pet Shop/Kennel/Shelter/Pounds   |   |
| 10 animals or less               | \$25.00 annually                                    |
| More than 10 animals             | \$50.00 annually                                    |
| Taxi Cabs and Cab Drivers        |   |
| Cabs                             | \$50.00 annually                                    |
| Drivers                          | \$25.00 annually                                    |

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that the businesses license fees as set forth in Resolution #2019-295 and itemized above are hereby waived *exclusively and only* for the 2020-2021 licensing year.

BE IT FURTHER RESOLVED that Township businesses remain responsible and required to file applications with all necessary documentation *by July 1, 2020* in order to receive 2020-2021 Business Licenses.

BE IT FURTHER RESOLVED that the Business License fees itemized in Resolution #2019-295 will be in effect for the 2021-2022 licensing year.

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE No. 2020-06**

**ORDINANCE AMENDING THE BORDENTOWN TOWNSHIP MUNICIPAL CODE ADDING CHAPTER 8.31 REGARDING COMMERCIAL TENANCY CHANGE**

WHEREAS, the Township Committee of the Township of Bordentown upon the advice and recommendation of the Township Construction Official and the Acting Community Development Director believes that requiring commercial business to notify and seek approval for tenancy changes furthers public safety and Township goals; and

WHEREAS, the Township Committee desires to enact reasonable regulations for commercial businesses so as to not impeded commercial businesses but assure public safety; and

WHEREAS, the Township Committee now seeks to amend the Bordentown Township Municipal Code by adding Chapter 8.31 entitled “Commercial Tenancy Change” with the provisions herein.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown that:

Section 1. Chapter 8.31 is added to the Bordentown Township Municipal Code with the following:

**Chapter 8.31. Commerical Tenancy Change**

8.31.010 Definition

The Construction Official shall grant approval of commercial changes of occupancy following inspection by the Sub Code Officials for Building, Electrical, Plumbing and Fire. The approval process provides vital information to the Township to oversee safety conditions. It also protects the health, safety and welfare of the occupants. The approval complements a building permit that is issued before construction to indicate that the proposed construction will adhere to ordinances, codes and laws.

8.31.020. Preconditions and Request for Commercial Tenancy Change Approval

- A. Prior to the sale or change of occupancy of any building and/or structure or portion of a building or structure, a determination shall be made by the Zoning Officer that the proposed use of building and/or structure or portion of a building or structure, is a permitted use.
- B. If the proposed use is deemed permissible, application to the Construction Official shall be made by the owner of record, agent or tenant to request an inspection to determine that all visible health and safety features of the building comply with Township and State of New Jersey Codes. The application shall include, but is not limited to, the following:
  - 1. The intended use;
  - 2. The floor plan including square footage; and
  - 3. The number of employees.

8.31.030 Fees

- A. The fee for requesting a Commercial Tenancy Change Approval shall be as follows:
  - \$180 for a proposed commercial space up to and including 5,000 square feet
  - \$250 for a proposed commercial space exceeding 5,000 square feet
- B. The fee for a re-inspection of any commercial space shall be \$50.

8.31.040. Commercial Tenancy Change Approval

- A. The Commercial Tenancy Change Approval shall state the Use Group Classification per the New Jersey UCC and the maximum number of persons that may occupy the premise per the Use Group classification or the allowed number on the Zoning approval.
- B. The Commercial Tenancy Change Approval shall evidence only that a general inspection of the visible parts of the building has been made and that no violation of N.J.A.C. 5:23- 2.14 have been determined to have occurred and no unsafe conditions as per N.J.A.C. 5:23-2.32 (a) have been found. Nothing in this subsection shall prevent the continued lawful use and occupancy of any such lawfully existing building or structure.

Section 2. Repealer. Any and all ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

Section 3. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable to any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that is allows the Township to meet the goals of the Ordinance.

Section 4. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

INTRODUCED: March 9, 2020

PUBLIC HEARING:

ADOPTED:

ORDINANCE NO. 2020-10

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING CERTAIN APPROPRIATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN THE AGGREGATE AMOUNT OF \$177,396.24 AND RE-APPROPRIATING \$174,144.74 OF SAID APPROPRIATIONS FOR OTHER CAPITAL IMPROVEMENTS OR FOR TRANSFER TO THE CAPITAL SURPLUS FUND

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), AS FOLLOWS:

**Section 1.** The appropriations in the amounts and for the purposes set forth in the table below, which represent a portion of the amounts authorized for the specific projects referenced below, pursuant to the Bond Ordinances specified below, and which remain as balances in said Bond Ordinances, are hereby (i) cancelled and not re-appropriated for other purposes, in the case of the appropriations identified below as unfunded appropriations, and (ii) cancelled and re-appropriated to the purposes described in Section 2 hereof, in the case of the appropriations identified below as funded appropriations.

| <u>Ordinance Number</u> | <u>Unfunded Appropriations to be Cancelled</u> | <u>Funded Appropriations to be Re-appropriated or Transferred</u> | <u>Short Description</u>                           |
|-------------------------|--|---|--|
| (a) 2015-13             | \$3,251.50                                     |   | Acquisition of Public Works Equipment              |
| (b) 2016-06             |  | \$71,822.63   | Various Road and Street Improvements               |
| (c) 2016-06             |  | \$10,652.00   | Renovations/Improvements – Municipal Building      |
| (d) 2017-19             |  | \$59,535.11   | Various Capital Improvements                       |
| (e) 2017-19             |  | \$950.00  | Renovations and Improvements to Municipal Building |
| (f) 2018-14             |  | \$1,185.00  | Building Renovations                               |
| (g) 2018-14             |  | \$30,000.00   | Park Trails Improvements                           |
|                         | <u>\$3,251.50</u>                              | <u>\$174,144.74</u>   |  |

**Section 2.** From the funded appropriations set forth above and cancelled as to their original purposes, (a) \$134.04 is hereby re-appropriated to be used for the acquisition of equipment in the Police Department as set forth in Ordinance 2016-06, (b) \$1,378.95 is hereby re-appropriated to be used for General Equipment and other Improvements as set forth in Ordinance 2017-19, (c) \$50,000.00 is hereby re-appropriated to be used for the acquisition of computer upgrades, (d) \$98,492.70 is hereby re-appropriated to be used for Police Equipment generally of the type as set forth in the list on file with the Township Clerk, as the same may be modified and amended, and (e) \$24,139.05 is hereby transferred to the Capital Surplus Fund for use in future capital projects.

**Section 3.** The capital budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available in the office of said Clerk for public inspection. The Township reasonably expects to commence the acquisition of the several improvements or purposes described in Section 2 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of the bonds or notes authorized by the Bond Ordinances described in Section 1. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by the Bond Ordinances described in Section 1 hereof, in an aggregate amount not to exceed the amount of bonds or notes authorized by the Bond Ordinances described in Section 1 hereof.

**Section 4.** The equipment authorized to be purchased and the improvements authorized hereby are not current expenses and are general improvements that the Township may lawfully make. No part of the cost of the equipment or the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 5.** The average useful life of the equipment and improvements authorized hereby is estimated, in accordance with the Local Bond Law, to be not less than 8.33 years.

**Section 6.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 7.** This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.