

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

DATE: July 13, 2020 TIME: 6:30 P.M. VIRTUAL
<https://us02web.zoom.us/j/86194920214?pwd=K0pjZWdSMElhZHNZUG93ZlhtaEMxUT09>
 -or- Dial (646) 876- 9923 (Meeting ID: 861 9492 0214)

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. Resolution #2020-7-13 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:

- Personnel
- Attorney/Client Privilege: Waterfront Development

No formal action will be taken while in closed session. 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

This meeting is called pursuant to the provisions 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. Proclamation for July 4th Independence Day

6. Correspondence: None

7. Administrative Review of Agenda
8. CONSIDERATION OF CONSENT AGENDA ITEMS:
 - a. Township Committee review and discussion of Consent Agenda Items.
 - b. Public comment on Consent Agenda items.
9. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2020-145 to #2020-164
 - a. Resolution #2020-145 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS
 - b. Resolution #2020-146 entitled RESOLUTION AMENDING RESOLUTION #2020-134 AND ESTABLISHING SALARIES FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN FOR THE 2020 CALENDAR YEAR
 - c. Resolution #2020-147 entitled RELEASE OF MAINTENANCE GUARANTEE FOR G.S. REALTY, INC. (Bordens Crossing Phase IV AKA Crescent Village) Block 58, Lots 35.21-35.42 and Block 58.01, Lots 7-13
 - d. Resolution #2020-148 entitled RESOLUTION TO APPOINT NICOLE BENCIVENGO AS A SPECIAL LAW ENFORCEMENT OFFICER, CLASS II
 - e. Resolution #2020-149 entitled RESOLUTION APPOINTING PETER APPELMAN AS THE EMERGENCY MANAGEMENT COORDINATOR FOR THE TOWNSHIP OF BORDENTOWN
 - f. Resolution #2020-150 entitled RESOLUTION TO APPOINT PER DIEM EMT
 - g. Resolution #2020-151 entitled RESOLUTION AMENDING RESOLUTION #2020-143 AUTHORIZING A SALARY ADJUSTMENT FOR SAM VAIL, PUBLIC WORKS BUILDING MAINTENANCE/MAINTENANCE REPAIRER
 - h. Resolution #2020-152 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN UPON THE RETIREMENT OF TERRY EZZO
 - i. Resolution #2020-153 entitled RESOLUTION TO TERMINATE SPECIAL LAW ENFORCEMENT OFFICER, CLASS II
 - j. Resolution #2020-154 entitled RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE TRANSPORT AGREEMENT WITH VIRTUA FOR BORDENTOWN TOWNSHIP EMS
 - k. Resolution #2020-155 entitled RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO AN EMPLOYEE ASSISTANCE PROGRAM WITH THE STATE OF NEW JERSEY CIVIL SERVICE COMMISSION EMPLOYEE ADVISORY SERVICE
 - l. Resolution #2020-156 entitled RESOLUTION AMENDING RESOLUTION #2020-94 APPOINTING TOWNSHIP APPRAISER FOR THE YEAR 2020
 - m. Resolution #2020-157 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM J.McHALE & ASSOCIATES, INC., FOR REAL ESTATE APPRAISAL SERVICES FOR 72 ACRES OF WATERFRONT LAND

- n. Resolution #2020-158 entitled RESOLUTION TO CANCEL TAXES FOR BLOCK 66, LOTS 13 AND 14
 - o. Resolution #2020-159 entitled RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE FOR BLOCK 63, LOT 34.02
 - p. Resolution #2020-160 entitled RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87 FOR 2020 BURLINGTON COUNTY MUNICIPAL PARK DEVELOPMENT GRANT
 - q. Resolution #2020-161 entitled RESOLUTION AMENDING RESOLUTION #2020-38 AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE AGREEMENT WITH PYROTECNICO FOR JULY 4TH FIREWORKS DISPLAY
 - r. Resolution #2020-162 entitled RESOLUTION TO AWARD A CONTRACT FOR CDBG 2019 PROOJECT TO REMOVE ADA BARRIERS AT VARIOUS LOCATIONS
 - s. Resolution #2020-163 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF BORDENTOWN AND THE BORDENTOWN TOWNSHIP POLICE COMMAND OFFICERS ASSOCIATION (LIEUTENANTS AND CAPTAINS)
 - t. Resolution #2020-164 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS
10. Ordinance #2020-07 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE AGWAY (GROWMARK)/YATES REDEVELOPMENT PLAN
 - a. Planning Board Recommendation
 - b. Public Hearing
 - c. Adoption Consideration
 11. Introduction of Ordinance #2020-12 entitled ORDINANCE AMENDING THE BORDENTOWN TOWNSHIP MUNICIPAL CODE ADDING SECTION 10.04.100 “BUS STOPS” TO CHAPTER 10.04 “TRAFFIC CODE”
 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, July 27, 2020.

