

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

DATE: September 14, 2020      TIME: 7:00 P.M.      VIRTUAL  
<https://us02web.zoom.us/j/84478379236?pwd=MFVoOE91TUlxMnlrNHUrYVMwenpPZz09>  
 or Dial In +1 646 876 9923 (Meeting ID: 844 7837 9236)

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 #2020-9-14 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: Litigation

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. A notice of the 2020 meeting schedule was sent to the *Burlington County Times* and *The Times* on January 8, 2020 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 September as National Preparedness Month
- b. Declaring the week of September 17 through 23<sup>rd</sup> as Constitution Week

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 #2020-214 to #2020-218
  - a. Resolution #2020-214 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS
  - b. Resolution #2020-215 entitled RENEWAL OF LIQUOR LICENSES FOR THE 2020-2021 TERM
  - c. Resolution #2020-216 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING AN INCREASE IN PAY FOR RACHEL FISHER, FINANCE DEPARTMENT
  - d. Resolution #2020-217 entitled EXTENSION OF MUNICIPAL ALLIANCE FOR PREVENTION OF ALCOHOLISM AND DRUG ABUSE FISCAL YEAR 2020 FROM JUNE 30, 2020 TO SEPTEMBER 30, 2020 FISCAL GRANT CYCLE JULY 2020-JUNE 2025
  - e. Resolution #2020-218 entitled RESOLUTION AMENDNG RESOLUTION #2020-209 REFUNDING ESCROW BALANCE FOR BLUEWATER PROPERTY GROUP DEVELOPMENT APPLICATION
  - f. Resolution #2020-219 entitled RESOLUTION APPOINTING JAMIE SOSA AS PER DIEM ANIMAL CONTROL OFFICER OF THE TOWNSHIP OF BORDENTOWN
  - g. Resolution #2020-220 entitled RESOLUTION TO APPOINT RICHARD MERCANTINI TO THE POSITION OF PUBLIC WORKS LABORER 1 IN THE DEPARTMENT OF PUBLIC WORKS
  - h. Resolution #2020-221 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS
10. Ordinance #2020-19 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 \$1,467,988.95 AND RE-APPROPRIATING SAID AMOUNTS TOGETHER WITH AN ADDITIONAL \$113,591.16 FROM THE TOWNSHIP'S CAPITAL IMPROVEMENT FUND SURPLUS FOR OTHER CAPITAL IMPROVEMENTS AS SPECIFIED HEREIN
  - a. Public Hearing
  - b. Adoption Consideration
11. Ordinance #2020-20 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN READOPTING A FIVE YEAR TAX EXEMPTION AND ABATEMENT PROGRAM PURSUANT TO THE FIVE YEAR EXEMPTION AND ABATEMENT LAW, N.J.S.A. 40A:21-1, ET SEQ.
  - a. Public Hearing

- b. Adoption Consideration
- 12. New Business: 2019 Audit
  - a. Resolution #2020-222 entitled ACKNOWLEDGING RECEIPT OF REPORT OF AUDIT FOR THE YEAR 2019
  - b. Resolution #2020-223 entitled APPROVING THE CORRECTIVE ACTION PLAN FOR THE AUDIT RECOMMENDATION IN THE 2019 AUDIT REPORT
- 13. Clerk's Report on November 3<sup>rd</sup> Election
- 14. Administrator's Report
- 15. Township Committee Liaison Reports
- 16. Public Participation: Questions, comments or statements from members of the public
- 17. Final Comments from Township Committee
- 18. Motion to Adjourn – Next Regular Meeting is scheduled for September 28, 2020

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

RESOLUTION 2020-9-14

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: Litigation

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**, September 17, 2020, marks the two hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

**WHEREAS**, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

**WHEREAS**, Public Law 95 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and

**WHEREAS**, 2020 is the 65<sup>th</sup> anniversary of Constitution Week and the National Society Daughters of the American Revolution, (NSDAR), Past President General Gertrude S. Carraway is responsible for the annual designation week and the Daughters of the American Revolution, (DAR), made its own resolution which was adopted on April 21, 1955; and

**WHEREAS**, this year the National Daughters of the American Revolution Colonel Thomas Reynolds Chapter, (DAR), has requested that we as a community participate in issuing this important Proclamation that reflects on the privilege of being an American with all he rights and responsibilities which that privilege involves.

**I, THEREFORE**, Mayor, of the Township of Bordentown, County of Burlington and State of New Jersey, do hereby proclaim September 17 through the 23 as Constitution Week and ask our residents to reaffirm the ideals of the Farmers of the constitution had in 1787 by protecting the freedoms guaranteed to us through our liberties, remembering that lost rights may be never regained.



*Steve Benowitz*  
\_\_\_\_\_  
**STEVE BENOWITZ**  
**MAYOR**

*Office of the Mayor  
Township of Bordentown*

*Proclamation*

**WHEREAS**, we support the important responsibility that all Americans should be prepared for all emergencies; and

**WHEREAS**, National Preparedness Month is recognized to promote families and communities to create disaster planning now before any emergency should occur; and

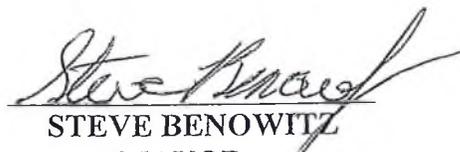
**WHEREAS**, this year's official theme is "Disasters Don't Wait"; Make Your Plan Today. Its syllabus contains a four step plan for each week of the month in September that consists of: Make a Plan, Build a Kit, Prepare for Disaster and Teach Youth about Preparedness; and

**WHEREAS**, National Preparedness Month is also a time to honor our Police Officers, Firefighters and Emergency Personnel for their hard work and commitment to protecting others while taking great risks to keeping our residents safe and should be commended for their heroism; and

**WHEREAS**, National Preparedness began being observed since 2004 in the United States, originally sponsored by Homeland Security and Federal Emergency Management Agency, (FEMA), to encourage all Americans to be prepared for all emergencies in their homes, businesses, schools and communities.

**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 the month of September as *National Preparedness Month* and encourage all residents of this Township to recognize the importance of preparing for potential emergencies and to observe this month by actively seeking a plan to prepare for any emergency.



  
STEVE BENOWITZ  
MAYOR

RESOLUTION #2020-214

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 August 24, 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 #2020-215

RENEWAL OF LIQUOR LICENSES FOR THE 2020-2021 TERM

WHEREAS, the New Jersey Division of Alcoholic Beverage Control (ABC) has implemented an electronic, web based licensing called POSSE ABC; and,

WHEREAS, renewal applications have been filed or submitted through the POSSE ABC portal as directed by the ABC; and,

WHEREAS, the submitted, renewal applications have been accepted via POSSE ABC, the Municipal fees have been paid and a Tax Clearance Certificate has been received for the following licensees; and,

WHEREAS, the Director of the ABC extended 2019-20 liquor licenses until September 30, 2020 vail AO 2020-02; and

WHEREAS, the applicants are qualified to be licensed per standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, and pertinent Township Ordinances; and,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that the renewal of the following Liquor Licenses for the 2020-2021 term from October 1, 2020 to June 30, 2021, is hereby authorized:

<u>File No.</u>	<u>License Number</u>	<u>Licensee</u>	<u>Establishment</u>
<b>- Club License -</b>			
388207	0304-31-018-001	Scottish Rite	AASR of Central Jersey
<b>- Plenary Retail Consumption Licenses -</b>			
387461	0304-33-009-011	Jimmy's Firestone American Grill	Jimmy's Firestone American Grill
380025	0304-33-012-003	Grapevine Liquors LLC	Grapevine Lounge & Discount Liquors
391822	0304-33-013-009	Emin Restaurant	Town & County
<b>- Hotel/Motel License -</b>			
368269	0304-36-019-002	DIA Hospitality	Red Roof Inn & Suites

RESOLUTION #2020-216

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN  
AUTHORIZING AN INCREASE IN PAY FOR RACHEL FISHER, FINANCE DEPARTMENT

WHEREAS, Rachel Fisher has successfully completed her probationary period of employment at the Township of Bordentown; and

WHEREAS, the Chief Finance Officer has recommended an increase in Ms. Fisher's hourly rate of pay to bring it to \$19.73 per hour.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown hereby authorizes an increase in the hourly rate of pay for Ms. Fisher to \$19.73 effective immediately; and

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

EXTENSION OF MUNICIPAL ALLIANCE FOR PREVENTION OF ALCOHOLISM AND DRUG ABUSE FISCAL YEAR 2020 FROM JUNE 30, 2020 TO SEPTEMBER 30, 2020 FISCAL GRANT CYCLE JULY 2020-JUNE 2025

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Township of Bordentown further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township of Bordentown has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Burlington.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bordentown, County of Burlington State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Bordentown Alliance known as (BRAD) grant for fiscal year 2020 in the amount of:

DEDR	\$ 444.12
Cash Match	\$ 111.03
In-Kind	\$ 333.09
2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**TOWNSHIP OF BORDENTOWN**

**RESOLUTION # 2020-218**

**RESOLUTION AMENDNG RESOLUTION #2020-209 REFUNDING ESCROW BALANCE FOR BLUEWATER PROPERTY GROUP DEVELOPMENT APPLICATION**

**WHEREAS**, the Township Committee adopted Resolution #2020-209 at its August 24, 2020 meeting; and

**WHEREAS**, an additional outstanding invoice came to the attention of the Community Development subsequent to the resolution’s adoption; and

**WHEREAS**, the unused balance of the applicant is adjusted to:

<u>Applicant</u>	<u>Project</u>	<u>Account No.</u>	<u>Amount</u>
Bluewater Property Group, LLC 100 Front Street, Suite 570 Conshohocken, PA 19428	Bluewater Property Group/Block 126 Lot 1.01	#99010	\$553.99

And, **WHEREAS**, the Director of Community Development has certified that the application and project is complete as the applicant withdrew their interest in pursuing a Land Use Board application; and

**WHEREAS**, the Director of Community Development additionally certifies that the current amount on the most up to date bank statements is to be refunded to the Applicant after deducting any outstanding invoices which shall be paid upon closure of the account; and

**WHEREAS**, the Director of Community Development recommends the balance of the fund should be returned to the applicants; in accordance with N.J.S.A. 40:55D-53.2.

**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 directs the release of the unused balance of the escrow deposit, in the amount indicated above, plus applicable interest, if any, in accordance with N.J.S.A. 40:55D-53.1.
2. That the Township Committee directs the Chief Financial Officer to make payment to the aforesaid applicant.
3. That the Township Committee directs the Township Clerk to forward a copy of this resolution to the Applicant, Bluewater Property Group, LLC, at the above address (Attention: Don Chase).

RESOLUTION # 2020-219

RESOLUTION APPOINTING JAMIE SOSA AS PER DIEM ANIMAL CONTROL OFFICER OF THE TOWNSHIP OF BORDENTOWN

WHEREAS, it has been determined at this time that there is a need for a per diem animal control officer to help cover weekend duty calls; and

WHEREAS, Jamie Sosa has successfully passed a background check and is certified by the New Jersey Department of Health as an Animal Control Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that Jamie Sosa is hereby appointed as a per diem Animal Control Officer effective September 14, 2020 with a compensation of \$25.50 per hour for duty call outs with a two (2) hour minimum; and

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

RESOLUTION #2020-220

RESOLUTION TO APPOINT RICHARD MERCANTINI TO THE POSITION OF PUBLIC WORKS LABORER 1 IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township Committee has determined that there is a need to appoint a Public Works Laborer 1 in the Department of Public Works; and

WHEREAS, the Township Committee, upon recommendation by the Public Works Director, has concluded that Richard Mercantini is best qualified to fill this position; and

WHEREAS, the necessary and appropriate background investigation has been conducted and Mr. Mercantini has met the qualifications necessary to fill this position;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it hereby appoints Mr. Richard Mercantini to the position of Public Works Laborer 1 in the Department of Public Works, effective October 5, 2020; and

BE IT FURTHER RESOLVED that compensation to Mr. Mercantini shall be set at \$18.00 per hour in accordance with Ordinance #2020-03 and the existing Township – AFSCME Local 3827-D collective bargaining agreement; and

BE IT FURTHER RESOLVED that this appointment is in accordance with and subject to the New Jersey Civil Service Commission rules and regulations.

RESOLUTION #2020-221

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 September 14, 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 #2020-222

ACKNOWLEDGING RECEIPT OF REPORT OF AUDIT FOR THE YEAR 2019

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Township of Bordentown Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Recommendations," as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject members of the governing body to the penalty provisions of R.S. 52:27BB-52 - to with:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavits to said Board to show evidence of said compliance.

RESOLUTION #2020-223

APPROVING THE CORRECTIVE ACTION PLAN FOR THE AUDIT RECOMMENDATION IN THE 2019 AUDIT REPORT

WHEREAS, the annual Audit Report for the year ending December 31, 2019 was received by the Township Clerk on August 31, 2020; and

WHEREAS, the annual Audit Report for the year ending December 31, 2020 was transmitted via email to the Township Committee of the Township of Bordentown on August 31, 2020; and

WHEREAS, a recommendation was made in the 2019 Annual Audit Report; and

WHEREAS, the Division of Local Government Services requires that the Chief Financial Officer prepare a Corrective Action Plan addressing all audit recommendations with the assistance from other Municipal Officers affected by the Audit Recommendations within sixty (60) days from the date the annual Audit is received by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that the Corrective Action Plan for the audit recommendation in the 2019 Audit Report is hereby approved.

BE IT FURTHER RESOLVED that the Township Clerk forward a copy of this resolution and the Corrective Action Plan to the Director of the Division of Local Government Services.



**TOWNSHIP OF BORDENTOWN**  
**BURLINGTON COUNTY, NEW JERSEY**

**TOWNSHIP COMMITTEE:**

**Stephen Benowitz, *Mayor***  
**Eric Holliday, *Deputy Mayor***  
**Eugene Fuzy, *Committeeman***  
**James Kostoplis, *Committeeman***  
**Kenneth Mason, *Committeeman***

1 MUNICIPAL DRIVE, BORDENTOWN TOWNSHIP  
BORDENTOWN, NJ 08505-2193  
Telephone: (609) 298-2800  
FAX: (609) 379-4026

— — —  
ADMINISTRATOR  
MICHAEL P. THEOKAS

**2020 CORRECTIVE ACTION PLAN**

**Finding No. 2019-001**

**Condition:** The Township did not completely adhere to its internal control procedures that agree designed to fully reconcile the general ledger with other subsidiary records as required by N.J.A.C. 5-30-5.7.

**Corrective Action:** The Chief Finance Office and Administrator reviewed all internal control procedures regarding the reconciliation of the general ledger records. The Chief Finance Officer and Township Auditors have updated the general ledger to be in balance with all subsidiary ledgers and regular internal reconciliations will be conducted to ensure the records remain in balance.

ORDINANCE NO. 2020-19

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 \$1,467,988.95 AND RE-APPROPRIATING SAID AMOUNTS TOGETHER WITH AN ADDITIONAL \$113,591.16 FROM THE TOWNSHIP’S CAPITAL IMPROVEMENT FUND SURPLUS FOR OTHER CAPITAL IMPROVEMENTS AS SPECIFIED HEREIN

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 cancelled and re-appropriated to the purposes described in Section 2 hereof.

	<b><u>Ordinance Number</u></b>	<b><u>Funded Appropriations to be Re-appropriated</u></b>	<b><u>Short Description</u></b>
(a)	2018-14	\$808,391.87	Various Road and Street Improvements
(b)	2018-14	\$16,405.97	Bike Path Improvements
(c)	2018-14	\$237,627.50	Recreation Field (Soccer) Improvements
(d)	2018-14	\$4,950.00	Park Improvements
(e)	2018-14	\$150,000.00	K-9 Facility Improvements
(f)	2019-03	\$91,980.46	Park Improvements
(g)	2019-03	\$792.90	Police Department Equipment
(h)	2019-03	\$5,934.00	EMS Equipment
(i)	2019-08	\$150,000.00	Park Improvements
(j)	2019-12	\$1,758.00	Rollout Cart Waste Collection Equipment
(k)	2020-10	\$148.25	Computer Upgrades
		<b><u>\$1,467,988.95</u></b>	

**Section 2.** From the funded appropriations set forth above and cancelled as to their original purposes, (a) \$56,935.11 is hereby re-appropriated to the costs of the 2017 Road Program, as such project is described in Ordinance 2017-19, (b) \$1,099,645 is hereby re-appropriated for upgrades and improvements to Joseph Lawrence Recreation Facility/Veterans Memorial Park, including all necessary or related work, materials and equipment and (c) \$311,408.84 is hereby re-appropriated for upgrades and improvements to Northern Community Park, including all necessary or related work, materials and equipment.

**Section 3.** In addition to the amount re-appropriated in Section 2 above, the Township hereby appropriates \$113,591.16 from its Capital Improvement Fund surplus towards the upgrades and improvements to Northern Community Park.

**Section 4.** 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.

**Section 5.** 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 improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 6.** The useful life of the improvements authorized hereby is estimated, in accordance with the Local Bond Law, to be (a) in the case of the 2017 Road Program, not less than 20 years, (b) in the case of the improvements to Joseph Lawrence Recreation Facility/Veterans Memorial Park, not less than 15 years and (c) in the case of the improvements to Northern Community Park, not less than 15 years.

**Section 7.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 8.** This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE No. 2020-20**

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN  
READOPTING A FIVE YEAR TAX EXEMPTION AND ABATEMENT  
PROGRAM PURSUANT TO THE FIVE YEAR EXEMPTION AND  
ABATEMENT LAW, N.J.S.A. 40A:21-1, ET SEQ.**

**WHEREAS**, the Township Committee of the Township previously established a Five Year Tax Exemption and Abatement Program in accordance with N.J.S.A. 40A:21-1, et seq. via Ordinance No. 2009-19; and

**WHEREAS**, N.J.S.A. 40A-21-4 states that “no application for exemptions or abatements shall be filed for exemptions or abatements to take initial effect in the eleventh tax year or any tax year occurring thereafter, unless the ordinance is readopted by the governing body pursuant to this section”; and

**WHEREAS**, the Township Committee of the Township of Bordentown has reviewed the provisions of the Five Year Exemption and Abatement Law, N.J.S.A. 40A:21-1, et seq. and has determined that the continued use of the Five Year Exemption and Abatement Law will serve to encourage the improvement of residential properties and will enable the Township to be competitive in obtaining commercial and industrial development.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Bordentown in the County of Burlington, the State of New Jersey that the Five-Year Tax Exemption and Abatement Program be and hereby is adopted as follows:

**Section 1.** Sections B, C and D of Chapter 3.28.020 of the Bordentown Township Municipal Code are repealed in their entirety and replaced with Sections 3.28.030, 3.28.040, 3.28.050 and 3.28.060 which read as follows:

3.28.030 Applications.

- A. Applicants for tax abatement and/or exemption for construction, conversion, alteration, or improvement of one or two family dwellings or commercial or industrial structures shall provide the Township Committee with an application setting forth the information required by N.J.S.A. 40A:21-9, together with such other pertinent information as the Township Committee may require.
- B. Applicants shall be encouraged to apply for tax abatement and/or exemption prior to commencement of construction (allowing, however, for preparatory site work undertaken prior to commencement of construction).
- C. Upon receipt of a completed application as set forth above, the Township Committee shall review the same to determine whether it wishes to grant any particular project a

tax abatement and/or exemption. If the Township Committee approves the application and wishes to enter into a written agreement with the applicant for the abatement and/or exemption of local real property taxes, the Township Committee shall adopt such an authorizing ordinance. Any agreement so authorized shall provide for the applicant to pay the municipality in lieu of full property tax payments an amount annually to be computed by one, but in no case a combination, of the formulae set forth in N.J.S.A. 40A:21-10, i.e., cost basis, gross revenue basis or tax phase-in basis.

- D. All tax agreements hereunder shall be in effect for a period of no more than five full years next following the date of completion of the project. All tax agreements shall be applied for and granted on an individual project basis.
- E. No abatement and/or exemption shall be granted or tax agreement entered into pursuant to this section with respect to any property for which property taxes are delinquent or remain unpaid or for which penalties for nonpayment of taxes are due.
- F. No abatement and/or exemption shall be granted pursuant to this section except upon written application therefor filed with and approved by the Assessor and the Township Committee of the taxing district wherein the construction is made.
- G. Every application shall be on a form prescribed by the Director of the Division of Taxation in the Department of the Treasury and provided for the use of claimants by the governing body of the municipality constituting the taxing district and shall be filed with Assessor within thirty (30), including Saturdays and Sundays, following the completion of the construction, improvements, conversion, or conversion alteration. Every application for abatement and/or exemption which is filed within the time specified shall be reviewed by the Assessor and Township Committee and considered for the abatement/exemption program. All applications shall be considered by the Assessor and the Township Committee to the degree that the application is consistent with the provisions of the adopting ordinance or the tax agreement, provided that the project for which the application is made qualifies as construction pursuant to the provisions of this section and the tax agreement, if any.

3.28.040. Record.

The granting of an abatement and/or exemption or tax agreement shall be recorded and made a permanent part of the official tax records of the taxing district, which record shall contain a notice of the termination date thereof.

3.28.050. Applicability.

The abatement and/or exemption of real property taxes provided hereunder shall apply to property taxes levied for municipal purposes, school purposes and county government purposes.

3.28.060 Program Expiration

Pursuant to N.J.S.A. 40A:21-4, no applications for exemptions or abatements shall be

filed that would take initial effect in the eleventh tax year or any tax year thereafter occurring following the adoption of this Ordinance, unless the Township Committee readopts the Five Year Tax Exemption and Abatement Program.

**Section 2.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**Section 3.** All ordinances or parts of ordinances of the Township of Bordentown heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** This ordinance shall take effect immediately upon adoption. Notice of adoption shall be published as provided by law.

INTRODUCED:       AUGUST 24, 2020  
PUBLIC HEARING:   SEPTEMBER 14, 2020  
ADOPTED: