

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: FEBRUARY 10, 2014 TIME: 7:00 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

| | | |
|-------|-------|--------------------------------|
| _____ | _____ | Mayor Benowitz |
| _____ | _____ | Deputy Mayor Cann |
| _____ | _____ | Committeeman Carson |
| _____ | _____ | Committeeman Moynihan |
| _____ | _____ | Committeewoman Popko |
| _____ | _____ | Township Clerk Eckert |
| _____ | _____ | Attorney Kearns |
| _____ | _____ | Chief Financial Officer Kocian |
| _____ | _____ | Public Works Director Buhrer |
| _____ | _____ | Police Chief Nucera |

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

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

On January 6, 2014, advance written notice of this meeting was posted on the bulletin board opposite the main entrance to the meeting room in the Municipal Building; was faxed to the REGISTER-NEWS, the BURLINGTON COUNTY TIMES and THE TIMES; was filed with the Clerk of Bordentown Township; and was mailed to all persons who requested and paid for such notice.

4. The proceedings of this meeting, which are open to the public, are being electronically recorded. Requisite minutes are kept for all meetings, whether open or closed to the public.
5. Administrative Review
 - a. Review of agenda
 - b. Review of correspondence

CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.
- b. Questions or comments from the audience on consent agenda items.
- c. Motion, Second and Roll Call to adopt Resolutions #2014-041-6 through #2014-041-13.

6. Resolution #2014-041-6 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
7. Resolution #2014-041-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
8. Resolution #2014-041-8 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
9. Resolution #2014-041-9 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM CME ASSOCIATES FOR THE DRAINAGE IMPROVEMENTS TO MUNICIPAL DRIVE AND GERMANTOWN ROAD FOR CONSTRUCTION PHASE SERVICES.
10. Resolution #2014-041-10 entitled RESOLUTION AUTHORIZING SPONSORSHIP FOR GIRLS STATE.
11. Resolution #2014-041-11 entitled RESOLUTION TO RENEW INTERLOCAL SERVICE AGREEMENT WITH THE COUNTY OF BURLINGTON FOR THE NEW WORLD SYSTEM.
12. Resolution #2014-041-12 entitled RESOLUTION APPROVING STIPENDS TO MARY PICARIELLO AND ANGEL SAURO FOR CERTAIN ASSIGNED FINANCIAL DUTIES WITHIN THE FINANCE OFFICE.
13. Resolution #2014-041-13 entitled RESOLUTION AUTHORIZING AN ADJUSTMENT IN THE WORK HOURS AND HOURLY RATES FOR THE CONSTRUCTION OFFICIAL AND ELECTRICAL SUBCODE OFFICIAL.
14. Public Hearing on Ordinance #2014-1 entitled ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN APPROVING REDEVELOPMENT PLAN FOR BLOCK 120, LOTS 1-14; BLOCK 121, LOTS 1-5; BLOCK 122, LOTS 1-10; BLOCK 127, LOTS 2-3; AND BLOCK 128.01, LOTS 1-12, 14-16, 29-32.02 AND 35-38.
15. Consideration of Adoption of Ordinance #2014-1 entitled ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN APPROVING REDEVELOPMENT PLAN FOR BLOCK 120, LOTS 1-14; BLOCK 121, LOTS 1-5; BLOCK 122, LOTS 1-10; BLOCK 127, LOTS 2-3; AND BLOCK 128.01, LOTS 1-12, 14-16, 29-32.02 AND 35-38.
16. Public Hearing on Ordinance #2014-5 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN PROVIDING FOR A SYSTEM OF HOUSE AND BUILDING NUMBERING FOR ALL STRUCTURES AND REQUIRING THE PLACEMENT OF THE NUMBERS ON EACH STRUCTURE IN ORDER TO PROVIDE FOR PUBLIC SAFETY.
17. Consideration of Adoption of Ordinance #2014-5 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN PROVIDING FOR A SYSTEM OF HOUSE AND BUILDING NUMBERING FOR ALL STRUCTURES AND REQUIRING THE PLACEMENT OF THE NUMBERS ON EACH STRUCTURE IN ORDER TO PROVIDE FOR PUBLIC SAFETY.
18. Public Hearing on Ordinance #2014-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$2,088,181 THEREFOR, AND AUTHORIZING THE

ISSUANCE OF \$1,516,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

19. Consideration of Adoption of Ordinance #2014-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$2,088,181 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,516,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.
20. Township Committee discussion with Andy Law, Emergency Management Coordinator, regarding the “Code Red” Update.
21. Township Committee discussion of Aerial Larval/Adult Mosquito Control Activities.
22. Township Committee discussion of the Municipal Dog Park.
23. Township Committee and Staff Reports.
24. Public Participation.

Questions, comments or statements from members of the public in attendance.

25. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
26. Resolution to meet in closed session:

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby recess this Regular Meeting to meet in Closed Session for the purpose of discussing Professional Services Contract Matter (Bristol Incinerator); K. Johnson Redevelopment Contract Matter (PILOT Agreement); Public Works Expansion Contract Matter.

RESOLUTION #2014-041-6

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated February 10, 2014, as submitted by the Office of the Treasurer are hereby approved for payment and the Office of the Treasurer is directed to pay the same.

02/10/14

RESOLUTION #2014-041-7

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of January 27, 2014, and the Regular Meeting of January 13, 2014, and January 27, 2014, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected).

02/10/14

RESOLUTION #2014-041-8

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #13-00014 was redeemed on January 30, 2014, in the amount of \$7,471.66.

WHEREAS, US BANK Cust for Pro Capital III, paid tax sale premium, in the amount of \$8,100.00 for said lien.

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of tax sale premium, in the amount of \$8,100.00 to US BANK Cust for Pro Capital III; for Lien 13-00014, Block 92.06 Lot 22.123 C.123, commonly known as 6 Deerfield Court.

MAP
01/30/14

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on February 10, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2014-041-9

RESOLUTION ACCEPTING THE PROPOSAL FROM CME ASSOCIATES FOR THE DRAINAGE IMPROVEMENTS TO MUNICIPAL DRIVE AND GERMANTOWN ROAD FOR CONSTRUCTION PHASE SERVICES

WHEREAS, CME Associates submitted a proposal for construction phase services for the drainage improvement project to Municipal Drive and Germantown Road; and

WHEREAS, it is the desire of the Township Committee to accept said proposal from CME Associates, in an amount not to exceed \$45,000.00 (hourly rate not to exceed); and

WHEREAS, funds are available to accept said proposal, as evidenced by the attached Certification of Availability of Funds;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept the proposal from CME Associates, in an amount not to exceed \$45,000.00 to provide construction phase services for the drainage improvement project to Municipal Drive and Germantown Road.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on February 10, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

02/10/14

RESOLUTION #2014-041-10

RESOLUTION AUTHORIZING SPONSORSHIP FOR GIRLS STATE

WHEREAS, the American Legion Auxiliary Unit 26, by way of correspondence dated January 10, 2014, is requesting a sponsorship for a female student to attend Girls State in the amount of \$215.00; and

WHEREAS, the Township of Bordentown has historically provided sponsorship for Girls State and it is the desire of the Township Committee to continue the sponsorship for the year 2014;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the sponsorship for Girls State in the amount of \$215.00 to be paid to the American Legion Auxiliary Unit #26 Girls State.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on February 10, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

02/10/14

RESOLUTION #2014-041-11

RESOLUTION TO RENEW INTERLOCAL SERVICE AGREEMENT WITH THE COUNTY OF BURLINGTON FOR THE NEW WORLD SYSTEM

WHEREAS, several years ago, the County of Burlington, along with several Burlington County municipalities, entered into an Interlocal Service Agreement with the New World System, an integrated law enforcement records management and emergency dispatch system; and

WHEREAS, it is necessary to renew the agreement with the County of Burlington to provide police dispatch services and to continue to provide software and hardware maintenance for the New World System;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the renewal of the Interlocal Service Agreement and further authorizes the Mayor and Township Clerk to execute any and all documents pertaining to the renewal of the agreement.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on February 10, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

02/10/14

Master County Res. # _____
Date Adopted _____
Twp/City/Boro Res. # _____
Date Adopted _____

ADDENDUM TO MASTER INTERLOCAL SERVICE AGREEMENT

This addendum establishes an understanding for products and/or services to be provided in addition to those basic services identified in the master interlocal service agreement. The products and/or services shall be provided by the COUNTY OF BURLINGTON, hereinafter referred to as County, as stated below for the TOWNSHIP OF BORDENTOWN, hereinafter referred to as Township having its offices at 1 Municipal Drive, Bordentown, NJ 08505.

All parties acknowledge that a master interlocal service agreement exists between the Township and County and agree to abide by the terms and conditions included therein.

The additional products and/or services to be provided are as follows:

Wireless connection:

For those agencies connecting to the County network via wireless, the County shall have designed and specified a wireless WAN connection to the County network for the Township Police Department, hereinafter referred to as the PD, to provide access to the County's Centralized Computer System for Computer Aided Dispatch, Police Records and Mobile Computer Terminal software. The County shall be responsible for the cost of the wireless connection up to the point of any infrastructure required to be installed on County property. The Township shall be responsible for the cost of any wireless infrastructure required to be install at the Township location. The equipment and software will be used to provide the wireless connectivity and will be specified by the County.

The County shall make all best efforts to provide stabilized wireless connectivity. Changes to the throughput rate must be by mutual agreement and the service change and monthly fee shall be changed by execution of a separate addendum.

For the initial service, the Township agrees to pay to the County a fee of \$150 per month for the above wireless access, which term is to start upon infrastructure installation and service availability.

Microsoft Antivirus Software:

Microsoft Endpoint Protection Antivirus software protects computer systems and consequently the network from damage caused by computer viruses and malware. All computers connected to the County network shall have antivirus software installed and maintained. The County will provide the Microsoft Endpoint Protection Antivirus software, and installation instructions, for all PC's connected to the County network.

The PD has elected to acquire licenses of the Microsoft Endpoint Protection Antivirus software from the County at a cost per PC equivalent to the amount paid by the County to the software vendor.

NJDex Information Sharing Project

The NJDex is an initiative of the New Jersey Office of Homeland Security and Preparedness and New Jersey State Police. The County agrees, via grant funding received from the State of New Jersey, to provide a software solution to share data from the County Law Enforcement Records Management System (New World System), as well as the first years Software Maintenance costs associated with this initiative. The PD agrees to assume the software maintenance cost equivalent to the proportioned per agency amount paid by the County to the software vendor.

_____ Date

Attest: _____

County of Burlington

_____ Paul Drayton, County Administrator

_____ Date

Attest: _____

RESOLUTION #2014-041-12

RESOLUTION APPROVING STIPENDS TO MARY PICARIELLO AND ANGEL SAURO FOR CERTAIN ASSIGNED FINANCIAL DUTIES WITHIN THE FINANCE OFFICE

WHEREAS, to assist in maintaining the daily functions of the Finance Office, the Township Committee has assigned certain financial duties to Mary Picariello (Tax Collector) and Angel Sauro (Administration); and

WHEREAS, both Ms. Picariello and Ms. Sauro have agreed to accept the additional duties of the Finance Office; and

WHEREAS, the Township Committee wishes to provide a stipend to Ms. Picariello and Ms. Sauro for their performance of the additional functions;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby award the following stipends:

| | |
|----------------------------------|------------|
| Mary Picariello, Tax Collector | \$5,000.00 |
| Angel Sauro, Keyboarding Clerk 2 | \$5,000.00 |

BE IT FURTHER RESOLVED that said award shall be in conjunction with Bordentown Township Ordinance #2014-2 and shall be retroactive to January 1, 2014; and

BE IT FURTHER RESOLVED that said stipends shall be made a part of the employees' annual salaries with regards to the Public Employees Retirement System reports; and

BE IT FURTHER RESOLVED that should Ms. Picariello and Ms. Sauro no longer perform said additional duties, the stipend shall cease upon the conclusion of the current pay period.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on February 10, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

02/10/14

RESOLUTION #2014-041-13

RESOLUTION AUTHORIZING AN ADJUSTMENT IN THE WORK HOURS AND HOURLY RATES FOR THE CONSTRUCTION OFFICIAL AND ELECTRICAL SUBCODE OFFICIAL

WHEREAS, the Construction Official and Electrical Subcode Official positions are part-time positions; and

WHEREAS, Mr. Peter Carbone is employed with the Township of Bordentown as the Construction Official/Code Enforcement Officer and Mr. Henry Skala is employed with the Township of Bordentown as the Electrical Subcode Official; and

WHEREAS, the varying workload requires an adjustment in the authorized work hours and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize an adjustment in the work hours for the Construction Official and Electrical Subcode Official, as follows

| | |
|---|-------------------|
| Base Hours for Construction Official | 9 hours per week |
| Total hours at discretion of the Construction Official | 21 hours per week |
| Total hours with authorization from the Township Administrator and justification | 28 hours per week |
| Base Hours for Electrical Subcode Officials | 7 hours per week |
| Total hours at discretion of the Construction Official | 7 hours per week |
| Total hours with authorization from the Township Administrator and Justification | 14 hours per week |

BE IT FURTHER RESOLVED to accommodate the possible changes in work hours on a weekly basis, it is necessary to change these positions from an annual salary to an hourly rate; and

BE IT FURTHER RESOLVED that in accordance with Bordentown Township Ordinance #2014-2, the hourly rates shall be set as follows:

| | |
|--|------------------|
| Peter Carbone, Construction Official | \$65.74 per hour |
| Henry Skala, Electrical Subcode Official | \$40.02 per hour |

BE IT FURTHER RESOLVED that this Authorizing Resolution shall be effective as of November 1, 2013,

02/10/14

TOWNSHIP OF BORDENTOWN

ORDINANCE #2014-1

ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN
APPROVING REDEVELOPMENT PLAN FOR BLOCK 120, LOTS 1-14; BLOCK 121, LOTS 1-5;
BLOCK 122, LOTS 1-10; BLOCK 127, LOTS 2-3; AND BLOCK 128.01, LOTS 1-12, 14-16, 29-32.02
AND 35-38.

WHEREAS, the Township Committee of the Township of Bordentown in its capacity as the redevelopment authority has reviewed the Southern Gateway Redevelopment Area Redevelopment Plan prepared by Edward E. Fox of the Burlington County Bridge Commission for the redevelopment area designated as Block 120, Lots 1-14; Block 121, Lots 1-5; Block 122, Lots 1-10; Block 127, Lots 2-3; and Block 128.01, Lots 1-12, 14-16, 29-32.02 and 35-38;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown in its capacity as the redevelopment authority that the Southern Gateway Redevelopment Area Redevelopment Plan is hereby approved.

ORDINANCE NO. 2014-5

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN
PROVIDING FOR A SYSTEM OF HOUSE AND BUILDING
NUMBERING FOR ALL STRUCTURES AND REQUIRING
THE PLACEMENT OF THE NUMBERS ON EACH STRUCTURE
IN ORDER TO PROVIDE FOR PUBLIC SAFETY

§ 1 Title. This Ordinance shall be known and may be cited and referred to as the "House or Building Numbering Ordinance of the Township of Bordentown."

§ 2 Adoption of provisions. The Township Committee hereby adopts the following provisions with respect to house or building numbering in the Township of Bordentown.

§ 3 Purpose. The purpose of these regulations is to require the clear display of authorized and assigned house or building numbers on every building fronting on any street in the Township of Bordentown in order to assist the general public and emergency services, public and private, in identifying any property in case of emergency or otherwise.

§ 4 Applicability. All residential, commercial, industrial or other structures erected or to be erected within the Township of Bordentown shall display identification numbers as provided herein and in accordance with specifications provided herein.

§ 5 Determination and assignment of house or building numbers. House or building numbers shall be determined and assigned by the Chief of Police or his designee of the Township of Bordentown, who shall also serve as the Municipal 9-1-1 Coordinator for the Township of Bordentown. The owner of any structure requiring a house or building number for which structure a number has not been assigned as of the effective date of this ordinance will be notified by the township when the designated number is assigned to the structure.

§ 6 Requirements. The owner, occupant or lessee of each and every structure which now fronts or which may hereafter front upon any public or private street within the Township of Bordentown who has been assigned a house or building number prior to the effective date of this ordinance shall, at his own expense, within 30 days after the effective date of this ordinance, cause the authorized and assigned number of the structure to be permanently and conspicuously placed in accordance with the specifications set forth herein. Any owner who has not been assigned a number prior to the effective date of this ordinance shall, within 30 days after notice of assignment of the number, comply with the requirements of this section.

§ 7 Specifications. House or building numbers shall be:

- A. In Arabic numerals.
- B. A minimum height of three inches for residential properties and a minimum height of six inches for commercial and industrial properties.
- C. Mounted in a secure fashion to the front wall or porch of the building so as to be clearly visible from the street.
- D. Sufficiently legible as to contrasting background, arrangement, spacing and uniformity so as to be clearly visible from the street.
- E. At least 30 inches above ground level and so placed that trees, shrubs and other obstructions do not block the line of sight of the numbers from the street upon which the building fronts.

§ 8 Placing numbers on post, rod or mailbox. If numbers affixed to the front of the building would not be easily visible from the street, regulations may be satisfied if the owner, occupant or lessee shall provide the Arabic numbers, as required by these regulations, upon a post, rod or other type of fixture of substantial nature or a mailbox at or near the frontage with the same number affixed thereon and so located upon the same, so that the number may be conspicuous and visible from the street upon which the building fronts. When the provisions of this section have been complied with, the owner, occupant or lessee of the house or building shall not be otherwise obligated to affix Arabic numbers to the house or building and shall be permitted, at his option, to utilize cursive numbers or no numbers at all upon the house or building.

§ 9 Garden apartments and townhouse condominium complexes. Garden apartment and townhouse-condominium complexes shall provide the building and apartment numbers as are provided for in the regulations.

§ 10 Certificates of occupancy. Any structure erected, repaired, altered or modified after the effective date of this ordinance shall have the certificate of occupancy withheld until it is assigned a house or building number and the number is affixed to the structure in accordance with this ordinance.

§ 11 Violations and penalties.

Any person or persons convicted of a violation of these regulations shall be liable to a fine not to exceed \$1,000 and/or 90 days in jail, the punishment to be levied at the discretion of the Municipal Court Judge. Each day that the violation occurs shall be deemed to be a separate violation.

§ 12. Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for 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 it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon adoption and publication of notice in accordance with the law.

ORDINANCE NO. 2014-6

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN,
IN THE COUNTY OF BURLINGTON, NEW JERSEY,
PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS
AND RELATED EXPENSES IN AND FOR THE TOWNSHIP,
APPROPRIATING \$2,088,181 THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$1,516,000 IN GENERAL
IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE THE SAME.

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 all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Bordentown, in the County of Burlington, New Jersey (the "Township") as general improvements or purposes. For the several improvements or purposes described in Section 3 hereof, there is hereby appropriated the sum of \$2,088,181, including the aggregate sum of \$75,800 as the several down payments required by the Local Bond Law and including \$496,381 as the grant expected to be received from the Federal Emergency Management Agency. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,516,000, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued are as follows:

I. Purpose. Various Road Improvements, including reconstruction and repaving of various Township roads, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor or incidental thereto.

| | |
|--|-------------|
| <u>Appropriated and Estimated Cost:</u> | \$2,033,181 |
| <u>Estimated Maximum Amount of Bonds or Notes:</u> | \$1,463,750 |
| <u>Grants Appropriated</u> | \$496,381 |
| <u>Period or Average Period of Usefulness:</u> | 10 years |
| <u>Amount of Down Payment:</u> | \$73,050 |

II. Purpose. Acquisition of Public Works Equipment, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

| | |
|--|----------|
| <u>Appropriated and Estimated Cost:</u> | \$55,000 |
| <u>Estimated Maximum Amount of Bonds or Notes:</u> | \$52,250 |
| <u>Period or Average Period of Usefulness:</u> | 5 years |
| <u>Amount of Down Payment:</u> | \$2,750 |

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond

ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 9.83 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,516,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$208,818 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Township reasonably expects to commence with the acquisition of the improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse itself from proceeds of the obligations authorized by this bond ordinance for capital expenditures with respect to the improvement initially paid for from current or other available funds of the Township. This constitutes a declaration of "official intent" within the meaning of Treasury Regulations §1.150-2. The Township hereby certifies that this declaration is reasonable on the date hereof in that (i) it is consistent with the budgetary and financial circumstances of the Township, (ii) no funds (other than the proceeds of the obligations authorized by this bond ordinance) are, or are reasonably expected to be, reserved, allocated on a

long-term basis, or otherwise set aside by the Township pursuant to its budget or financial policies with respect to the capital expenditures to be reimbursed, and (iii) the Township does not have a pattern of failing to reimburse itself for capital expenditures actually paid and for which an official intent was declared, other than due to unforeseeable extraordinary circumstances beyond the Township's control. Proceeds of the obligations authorized by this bond ordinance shall be allocated to expenditures not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the improvement is placed in service or abandoned, but in no event more than 3 years after the original expenditure is paid.

Section 7. There is hereby appropriated to the purposes and improvements described in Section 3(a)(I) grant moneys in the amount of \$496,321 expected to be received from the Federal Emergency Management Agency. Any additional grant moneys received for the improvement or purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or purpose or to payment of the bonds or notes issued pursuant to this bond ordinance. The amount of bonds or notes authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Committee hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve

the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.