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

RESOLUTION 2020-7-13

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:

Personnel

Attorney/Client Privilege: Waterfront Development

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 for the purpose of discussing the above matter.

*Office of the Mayor
Township of Bordentown*

Proclamation

WHEREAS, the actual vote for the Declaration of Independence took place on July 2, 1776 and the 4th of July became the day that was celebrated as the birth of American Independence; and

WHEREAS, the Continental Congress formally adopted the Declaration of Independence on July 4, 1776 and was the first formal statement by a nation's people asserting their right to choose their own government; and

WHEREAS, on July 4, 1776 the 13 colonies claimed independence from the English which led to the formation of the United States; and

WHEREAS, the Declaration of Independence was largely written by Thomas Jefferson and was presented to the entire Congress on June 28, 1776 for debate and revision; and

WHEREAS, the first formal celebration of the Declaration of Independence was in 1870 when Congress declared July 4th to be a national holiday as a part of a bill to officially recognize several holidays; and

WHEREAS, the Declaration of Independence had 56 representatives from 13 colonies and the largest amount were from Philadelphia, (9), and their ages ranged from 26 to 70, (Benjamin Franklin), and these "signers", continued to be memorialized for life by signing this historical document more than anything that they accomplished in their lifetime; 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 that July 4th as Independence Day and I call upon the residents of this great Township to join me in remembering the Founders and their legacy of freedom and to continue to be thankful for the sacrifices of our men and women in the armed services who protect our great country.



**STEVE BENOWITZ
MAYOR**

RESOLUTION #2020-145

APPROVING 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 June 22, 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 #2020-146

RESOLUTION AMENDING RESOLUTION #2020-134 AND ESTABLISHING SALARIES FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN FOR THE 2020 CALENDAR YEAR

WHEREAS, on a meeting held by the Township of Bordentown Committee on February 10, 2020, the Township Committee of the Township of Bordentown adopted Ordinance 2020-03 entitled AN ORDINANCE TO AMEND ORDINANCE #2019-07 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES; and

WHEREAS, this ordinance provides salary and wage increments or ranges for certain officials and employees of the Township of Bordentown; and

WHEREAS, on a meeting held by the Township of Bordentown Committee on May 11, 2020, the Township Committee of the Township of Bordentown adopted the 2020 Municipal Budget which included funds to increase salaries as deemed warranted; and

WHEREAS, the Township Committee of the Township of Bordentown has determined the 2020 compensation for individuals not represented by a union.

BE IT RESOLVED that in accordance with Ordinance #2020-03, The Township Committee does hereby establish 2020 Compensation Rates all non-union employees in the Township of Bordentown effective January 1, 2020 as follows:

| PENSIONABLE EMPLOYEES | 2020 SALARY | HOURLY RATE |
|-------------------------------------|--------------------|--------------------|
| AUGUSTINO, MICHELLE | | \$ 29.46 |
| BENCIVENGO, NICOLE | | \$ 18.36 |
| BRIENZA, KAITLYN | | \$ 15.50 |
| BUHRER, DEAN | \$ 80,634.20 | |
| BUHRER, DEAN (EMERGENCY MANAGEMENT) | \$ 6,892.17 | |
| CARLOS, EILEEN | \$ 44,163.24 | |
| CARRINGTON, MARIA | \$ 73,950.00 | |
| DIETRICH, DAVID | \$ 70,844.00 | |
| DZIURA, CYNTHIA | \$ 51,905.52 | |
| ELSASSER, JEFFREY | \$ 114,240.00 | |
| ENGLER, LORI | | \$ 15.50 |
| EZZO, TERRY | | \$ 29.13 |
| FISHER, RACHEL | | \$ 19.23 |
| HAND, NORM | | \$ 16.32 |
| KOELLER, JEN | | \$ 15.50 |
| LAMONT, JOHN | | \$ 40.00 |
| MAUGERI, BRIAN | \$ 62,424.00 | |
| MAUTE, MARCIE | \$ 53,018.78 | 1/1/20-6/21/20 |
| MAUTE, MARCIE | \$ 58,018.00 | 6/22/20-12/31/20 |
| MCCANNEY, SUZANNE | \$ 71,394.85 | |
| MULDROW, DONNA | \$ 55,442.50 | |

| | | | |
|---------------------------------------|----|------------|------------------------|
| ROSS, MELISSA | \$ | 49,577.76 | |
| SALMONS, BOB | \$ | 98,940.00 | |
| SAURO, ANGEL | | | \$ 26.37 |
| SHADOW, MEGAN | | | \$ 24.73 |
| SCHILLER, AMY | | | \$ 15.50 |
| SPUNDARELLI, ADAM | \$ | 61,100.00 | |
| THEOKAS, MICHAEL (ADMINISTRATOR) | \$ | 127,344.96 | |
| THEOKAS, MICHAEL (ACTING CD DIRECTOR) | \$ | 25,000.00 | |
| WALLRATH, KITTINA | | | \$ 22.42 1/1/20-3/1/20 |
| WALLRATH, KITTINA | \$ | 50,000.00 | 3/1/20-12/31/20 |
| WOLVERTON, KIM | | | \$ 20.23 |

SLEO

| | | | |
|-----------------|----|--|-------|
| COSTNER, MARK | \$ | | 25.50 |
| CROWELL, MATT | \$ | | 25.50 |
| DILLON, MATTHEW | \$ | | 25.50 |
| LEBAK, WAYNE | \$ | | 25.50 |

CROSSING GUARDS

| | | | |
|------------------|----|--|-------|
| CUBBERLY, LESLIE | \$ | | 15.30 |
| MANGUS, ROBERT | \$ | | 15.30 |
| MILLER, KENNETH | \$ | | 15.30 |

ANIMAL CONTROL OFFICERS PART TIME

| | | | |
|------------------|----|--|-------|
| TINNES, KIMBERLY | \$ | | 25.50 |
| ZUZOV, MICHAEL | \$ | | 25.50 |

CLEAN COMMUNITIES

| | | | |
|-------------|----|--|-------|
| PLEW, ROGER | \$ | | 13.53 |
|-------------|----|--|-------|

COMMITTEE MEMBERS

| | | | |
|-------------------|----|----------|--|
| BENOWITZ, STEPHEN | \$ | 4,378.44 | |
| FUZY, EUGENE | \$ | 4,378.44 | |
| HOLLIDAY, ERIC | \$ | 4,378.44 | |
| KOSTOPLIS, JIM | \$ | 4,378.44 | |
| MASON, KEN | \$ | 4,378.44 | |

JUDGE

| | | | |
|------------------|----|-----------|--|
| MONTALTO, JOSEPH | \$ | 61,200.00 | |
|------------------|----|-----------|--|

INSPECTORS

| | | | |
|--------------|----|--|-------|
| SKALA, HENRY | \$ | | 45.98 |
| KING, ROBERT | \$ | | 40.80 |
| KOPEC, FRANK | \$ | | 43.70 |

RELEASE OF MAINTENANCE GUARANTEE FOR G.S. REALTY, INC.
(Bordens Crossing Phase IV AKA Crescent Village)
Block 58, Lots 35.21-35.42 and Block 58.01, Lots 7-13

WHEREAS, G.S. Realty 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, subject to certain terms and conditions, including, but not limited to, the filing of Third Party Maintenance Guarantees guaranteeing the satisfactory installation of certain site improvements; and

WHEREAS, G.S. Realty provided a maintenance guarantee in the form of a Letter of Credit in the amount of \$80,729.63; and

WHEREAS, G.S. Realty 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 Township Engineer 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/LOC for G.S. Realty with the following conditions:
2. The release of the guarantee is conditioned upon payment of any outstanding negative balance in the inspection escrow account, and
3. The Township Clerk shall forward a certified copy of this resolution to: G.S. Realty, 3590 Highway 9, Old Bridge, NJ 08859, to the attention of: Mr. Gene Boichenko.

RESOLUTION #2020-148

RESOLUTION TO APPOINT NICOLE BENCIVENGO AS A SPECIAL LAW ENFORCEMENT OFFICER, CLASS II

WHEREAS, in accordance with N.J.S.A. 40A:14-146.14, Special Law Enforcement Officers may be appointed annually; and

WHEREAS, Chief Pesce is recommending the appointment of Nicole Bencivengo as a Special Law Enforcement Officers, Class II, for a term from March 18, 2021 through March 17, 2022 pending successful completion of the Gloucester County Police Academy; and

WHEREAS, it is the Township Committee's desire to accept the recommendation of Chief Pesce regarding the appointment of SLEO, Class II officers.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint Nicole Bencivengo as a following Special Law Enforcement Officers, Class II pending successful completion of the Gloucester County Police Academy:

BE IT FURTHER RESOLVED that said appointment shall take effect March 18, 2021 pending successful completion of the Gloucester County Police Academy.

RESOLUTION #2020-149

RESOLUTION APPOINTING PETER APPELMAN AS THE EMERGENCY MANAGEMENT COORDINATOR FOR THE TOWNSHIP OF BORDENTOWN

WHEREAS, in accordance with N.J.S.A. Appendix A:9-40.1, the Mayor shall appoint a Municipal Emergency Management (“OEM”) Coordinator from among the residents of the community for a three year term; and

WHEREAS, the current OEM Coordinator retired effective April 1, 2020 thereby creating a vacancy in this position; and

WHEREAS, Peter Appelmann meets all the qualifications as outlined in Directive No. 102 of the State Office of Emergency Management issued on March 15, 1990; and

WHEREAS, Patrolman Appelmann has committed to completing the necessary training within one year of his appointment; and

WHEREAS Patrolman Appelmann is aware of the responsibilities and duties of the position; and

WHEREAS, Mayor Stephen Benowitz has appointed Officer Appelmann as OEM Coordinator for the unexpired term expiring December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey hereby memorializes the mayoral appointment of Patrolman Peter Appelmann to the position of the Office of Emergency Management Coordinator for the unexpired term through December 31, 2020 at an annual stipend of \$12,000 to be prorated effective July 13, 2020.

RESOLUTION # 2020-150

RESOLUTION TO APPOINT PER DIEM EMT

WHEREAS, the Township Committee of the Township of Bordentown has determined the need to appoint an additional per diem EMT;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint the following per diem EMT effective July 13, 2020;

Katherine Morales-Sarmiento

BE IT FURTHER RESOLVED that compensation shall be set at \$15.00 per hour in accordance with Ordinance #2020-03 and Resolution #2019-145.

RESOLUTION #2020-151

RESOLUTION AMENDING RESOLUTION #2020-143 AUTHORIZING A SALARY ADJUSTMENT FOR SAM VAIL, PUBLIC WORKS BUILDING MAINTENANCE/MAINTENANCE REPAIRER

WHEREAS, in accordance with Section 4 of Article XVI of the Agreement between the Township of Bordentown and American Federation of State, County and Municipal Employees, AFL-CIO, District Council 63, Local 3827-D, AFSCME, “an employee, may by way of meritorious services ...earn an increase in hourly rate within his or her current job title, not less than \$.25/hour but not to exceed \$1/hour...” if approved by the Township Manager in writing, and then approved by the Township Committee via resolution; and

WHEREAS, Mr. Sam Vail, Public Works Building Maintenance/Maintenance Repairer, provides superior service to the Township; and

WHEREAS, the Public Works Director and the Township Administrator have approved, in writing, of a salary increase of \$1.00 per hour for Mr. Vail; and

WHEREAS, Resolution #2020-143 incorrectly stated the effective date of Mr. Vail’s salary increase.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize a salary adjustment for Mr. Vail from \$21.08 per hour to \$22.08 per hour; and

BE IT FURTHER RESOLVED that said adjustment shall be made effective January 1, 2020.

RESOLUTION #2020-152

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO
UPON THE RETIREMENT OF TERRY EZZO

WHEREAS, Terry Ezzo will retire from her position with Bordentown Township as the Technical Assistant to the Construction Official effective August 1, 2020; and

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

WHEREAS, the Township Finance Department certifies that Ms. Ezzo will continue receiving her current health insurance benefits through July 31, 2020 in accordance with Bordentown Township Employee Manual;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown hereby authorizes the continuation of health insurance benefits through July 31, 2020; and

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

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

RESOLUTION #2020-153

RESOLUTION TO TERMINATE SPECIAL LAW ENFORCEMENT OFFICER, CLASS II

WHEREAS, by way of Resolution #2020-107, the Township Committee appointed Special Law Enforcement Officers, Class II, at the recommendation of Police Chief Pesce; and

WHEREAS, Matt Crowell was appointed as a Special Law Enforcement in accordance with Executive Order No. 115 issued by Governor Murphy on April 6, 2020 allowing certain retirees to immediately assist with New Jersey's COVID-19 emergency due to personnel challenges; and

WHEREAS, the Bordentown Township Police Department has returned to a normal schedule and Mr. Crowell's assistance to address manpower challenges during the pandemic is no longer needed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby terminate the appointment of Matt Crowell as a Special Law Enforcement Officers, Class II effective July 1, 2020.

RESOLUTION #2020-154

RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE TRANSPORT AGREEMENT WITH VIRTUA FOR BORDENTOWN TOWNSHIP EMS

WHEREAS, on July 28, 2008, the Township Committee adopted Resolution #2008-210-11, authorizing the Mayor and Township Clerk to execute the transport agreement with Virtua Health, Inc., to provide Advanced Life Support Services for Bordentown Township EMS; and

WHEREAS, the agreement has been renewed annually since its inception; and

WHEREAS, the current agreement expires August 31, 2020, and is due to be extended for a one-year term beginning September 1, 2020;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the Mayor and Township Clerk to execute the agreement with Virtua Health, Inc., for a one-year term beginning September 1, 2020 and ending August 31, 2021.

RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO AN EMPLOYEE ASSISTANCE PROGRAM WITH THE STATE OF NEW JERSEY CIVIL SERVICE COMMISSION EMPLOYEE ADVISORY SERVICE

WHEREAS, alarming statistics continue to rise across America reporting the number of first responders who have taken their own lives based upon the stress of their work or volunteer activities; and

WHEREAS, the Township explored possibilities to provide confidential, professional assistance to Township employees and volunteers as an additional outlet for all staff and their families to seek help if needed; and

WHEREAS, the State of New Jersey Civil Service Commission's Employee Advisory Service has substantial experience and expertise in the provision of an employee advisory service designed to provide professional short-term counseling, consultation and referrals for employees and their families experiencing personal and emotional problems; and

WHEREAS, the Township Committee desires that the Township engage the NJ Employee Advisory Service as an employee advisory service program for the Township of Bordentown's employees and their families; and

WHEREAS, the Township Committee recognizes that the cost of this program (\$636 for the period of July 1, 2020 through June 30, 2021) is minimal but the value of support services offered is priceless as a means of supporting employees and their families.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey authorizes the Township Administrator to enter into and execute an agreement with the State of New Jersey Civil Service Commission's Employee Advisory System 2021 to provide Employee Advisory Services for the period of July 1, 2020 through June 30, 2021.

RESOLUTION #2020-156

RESOLUTION AMENDING RESOLUTION #2020-94 APPOINTING TOWNSHIP APPRAISER FOR THE YEAR 2020

WHEREAS, the Township of Bordentown adopted Resolution #2020-94 awarding a professional service agreement for the year 2020 to J.McHale & Associates, Inc. to serve as the Township Appraiser; and

WHEREAS, it is now necessary to amend Resolution #2020-94 to update the accompanying Certificate of the Availability of Funds.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Resolution #2020-94 is hereby amended along with the accompanying Certificate of the Availability of Funds.

RESOLUTION #2020-157

RESOLUTION ACCEPTING THE PROPOSAL FROM J.McHALE & ASSOCIATES, INC., FOR REAL ESTATE APPRAISAL SERVICES FOR 72 ACRES OF WATERFRONT LAND

WHEREAS, there is a need for a real estate appraisal of the 72 acres of waterfront land also known as the land associated with Bordentown Waterfront Development Phase 2; and

WHEREAS, the J.McHale & Associates, Inc. has provided a proposal of services for said purpose; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that J.McHale & Associates, Inc. will best fulfill the needs of the Township at a price not to exceed \$8,500.00; 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 |
|-----------------|------|------------|----------------------|
| 0-01-20-150-224 | 2020 | \$8,500.00 | Waterfront Appraisal |

JEFFREY C. ELSASSER
CMO/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 J.McHale & Associates, Inc. of 693 Main Street, Building C, 2nd Floor, P.O. Box 26, Lumberton, NJ 08048 for real estate appraisal services for 72 acres of waterfront land for an amount not to exceed \$8,500.00

RESOLUTION # 2020-158

RESOLUTION TO CANCEL TAXES FOR BLOCK 66, LOTS 13 AND 14

WHEREAS, the properties identified below were purchased by the Township of Bordentown;
and

WHEREAS, as a political subdivision of the State of New Jersey, the Township is exempt from local property taxes.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown in the County of Burlington that the following taxes are hereby cancelled for the reason set forth above:

| | | |
|-----------------|------|------------|
| Block 66 Lot 13 | 2020 | \$4,222.85 |
| Block 66 Lot 14 | 2020 | \$4,179.66 |

BE IT RESOLVED FURTHER, that a copy of this Resolution be forwarded to the Burlington County Board of Taxation, the Treasurer of Burlington County, the Bordentown Regional School District to advise them of the action taken by the Township Committee.

RESOLUTION #2020-159

RESOLUTION AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE FOR
BLOCK 63, LOT 34.02

WHEREAS, Tax Sale Certificate #17-00017 was issued to Bordentown Township, for delinquent taxes on Block 63, Lot 34.02, assessed to MCSHERRY, THERESA, at a tax sale held on August 29, 2018; and,

WHEREAS, MCSHERRY, THERESA has redeemed certificate 17-00017 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of Township of Bordentown are hereby authorized to endorse Certificate of Sale 17-00017 for cancellation.

JCE
07/13/20

RESOLUTION #2020-160

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE
AND APPROPRIATION N.J.S.A. 40A:4-87 FOR 2020 BURLINGTON
COUNTY MUNICIPAL PARK DEVELOPMENT GRANT**

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown in the County of Burlington, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$150,000.00, which is now available from the Township of Bordentown, in the amount of \$150,000.00; and

BE IT FURTHER RESOLVED that the like sum of \$150,000.00 is hereby appropriated under the caption “2020 Burlington County Municipal Park Development Grant”; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Township of Bordentown in the amount of \$150,000.00.

07/13/20
JCE

RESOLUTION #2020-161

RESOLUTION AMENDING RESOLUTION #2020-38 AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE AGREEMENT WITH PYROTECNICO FOR JULY 4TH FIREWORKS DISPLAY

WHEREAS, the Township Committee of the Township of Bordentown, at its January 27, 2020 meeting, authorized a contact with Pyrotecnico for a July 4th fireworks display to be held on July 3, 2020, with a rain date of July 5, 2020, at the Joseph Lawrence Park located on Ward Avenue in the Township of Bordentown; and

WHEREAS, the 2020 Fireworks Display was rescheduled for September 5, 2020 due to the coronavirus pandemic; and

WHEREAS, it has become apparent that public health officials will most likely continue to advise against large in-person gatherings for the remainder of 2020; and

WHEREAS, the Township Committee desires to alter the contract with Pyrotecnico to change the date to July 3, 2021 and increase the current contract by \$2,800 for a total of \$30,200; 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 |
|-----------------|-------|----------|--|
| T-13-40-875-000 | Trust | \$30,200 | July 4 th 2021 Fireworks Display |

JEFFREY C. ELSASSER
CMFO/CTC/PURCHASING AGENT

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the Township Administrator to execute an addendum to the agreement with Pyrotecnico, P.O. Box 149, New Castle, PA 16103, for the total amount of \$30,200.00.

RESOLUTION #2020-162

RESOLUTION TO AWARD A CONTRACT FOR CDBG 2019 PROJECT TO REMOVE ADA BARRIERS AT VARIOUS LOCATIONS

WHEREAS, three (3) bids were received by the Township Engineer on July 7, 2020, for the Community Development Block Grant (“CDBG”) 2019 Project to remove ADA barriers at various locations; and

WHEREAS, the Township Committee has reviewed the recommendation made by the Township Engineer to award said contract to the apparent low bidder, Earle Asphalt Co.; 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-04-55-966-600 | CAPITAL | \$61,650.00 | CDBG 2019 |
| C-04-99-300-000 | CAPITAL | \$88,350.00 | |

JEFFREY C. ELSASSER
CMFO/CTC/PURCHASING AGENT

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby award a contract for the CDBG 2019 Project to Remove ADA Barriers as Various Locations to Earl Asphalt Co. P.O Box 556, Farmingdale, NJ 07727 in the amount of \$147,013.13 for the Base Bid; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized and directed to execute a contract for same.

RESOLUTION #2020-163

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN
APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF
BORDENTOWN AND THE BORDENTOWN TOWNSHIP POLICE COMMAND OFFICERS
ASSOCIATION (LIEUTENANTS AND CAPTAINS)

WHEREAS, the terms of the final contract language for the Collective Bargaining Agreement between the Township of Bordentown and the Bordentown Township Police Command Officers Association have been resolved between the parties; and

WHEREAS, a copy of the Memorandum of Agreement summarizing the changes of certain provisions within the Collective Bargaining Agreement is attached hereto and is made a part thereof.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown does hereby approve said Memorandum of Agreement between the Township of Bordentown and the Bordentown Township Police Command Officers Association; and

BE IT FURTHER RESOLVED that the Mayor, Township Administrator and Township Clerk are hereby authorized to execute the contract, once ratified, with the Bordentown Township Police Command Officers Association which shall be in effect from January 1, 2020 through December 21, 2022; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Bordentown Township Police Command Officers Association for their information and attention.

RESOLUTION #2020-164

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 July 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.

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2020-07

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE
AGWAY (GROWMARK)/YATES REDEVELOPMENT PLAN**

WHEREAS, the Bordentown Township Committee (the “Township”) is the Redevelopment Authority for Bordentown Township; and

WHEREAS, the Township previously established a Redevelopment Area, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, *et. seq.*), which area is commonly referred to as the “Agway (Growmark)/Yates Redevelopment Area;” and

WHEREAS, a Redevelopment Plan for the redevelopment area was adopted by the Township Committee on November 26, 2007; and

WHEREAS, since the adoption of the Redevelopment Plan (the “Plan), there have been changes in conditions and circumstances; and

WHEREAS, one of such changes includes the Township’s current efforts to address its constitutional obligation to provide for its fair share of very low-, low-, and moderate-income housing, as directed by the Super Court and consistent with N.J.A.C. 5:93-1, *et seq.*, as amended and supplemented, N.J.A.C. 5:80-26.1, *et seq.*, as amended and supplemented, and the New Jersey Fair Housing Act of 1985, N.J.S.A.52:27D-301 *et. seq.*; and

WHEREAS, pursuant to that obligation, the Township entered into a settlement agreement with Fair Share Housing Center (“FSHC”), which was subsequently amended and executed on June 11, 2019; and

WHEREAS, pursuant to that obligation, the Township also entered into a settlement agreement with the entity known as K Johnson Urban Renewal LLC on March 11, 2019; and

WHEREAS, the settlement agreements determined that a portion of the Agway (Growmark)/Yates Redevelopment Area is appropriate and suitable for a family rental inclusionary development of 130 units with a mandatory affordable housing set-aside, which will result in 26 affordable family rental units; and

WHEREAS, a Housing Element and Fair Share Plan was prepared by the Township Planner and adopted by the Planning Board on August 8, 2019 (“2019 HEFSP”), recommending the implementation of an inclusionary development within certain portions of the Agway (Growmark)/Yates Redevelopment Area; and

WHEREAS, the Township desires to adopt an amendment to the Agway (Growmark)/Yates Redevelopment Plan to implement the terms of both settlement agreements and the recommendations of the 2019 HEFSP.

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

Section 1: The Amended Redevelopment Plan for the Agway (Growmark)/Yates Redevelopment Area, attached as Appendix A, is hereby adopted.

Section 2: This ordinance shall take effect upon final passage and publication according to law.

Section 3: All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4: If any section, paragraph, subdivision or clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

INTRODUCED: March 9, 2020

TOWNSHIP OF BORDENTOWN

ORDINANCE No. 2020-12

ORDINANCE AMENDING THE BORDENTOWN TOWNSHIP MUNICIPAL CODE ADDING SECTION 10.04.100 “BUS STOPS” TO CHAPTER 10.04 “TRAFFIC CODE”

WHEREAS, the Township Committee of the Township of Bordentown desires to consolidate and officially designate bus stops within the Township; and

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

Section 1.

Section 10.04.100 be added to Chapter 10.04 “Traffic Code” in the Bordentown Township Municipal Code as follows:

10.04.100 Bus Stops

It shall be unlawful for any person to park, stop or stand any motor vehicle other than a bus in any location described as a bus stop. The following described locations are hereby designated as bus stops:

| <u>Street</u> | <u>Side</u> | <u>Location</u> |
|--|-------------|---|
| Route US 206, northbound, at Stanton Avenue (far side) –NJ Transit ID #14173 | East | Beginning at the northerly curb line of Stanton Avenue and extending 100 feet northerly therefrom |
| Route US 206, northbound, at Maple Avenue (near side) – NJ Transit ID #14174 | East | Beginning at the southerly curb line of Maple Avenue and extending 105 feet southerly therefrom |
| Route US 206, northbound, at Spruce Avenue (near side) – NJ Transit ID #14175 | East | Beginning at the southerly curb line of Spruce Avenue and a point 105 feet southerly therefrom |
| Route US 206, northbound, at Martin Avenue (near side) – NJ Transit ID #14176 | East | Beginning at the southerly curb line of Martin Avenue and a point 105 feet southerly therefrom |
| Route US 206, northbound, at Carmen Avenue (near side) –NJ Transit ID #14178 | East | Beginning at the prolongation of the southerly curb line of Carmen avenue and extending 105 feet southerly therefrom, |
| Route US 206, southbound, at Stanton Avenue (near side) – NJ Transit ID #14184 | West | Beginning at the northerly curb line of Stanton Avenue and extending 105 feet northerly therefrom |
| Route US 206, southbound, at Maple Avenue (far side) – NJ Transit ID #14183 | West | Beginning at the prolongation of the southerly curb line of Maple Avenue and extending 100 feet southerly therefrom |

| | | |
|--|------|--|
| Route US 206, southbound, Between Sylvan Glen Road and Maple Avenue (mid-block) – NJ Transit ID#14182 | West | Beginning 465 feet south of the southerly curb line of Sylvan Glen Road and extending 135 feet southerly therefrom |
| Route US 206, southbound, between Nissim Avenue and Hilltop Avenue (mid-block) –NJ Transit ID #14181 | West | Beginning at a point 800 feet south of the southerly curb line of Nissim Avenue and a point 135 feet southerly therefrom |
| Route US 206, southbound, at Carmen Avenue (near side) – NJ Transit ID #14180 | West | Beginning at the northerly curb line of Carmen Avenue and extending 105 feet northerly therefrom |

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: July 13, 2020
PUBLIC HEARING: July 27, 2020
ADOPTED: