

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: APRIL 21, 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. 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 Borden’s Crossing Performance Bonds (Potential Litigation); Bradford Pointe COAH Funds Disbursement (Contract Matter); Municipal Court Personnel Matter.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

6. 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 #2014-111-7 through #2014-111-13.
7. Resolution #2014-111-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
  8. Resolution #2014-111-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS, FILING OF REPORTS AND CORRESPONDENCE.
  9. Resolution #2014-111-9 entitled A RESOLUTION AUTHORIZING THE PREPARATION OF ESTIMATED TAX BILLS FOR THE YEAR OF 2014.
  10. Resolution #2014-111-10 entitled APPOINTMENT OF MEMBER TO ZONING BOARD OF ADJUSTMENT.
  11. Resolution #2014-111-11 entitled A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE EXECUTION OF A LEASE WITH THE FOUNDATION FOR BORDENTOWN TRADITIONS.
  12. Resolution #2014-111-12 entitled RESOLUTION ESTABLISHING THE BASE WEEKLY WORK HOURS FOR THE EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY EMERGENCY MANAGEMENT COORDINATOR.
  13. Resolution #2014-111-13 entitled RESOLUTION OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CONFIRMING THE SALE AND AWARD OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2014, CONSISTING OF GENERAL OBLIGATION BONDS, 2014 SERIES A (GENERAL CAPITAL) AND GENERAL OBLIGATION BONDS, 2014 SERIES B (WATERFRONT CAPITAL).
  14. Public Hearing on Ordinance #2014-9 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE LAND DEVELOPMENT ORDINANCE TO DELETE CERTAIN PERMITTED USES IN THE HC (HIGHWAY COMMERCIAL) ZONING DISTRICT.
  15. Consideration of Adoption of Ordinance #2014-9 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE LAND DEVELOPMENT ORDINANCE TO DELETE CERTAIN PERMITTED USES IN THE HC (HIGHWAY COMMERCIAL) ZONING DISTRICT.
  16. Public Hearing on Ordinance #2014-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN VACATING THE PUBLIC INTEREST IN A PORTION OF A CERTAIN ACCESS EASEMENT LOCATED IN THE TOWNSHIP OF BORDENTOWN, BURLINGTON

COUNTY, NEW JERSEY.

17. Consideration of Adoption of Ordinance #2014-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN VACATING THE PUBLIC INTEREST IN A PORTION OF A CERTAIN ACCESS EASEMENT LOCATED IN THE TOWNSHIP OF BORDENTOWN, BURLINGTON COUNTY, NEW JERSEY.
18. Public Hearing on Ordinance #2014-15 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN VACATING THE PUBLIC INTEREST IN A PORTION OF A CERTAIN DRAINAGE EASEMENT LOCATED IN THE TOWNSHIP OF BORDENTOWN, BURLINGTON COUNTY, NEW JERSEY.
19. Consideration of Adoption of Ordinance #2014-15 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN VACATING THE PUBLIC INTEREST IN A PORTION OF A CERTAIN DRAINAGE EASEMENT LOCATED IN THE TOWNSHIP OF BORDENTOWN, BURLINGTON COUNTY, NEW JERSEY.
20. Consideration of Re-Introduction of Ordinance #2014-7 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF BORDENTOWN TO CREATE SECTION 1200, ENTITLED RENEWABLE ENERGY, AND TO PROVIDE FOR STANDARDS REGARDING SUCH RENEWABLE ENERGY FACILITY USES AND INSTALLATIONS.
21. Consideration of Introduction of Ordinance #2014-16 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP CODE TO ESTABLISH FEES AND TO FURTHER PROVIDE A PROCEDURE FOR REVIEWING AND AMENDING THE FEE SCHEDULE.
22. Consideration of Introduction of Ordinance #2014-17 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN PROVIDING FOR THE APPROPRIATION OF A PORTION OF REVENUES FROM A CERTAIN PAYMENT IN LIEU OF TAXES (PILOT) BENEFIT OF THE BORDENTOWN REGIONAL SCHOOL DISTRICT.
23. Township Committee discussion of the Status of the Bossert Park Bridge Repair Project.
24. Township Committee discussion of the Motto for the Township of Bordentown.
25. Township Committee discussion of the Fireworks Contract for the July 4<sup>th</sup> Celebration.
26. Township Committee discussion of the Road Improvement Program.
27. Township Committee and Staff Reports.
28. Public Participation.  
  
Questions, comments or statements from members of the public in attendance.
29. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
30. Motion to Adjourn.

RESOLUTION #2014-111-7

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 April 21, 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.

04/21/14

RESOLUTION #2014-111-8

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS, FILING OF REPORTS AND CORRESPONDENCE

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of April 7, 2014, and the Regular Meeting of April 7, 2014, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as ( \_\_\_\_\_ submitted) ( \_\_\_\_\_ corrected); and

BE IT RESOLVED that the following reports for the month of March 2014 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Construction, Community Development and Finance; and

BE IT FURTHER RESOLVED that the following items of correspondence are to be received and/or acted upon:

- a. Memorandum to Township Committee from David Kocian, CFO, dated April 18, 2014, regarding Sale of \$1,450,000 Aggregate Principal Amount of Bond Anticipation Notes, 2014 Series C.

04/21/14

**RESOLUTION# 2014-111-9**

**A RESOLUTION AUTHORIZING THE PREPARATION OF ESTIMATED  
TAX BILLS FOR THE YEAR OF 2014**

**WHEREAS**, the Division of Local Government Services, State of New Jersey has the authority by State Statute to examine, review and then certify all local government budgets to the County Board of Taxation for the purpose of real estate taxation, and

**WHEREAS**, the Burlington County Board of Taxation has not yet received certification of the Township of Bordentown's budget and cannot strike a tax rate until such certification is received from the State of New Jersey and will therefore cause the delay in receiving state funding, and

**WHEREAS**, the Township Committee has determined that there will be insufficient cash flow to support operations in August 2014 unless third quarter revenue is received on time, and

**WHEREAS**, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3,

**NOW THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, hereby authorized that:

1. The Tax Collector is directed to prepare and issue estimated tax bills for the Municipality of Bordentown Township for the third quarter 2014, in accordance with the provisions of N.J.S.A. 54:4-66.2et seq.
2. The entire estimated tax levy for 2014 is hereby set at \$34,298,326.71
3. The Tax Collector takes any additional steps necessary to immediately implement this resolution.

BE IT FURTHER RESOLVED, that the Municipal Clerk provides a certified copy of this resolution to the Tax Collector.

MAP  
04/21/14

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 April 21, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

APPOINTMENT OF MEMBER TO ZONING BOARD OF ADJUSTMENT

BE IT RESOLVED that the following appointment to the Zoning Board of Adjustment be and is hereby approved:

2 Year Unexpired Term Expiring 12/31/14 (Alt. #1): Amadeo Dela Cruz

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 April 21, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

04/21/14

**TOWNSHIP OF BORDENTOWN**



**RESOLUTION #2014-111-11**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF BORDENTOWN AUTHORIZING THE EXECUTION OF A  
LEASE WITH THE FOUNDATION FOR BORDENTOWN TRADITIONS**

WHEREAS, the Township Committee of the Township of Bordentown has received a proposal for the use of the parking area of the Joseph Lawrence Park in association with the July 4<sup>th</sup> event sponsored by the Foundation for Bordentown Traditions, and

WHEREAS, the Township Committee proposes to enter into lease for the parking area for July 3, 2014, and for any rescheduled rain date,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown assembled in public session on April 21, 2014, that the Mayor and Township Clerk are hereby authorized to execute the lease in the format attached hereto and for the purposes set forth therein, and

BE IT FURTHER RESOLVED that copies of this Resolution shall be provided to Foundation for Bordentown Traditions and to the Township Chief Financial Officer and the Chief of Police for their information and attention.

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 April 21, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**LEASE AGREEMENT**

**BETWEEN**  
**THE TOWNSHIP OF BORDENTOWN**  
**AND**  
**FOUNDATION FOR BORDENTOWN TRADITIONS**

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2014 by and between the FOIUNDATION FOR BORDENTOWN TRADITIONS ("the Tenant") and the TOWNSHIP OF BORDENTOWN, a municipality of the State of New Jersey, having its principal offices located at One Municipal Drive, Bordentown, New Jersey 08505, County of Burlington and State of New Jersey ("the Township"):

**WHEREAS**, the Township is the owner of the lands generally known and identified as the Joseph Lawrence Park in Bordentown Township, Burlington County, New Jersey; and

**WHEREAS**, the Foundation for Bordentown Traditions has been organized with the civic purpose of continuing the traditions of the Township in the celebration of Independence Day with celebratory events in the Joseph Lawrence Park; and

**WHEREAS**, the Township desires to provide the Foundation for Bordentown Traditions with the use of the Park and more specifically with the exclusive use of the parking lot portion of Joseph Lawrence Park in order to provide space for those vendors selected by the Foundation for Bordentown Traditions,.

**NOW, THEREFORE, BE IT AGREED** as follows:

- 1. Possession and Use:** The Township shall give exclusive possession and use of the parking area of Joseph Lawrence Park on Thursday, July 3, 2014, and on any rain date should it be necessary to reschedule the event on another

specific date within the month of July, 2014,

2. **Payment:** The Tenant shall pay to the Township the sum of Five Hundred (\$500.00) dollars. Checks shall be made payable to the Township of Bordentown and sent to the Municipal Clerk's Office. All payment, rentals, or other consideration the Township receives under this lease shall be used for operating, maintenance, or capital expenses related to its funded parkland or to its recreation program as a whole.

3. **Tenant Responsibilities and Duties:**

- a. It is understood that you, as Tenant, will maintain the property during your tenancy in as good a condition as at the beginning of your tenancy, with the exception of normal wear, depreciation and damages from causes beyond the Tenant's control.
- b. It is understood that you, as Tenant, will use the property, i.e., the parking lot of the Joseph Lawrence Park in support of your Independence Day celebration and specifically for the location of vendors selected by you for the event.
- c. Anyone parking on that parking lot during your event but without your permission will be treated as a trespasser and will be subject to removal or other enforcement actions by the Bordentown Township Police Department.
- d. It is understood that you, as Tenant, will maintain insurance for your protection and the protection of the Township in accordance with limits and standards acceptable to the Township.

4. **Township Rights:**

- a. The Township reserves the right to enter the property at any time for purposes of consultation with the Tenant or for inspections.

5. **Term:** This Agreement shall be for one day, specifically July 3, 2014, and for any "rain date" where the event is rescheduled to a specific day within the month of July, 2014.

6. **Assignment:** This Agreement may not be assigned by the Tenant without written consent of the Township.
7. **Laws:** The Tenant shall comply with all laws, orders, rules and regulations of governmental authorities.
8. **Damages:** The Tenant is liable for all damages caused by a violation of this Agreement, including attorney fees and costs.

**IN WITNESS WHEREOF**, the parties have set their hands and seals the day and year first written above.

A T T E S T:

**THE TOWNSHIP OF BORDENTOWN**

**COLLEEN M. ECKERT**  
Township Clerk

By:  
**STEPHEN BENOWITZ, MAYOR**

**FOUNDATION FOR BORDENTOWN  
TRADITIONS**

**Witness**

RESOLUTION #2014-111-12

RESOLUTION ESTABLISHING THE BASE WEEKLY WORK HOURS FOR THE EMERGENCY  
MANAGEMENT COORDINATOR AND DEPUTY EMERGENCY MANAGEMENT  
COORDINATOR

WHEREAS, the Emergency Management Coordinator and Deputy Emergency Management Coordinator are part-time positions; and

WHEREAS, Mr. Andrew Law is employed with the Township of Bordentown as the Emergency Management Coordinator and Mr. Dean Buhrer is employed with the Township of Bordentown as the Deputy Emergency Management Coordinator; and

WHEREAS, there is a need to establish the base weekly work hours for these positions;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby establish the base weekly work hours for the Emergency Management Coordinator and Deputy Emergency Management Coordinator, as follows

Base Hours for Emergency Management Coordinator	6 hours per week
Base Hours for Deputy Emergency Management Coordinator	4 hours per week

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 April 21, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION NO. 2014-111-13**

**RESOLUTION OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CONFIRMING THE SALE AND AWARD OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS, SERIES 2014, CONSISTING OF GENERAL OBLIGATION**

**BONDS, 2014 SERIES A (GENERAL CAPITAL) AND GENERAL  
OBLIGATION BONDS, 2014 SERIES B (WATERFRONT CAPITAL)**

**WHEREAS**, the Township of Bordentown, in the County of Burlington, New Jersey (the “Township”) adopted Bond Ordinance Nos. 2007-33, 2009-17, 2012-6, 2013-3, 2013-8 and 2014-6 (the “General Improvement Ordinances”) authorizing the issuance of obligations of the Township for the purpose of financing (i) general capital improvements, (ii) the acquisition of land, buildings and police equipment, and (iii) related expenses all as outlined in the respective General Improvement Ordinances (collectively the “General Capital Project”); and

**WHEREAS**, the Township adopted Bond Ordinance No. 2011-22 (the “Waterfront Improvement Ordinance” and, together with the General Improvement Ordinances, the “Bond Ordinances”) authorizing the issuance of obligations of the Township for the purpose of financing the capital improvements as outlined in the Waterfront Improvement Ordinance and related to the Waterfront Redevelopment Project (the “Waterfront Capital Project”); and

**WHEREAS**, on March 24, 2014, the Township adopted Resolution No. 2014-083-14 (the “resolution”) authorizing the sale of the Township’s General Obligation Bonds, Series 2014 (the “Bonds”), consisting of General Obligation Bonds, 2014 Series A (General Capital) and General Obligation Bonds, 2014 Series B (Waterfront Capital), at public sale and designated the Chief Financial Officer to sell and award the Bonds on behalf of the Township, in accordance with the Resolution and the Notice of Sale approved by the Resolution; and

**WHEREAS**, the Notice of Sale provided that the Township reserved the right to adjust the maturity schedule of the Bonds based upon the recommendation of the Township’s Financial Advisor in accordance with N.J.S.A. 40A:2-26(g), provided that no adjustment shall exceed 10% of the principal for any maturity with the aggregate adjustment to maturity not to exceed 10% of the principal of the overall issue; and

**WHEREAS**, on April 8, 2014 (the “Sale Date”), the Township received bids for the sale of the Bonds in accordance with the Notice of Sale and the Chief Financial Officer determined based upon the Township’s Financial Advisor’s recommendation and adjustments to the maturities and principal amount of the Bonds to award the Bonds in the principal amount of \$8,181,000 to UBS Financial Services Inc. (the “Purchaser”) at a price of \$8,181,961.73; and

**WHEREAS**, the Township desires to hereby confirm the sale and award of the Bonds to the Purchaser on the terms and conditions accepted on the Sale Date by the Chief Financial Officer on behalf of the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bordentown, in the County of Burlington, New Jersey (not less than a majority of all members thereof affirmatively concurring), as follows:

**Sale and Award of the Bonds.** The Township hereby confirms the sale and award of the Bonds in the principal amount of \$8,181,000 to the Purchase at a purchase price of \$8,181,961.73. The Bonds consist of \$4,711,000 aggregate principal amount of General Obligation Bonds, 2014 Series A (General Capital) (the 2014A Bonds”) and \$3,470,000 aggregate principal amount of General Obligation Bonds, 2014 Series B (Waterfront Capital) (the “2014B Bonds”). The 2014A Bonds are being issued to permanently finance a portion of the costs of the General Capital Project in the amount of \$4,711,000 pursuant to the General Improvement Ordinances as set forth on Schedule I attached hereto. The 2014B Bonds are being issued to permanently finance a portion of the costs of the Waterfront Capital Project in the amount of \$3,470,000 pursuant to the Waterfront Improvement Ordinance as set forth on Schedule I attached hereto.

**Term of the Bonds.** The Township hereby confirms the terms of the Bonds, dated the date of delivery, bearing interest from the dated date, payable semi-annually on March 1 and September 1 of each year, commencing March 1, 2015, at the rate or rates, and maturing, subject to prior redemption, on March 1 in the annual principal amounts and years as set forth below:

Year	2014A Bonds Principal Amount	2014B Bonds Principal Amount	Bonds Total	Interest Rate
2015	\$226,000	-	\$226,000	2.000%
2016	310,000	\$20,000	330,000	2.000
2017	340,000	25,000	365,000	2.000
2018	335,000	30,000	365,000	2.000
2019	335,000	40,000	375,000	2.000
2020	340,000	45,000	385,000	2.000
2021	345,000	50,000	395,000	2.000
2022	365,000	55,000	420,000	2.000
2023	375,000	65,000	440,000	2.125
2024	390,000	70,000	460,000	2.250
2025	450,000	75,000	525,000	3.000
2026	450,000	85,000	535,000	3.000
2027	450,000	95,000	545,000	3.000
2028	-	100,000	100,000	3.000
2029	-	110,000	110,000	3.000
2030	-	115,000	115,000	3.000
2031	-	125,000	125,000	3.250
2032	-	140,000	140,000	3.250
2033	-	150,000	150,000	3.500
2034	-	160,000	160,000	3.500
2035	-	175,000	175,000	4.000
2037	-	400,000	400,000	4.000
2040	-	735,000	735,000	4.000
2042	-	605,000	605,000	4.000
Total	\$4,711,000	\$3,470,000	\$8,181,000	

**Redemption.** The Bonds maturing prior to March 1, 2024 are not subject to redemption prior to maturity. The Bonds maturing on or after March 1, 2025 are subject to redemption prior to maturity at the option of the Township, as a whole at any time or in part from time to time on or after March 1, 2024 in such order of maturity as the Township may direct at a redemption price equal to one hundred percent (100%) of the principal amount to be redeemed plus accrued interest thereon to the date fixed for redemption.

The Bonds maturing on March 1, 2037 are subject to mandatory sinking fund redemption prior to maturity on March 1 in the years and in the amounts shown below, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of redemption:

<b>Maturity Date (March 1)</b>	<b>Principal Amount</b>
2036	\$190,000
2037*	210,000

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\* Final maturity

The Bonds maturing on March 1, 2040 are subject to mandatory sinking fund redemption prior to maturity on March 1 in the years and in the amounts shown below, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of redemption:

<b>Maturity Date (March 1)</b>	<b>Principal Amount</b>
2038	\$225,000
2039	245,000
2040*	265,000

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\* Final maturity

The Bonds maturing on March 1, 2042 are subject to mandatory sinking fund redemption prior to maturity on March 1 in the years and in the amounts shown below, at a redemption price equal to 100% of the principal amount thereof plus accrued interest to the date of redemption:

<b>Maturity Date (March 1)</b>	<b>Principal Amount</b>
2041	290,000
2042*	315,000

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\* Final maturity

Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$5,000 or any integral multiple thereof. If less than all of the Bonds of a particular series or maturity are to be redeemed, Bonds of that series or maturity shall be selected by the Paying Agent by lot.

**Paying Agent.** The Township hereby confirms the selection of The Bank of New York Mellon to serve as paying agent for the Bonds to ensure that the Township will meet its obligations undertaken herein to the holders of the Bonds.

**Further Action Ratified and Confirmed.** All other actions to effect the issuance, sale and delivery of the Bonds are hereby ratified and confirmed.



**Effective Date.** This Resolution shall take effect immediately.

Adopted: April 21, 2014

## SCHEDULE I

### 2014A Bonds

Ordinance No.	Authorized Obligations	Obligated to be Issued
2007-33*	\$591,000	\$550,000
2012-6	754,205	253,000
2013-3	570,000	570,000
2013-8	1,821,905	1,821,500
2014-6	1,516,000	1,516,000

\* Amended by Ordinance 2009-17

### 2014B Bonds

Ordinance No.	Authorized Obligations	Obligated to be Issued
2011-22	\$12,500,000	\$3,470,000

TOWNSHIP OF BORDENTOWN

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE LAND DEVELOPMENT ORDINANCE TO DELETE CERTAIN PERMITTED USES IN THE HC (HIGHWAY COMMERCIAL) ZONING DISTRICT

ORDINANCE NO. 2014 – 9

WHEREAS, the Township Committee of the Township of Bordentown recognizes that a discrepancy exists within the Land Development Ordinance, between the Primary Permitted Uses which are currently listed in the HC (Highway Commercial) Zoning District and the current Zoning Map of the Township of Bordentown, dated September 27, 2005; and

WHEREAS, the Township Committee has determined that in order to remove the discrepancy the Land Development Ordinance must be amended.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown that the Land Development Ordinance is hereby amended as follows:

Within Sub-Section 25:408 A., entitled, “Principal permitted uses on the land and in buildings”, permitted use number 22, which states, “The property may be developed as a Planned Development in accordance with Section 25:606”, is hereby DELETED from the Land Development Ordinance.

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2014-14

**An Ordinance of the Township of Bordentown Vacating the Public Interest in a portion of a certain Access Easement located in the Township of Bordentown, Burlington County, New Jersey**

WHEREAS, N.J.S.A. 40:67-1 et seq. authorizes a municipality to vacate the public interest in any public street, highway, lane or alley or any part thereof; and

WHEREAS, N.J.S.A. 40:67-19 states that where there has been a dedication of lands as a public place and the same has not been accepted or opened by the municipality, the governing body may, by Ordinance, release and extinguish the public right arising from the dedication

WHEREAS, the Township Committee of the Township of Bordentown finds and determines that a portion of a certain Access Easement as further and particularly described in Section 2 of this Ordinance is not needed for any public purpose and that the public interest therein should be vacated and extinguished

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

Section 1. Statutory Authority: This Ordinance is enacted pursuant to the authorization provided in N.J.S.A. 40:67-1 et seq.

Section 2. Findings and Vacation: The portion of a certain Access Easement located in the Township of Bordentown, Burlington County, New Jersey, described as follows:

ALL THAT CERTAIN easement situate in Proposed Lot 197 of Block 138.06 in the Township of Bordentown, the County of Burlington and the State of New Jersey being more particularly described as follows:

BEGINNING at a point in the proposed curved northwesterly line of realigned Bordentown-Hedding Road (66.00 feet wide), said point being on a curve to the right having a radius of 817.00 feet through a central angle of 6° 18' 26" Southwestwardly, an arc distance of 89.84 feet from where the same is intersected by the division line between Proposed Block 138.06, Lots 197 & 198 as illustrated on a certain plan entitled "Final Plat-Major Subdivision for Central Crossings Business Park" prepared by Maser Consulting P.A. dated August 16, 2002 revised to October 2, 2003 and from said beginning point runs; thence, along the proposed curved northwesterly line of Bordentown-Hedding Road on a curve to the right having a radius of 817.00 feet through a central angle of 2° 06' 16" on a chord bearing South 23°

27' 51" West, 30.01 feet (1) Southwestwardly, an arc distance of 30.01 feet to a point in the same; Thence, through Proposed Block 138.06, Lot 197 the following seven courses: (2) North 67° 35' 17" West, 27.15 feet to a point of curvature; Thence, on a curve to the right having a radius of 100.00 feet through a central angle of 51° 50' 01" on a chord bearing North 41° 40' 17" West, 87.41 feet (3) Northwestwardly, an arc distance of 90.47 feet to a point of reverse curvature; Thence, on a curve to the left having a radius of 470.00 feet through a central angle of 26° 34' 34" on a chord bearing North 29° 02' 33" West, 216.06 feet (4) Northwestwardly, an arc distance of 218.01 feet to a point of tangency; thence, (5) North 42° 19' 50" West, 579.07 feet to a point of curvature; Thence, on a curve to the left having a radius of 200.00 feet through a central angle of 7° 38' 48" on a chord bearing North 46° 10' 36" West, 26.67 feet (6) Northwestwardly, an arc distance of 26.69 feet to a point of tangency; Thence, (7) North 49° 58' 21" West, 926.63 feet to a point; Thence, (8) North 76° 09' 36" West, 3.02 feet to a point in the southeasterly line of Block 138.06, Lot 137 (erroneously shown as Lot 72); Thence, along Lot 137 (9) North 13° 50' 24" East, 30.00 feet to a point in the same; Thence, through the aforementioned Proposed Block 138.06, Lot 197 the following seven courses: (10) South 76° 09' 36" East, 10.06 feet to a point; Thence, (11) South 49° 58' 21" East, 933.54 feet to a point of curvature, Thence, on a curve to the right having a radius of 230.00 feet through a central angle of 7° 38' 48", on a chord bearing South 46° 10' 36" East, 30.67 feet (12) Southwestwardly, an arc distance of 30.70 feet to a point of tangency; Thence, (13) South 42° 19' 50" East 579.07 feet to a point of curvature; Thence, on a curve to the right having a radius of 500.00 feet through a central angle of 26° 34' 34" on a chord bearing South 29° 02' 33" East, 229.85 feet (14) Southwestwardly, an arc distance of 231.92 feet to a point of reverse curvature; Thence, on a curve to the left having a radius of 70.00 feet through a central angle of 51° 50' 01" on a chord bearing South 41° 40' 17" East, 61.19 (15) Southwestwardly, an arc distance of 63.33 feet to a point of tangency; Thence, (16) South 67° 35' 17" East, 27.70 feet to the point and place of beginning.

SAID ABOVE DESCRIBED tract of land being a proposed 30.00 feet wide utility and emergence access easement.

Note – This description is intended to abandon the utility and access easement dated November 25, 2003, and filed in the Burlington County Clerk's Office on December 23, 2003, and recorded in the Burlington County Clerk's Office on January 12, 2004 in Deed Book 6133 at Page 263.

Section 3. Within sixty (60) days of the effective date of this ordinance, the Township Clerk shall file a certified true copy of this ordinance and a copy of the proof or publication with the office of the Burlington County Clerk.

Section 4. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court or competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 5. 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 6. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

TOWNSHIP OF BORDENTOWN

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Stephen Benowitz, Mayor

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Colleen M. Eckert, R.M.C.,  
Township Clerk

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE NO. 2014-15**

An Ordinance of the Township of Bordentown Vacating the Public Interest in a portion of a certain Drainage Easement located in the Township of Bordentown, Burlington County, New Jersey

**WHEREAS**, N.J.S.A. 40:67-1 et seq. authorizes a municipality to vacate the public interest in any public street, highway, lane or alley or any part thereof; and

**WHEREAS**, N.J.S.A. 40:67-19 states that where there has been a dedication of lands as a public place and the same has not been accepted or opened by the municipality, the governing body may, by Ordinance, release and extinguish the public right arising from the dedication

**WHEREAS**, the Township Committee of the Township of Bordentown finds and determines that a portion of a certain Drainage Easement as further and particularly described in Section 2 of this Ordinance is not needed for any public purpose and that the public interest therein should be vacated and extinguished

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

**Section 1. Statutory Authority:** This Ordinance is enacted pursuant to the authorization provided in N.J.S.A. 40:67-1 et seq.

**Section 2. Findings and Vacation:** The portion of a certain Drainage Easement located in the Township of Bordentown, Burlington County, New Jersey, described as follows:

<b>DESCRIPTION OF PROPERTY</b>	<b>PORTION OF EXISTING DRAINAGE EASEMENT</b>
<b>BORDENTOWN TOWNSHIP</b>	<b>PART OF LOT 5.01, BLOCK 138.12</b>
<b>BURLINGTON COUNTY, NEW JERSEY</b>	<b>MC PROJECT NO. 05001676B</b>
	<b>FEBRUARY 12, 2014</b>
	<b>REVISED MARCH 21, 2014</b>

All that certain lot, tract or parcel of land situate lying and being in the Township of Bordentown in the County of Burlington and State of New Jersey and being a Drainage Easement and part of New Lot 5.01 in Block 138.12 said lot as shown on the plan entitled "Lot Consolidation and Easement Plan for Central Crossings Business Park of Lots 5.01 & 5.02, Block 138.12, situate in Township of Bordentown, Burlington County, New Jersey", dated November 25, 2013, and revised through March 21, 2014, prepared by Maser Consulting P.A. and being more particularly bounded and described as follows to wit:

**BEGINNING** at a point in the northwesterly line of Bordentown-Hedding Road (66' Wide R.O.W.), said point being the following courses and distances from the point of intersection of the southwesterly line of Lot 5.03, Block 138.12, with the aforesaid northwesterly line of Bordentown-Hedding Road, said line being distant 33.00 feet measured northwestwardly from and at right angles to the centerline thereof and running, thence –

- a) **SOUTHWESTWARDLY** on an arc having a radius of **883.00 feet** and curving to the left an arc distance of **104.14 feet** (central angle 06°45'27") said arc being connected by a chord bearing **S 13°47'13" W**, a chord distance of **104.08 feet** still along the aforesaid northwesterly line Bordentown-Hedding Road to a point of tangency in the same, thence –
  - b) **S 10°24'30" W, 246.48 feet** still along the aforesaid northwesterly line of Bordentown-Hedding Road to a point of curvature therein, thence –
  - c) **SOUTHWESTWARDLY** on an arc having a radius of **817.00 feet** and curving to the right an arc distance of **102.58 feet** (central angle 7°11'37") said arc being connected by a chord bearing **S 14°00'18" W**, a chord distance of **102.51 feet** still along the aforesaid northwesterly line Bordentown-Hedding Road to the Point the Place of **BEGINNING**, thence –
1. **N 54°49'24 W 212.86 feet** through Lot 5.01, Block 138.12 to an angle point therein, thence –
  2. **S 35°10'36 W 1,565.82 feet** still through the same to an angle point therein , thence –
  3. **S 75°25'20 W 103.73 feet** still through the same to an angle point therein , thence –
  4. **S 87°57'12 W 38.91 feet** still through the same to an angle point therein , thence –
  5. **N 35°10'36 E 1,755.64 feet** still through the same to a point in the southwesterly line of Lot 5.02, Block 138.12, thence –
  6. **S 42°25'46" E, 311.41 feet** along the aforesaid southwesterly line of Lot 5.02, Block 138.12 to a point in the aforesaid northwesterly line Bordentown-Hedding Road, thence –
  7. **SOUTHWESTWARDLY** on an arc having a radius of **817.00 feet** and curving to the right an arc distance of **21.35 feet** (central angle 01°29'50") said arc being connected by a chord bearing **S 16°51'12" W**, a chord distance of **21.35 feet** still along the aforesaid northwesterly line Bordentown-Hedding Road to the Point the Place of **BEGINNING**.

**CONTAINING 175,320.03** square feet or **4.025 acres** of land more or less.

**Note** – This description is intended to abandon a portion of the existing drainage easement that was shown on a plan entitled "Amended-Final Plat-Major Subdivision for Central Crossings Business Park, Lots 2, 3.01 & 3.03, Block 137.01, Lots 5.01, 5.03 & 6, Block 138, Township of Bordentown, Burlington County New Jersey", prepared by Maser Consulting, P.A. dated October 7, 2004 and filed as Map Number 4081777 on November 3, 2004 in the Burlington County Clerk's Office.



**Section 3.** Within sixty (60) days of the effective date of this ordinance, the Township Clerk shall file a certified true copy of this ordinance and a copy of the proof or publication with the office of the Burlington County Clerk.

**Section 4.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court or competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**Section 5.** 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 6.** This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

TOWNSHIP OF BORDENTOWN

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Stephen Benowitz, Mayor

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Colleen M. Eckert, R.M.C.,  
Township Clerk

**TOWNSHIP OF BORDENTOWN**  
**ORDINANCE NO. 2014-7**

**An Ordinance of the Township of Bordentown Amending Chapter 25 of the Code of the Township of Bordentown to create Section 1200, entitled Renewable Energy, and to provide for standards regarding such renewable energy facility uses and installations.**

**WHEREAS**, Chapter 25 is the Land Development Code of the Township of Bordentown, and such code provides for various uses and standards of design and installation, and;

**WHEREAS**, the Township Committee has determined that Renewable Energy facilities are uses that require proper guidance and standards, and;

**WHEREAS**, the Township Committee has further determined that the Township Code shall be amended in order to provide standards for renewable energy facilities.

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

**Section 1. Chapter 25** (Land Development) is hereby amended to include, **Section 1200** entitled “Renewable Energy Facilities” and Sections 25-1201 – 25-1210 are created as follows:

**Section 1200 Renewable Energy Facilities**

**§ 25-1201. Purpose**

- A. The purpose of this ordinance is to permit renewable energy facilities in appropriate locations in the Township in a way that is consistent with the Bordentown Township Master Plan and State legislation to facilitate development of alternative forms of energy production, and to minimize potential land use conflicts and potential impacts associated with such facilities on surrounding properties. This ordinance is intended to accomplish the foregoing while also:
- (1) Preserving areas with an established rural and/or historic character by avoiding siting such facilities on land within areas of rural and/or historic character, particularly on land which is exposed to public view and where, by reason of topography or other natural features, the facility cannot be effectively screened from view.
  - (2) Protecting the quality of life in residential districts by siting ground mounted facilities in locations that minimize the visibility of such facilities from adjacent residential areas.
  - (3) Providing standards for buffering and screening of renewable energy facilities to protect surrounding properties from glare and to mitigate the visual impact of ground mounted facilities.
  - (4) Providing for proper decommissioning of the renewable energy facility after its useful life.

- (5) Preventing heat islands or unnatural heat absorption, causing ecological damage and habitat loss.
- (6) Preserving and protecting existing forested areas which provide multiple direct environmental benefits, such as carbon sequestration, wildlife habitat and local cooling.
- (7) To ensure that only people who have training or understand relative hazards are allowed in certain areas of an electrical installation.
- ~~(8) [That all permits and applications for solar Photovoltaic installations must also be reviewed by the Fire Official of the Township of Bordentown to ensure that they comply with fire safety guidelines and all applicable fire codes.]~~
- ~~(9) [That the enforcing agency (Construction Office) will coordinate directly with the Fire Officials office for comments and review. The applicant may request a joint meeting with both the Construction Official and the Fire Official.]~~
- ~~(8+0)~~ That the law has not removed the necessity to prove that the solar facility will not frustrate the overall planning efforts of the Township or become a detriment to the well-being and safety of the community. In other words, inherently beneficial does not mean “permitted”. As in all good planning, balance is critical.
- ~~(9+1)~~ That one of the Townships first objectives is to encourage roof-mounted or other flat installations on existing impervious cover or already disturbed areas.

## § 25-1202. Definitions

A. Definitions. As used in this section, the following definitions shall apply:

**ARRAY** means an interconnected system of photovoltaic modules that function as a single electricity-producing unit. The modules are assembled as a discrete structure, with common support or mounting.

**BIPV (Building-Integrated Photovoltaic)** a term for the design and integration of photovoltaic (PV) technology into the building envelope, typically replacing conventional building materials. This integration may be in vertical facades, replacing view glass, or other façade material; into semitransparent skylight systems; into roofing systems, replacing traditional roofing materials; or other building envelope systems.

**CELL** The smallest semiconductor element within a PV module to perform the immediate conversion of light into electrical energy.

**ELECTRICAL GRID** is an integrated system of electricity distribution, usually covering a large area.

**INVERTER** is a device that converts direct current electricity to alternating current, either for stand-alone systems or to supply power to an electricity grid.

**JUNCTION BOX** A PV generator junction box is an enclosure on the module where PV strings are electrically connected and where protection devices can be located, if necessary.

**MAJOR GROUND MOUNTED SOLAR OR PHOTOVOLTAIC ENERGY FACILITY OR STRUCTURE** means an energy generating facility that shall be deemed to be a principal use when any of the following conditions are met.

- (1) When the ground mounted facility exceeds a ratio of one to five (1:5) of the land area on which the facility is constructed to the area used for another purpose (including farming).
- (2) When the ground mounted facility comprises an area of 10 acres or greater.
- (3) When the ground mounted facility is the only use or structure on a lot.

(4) When all of the energy produced by the facility is not used at the site of the facility or on an adjoining contiguous property in common ownership. For purposes of this section, net metering for purposes of smoothing out differences in day-to day production and demand on the site of the facility or on an adjoining contiguous property in common ownership does not constitute offsite use of energy, and facilities constructed with up to 110% of the projected demand of the site of the facility or an adjoining contiguous property in common ownership or combination thereof, does not constitute offsite use.

**MINOR GROUND MOUNTED SOLAR OR PHOTOVOLTAIC ENERGY FACILITY OR STRUCTURE** means an energy facility which does not meet one or more of the conditions to be defined as a Major Solar or Photovoltaic Energy Facility or Structure.

**RACK MOUNTS** In a rack mount, the photovoltaic modules (solar panels) are supported by a metal framework and are set at a pre-determined angle. The rack mounted solar array is placed above the roof with the racks members bolted to the roofs structural members.

**RENEWABLE ENERGY FACILITY** means a facility that engages in the production of electric or heat energy from solar technologies, photovoltaic technologies, geothermal, water or wind energy.

**ROOF MOUNTED SOLAR OR PHOTOVOLTAIC ENERGY GENERATING FACILITY** is a solar or photovoltaic facility mounted to the roof of a building, carport or other structure which provides protection from weather or provides habitable or storage space. This shall not include facilities mounted above surface parking lots.

**SOLAR OR PHOTOVOLTAIC PARKING STRUCTURE** is a solar or photovoltaic facility mounted on a surface parking lot such that vehicles may park and/or drive beneath.

**SOLAR OR PHOTOVOLTAIC ENERGY FACILITY OR STRUCTURE** means a facility or structure for the purpose of supplying energy produced from solar, or photovoltaic technologies, whether such facility or structure is a principal use, a part of the principal use, or an accessory use or structure.

**SOLAR ENERGY SYSTEM** shall be a system that utilizes solar panels, as defined herein, to convert solar energy to electricity or heat in order to satisfy all or a portion of the energy requirements associated with a dwelling or nonresidential structure and/or to generate electricity for use in the regional high-voltage electrical grid. The conversion may be accomplished by solar radiation absorbed by a medium (such as solar panels, as defined herein) and distributed to a point of use. The "system" shall include the solar panels and all associated equipment, including any base, foundation, structural support, wiring, piping, batteries or other components necessary to fully utilize the system. An auxiliary energy system may be employed to supplement the output provided by the solar energy system and to provide for the total energy demand should the solar energy system become inoperable.

**SOLAR PANELS** shall mean a structure containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical or heat energy by way of a solar system. This term includes all components necessary to generate, store, transport and/or transfer energy.

**TILT ANGLE** The angle at which a photovoltaic array is set to face the sun relative to a horizontal position.

**SOLAR PANEL AREA** shall mean the area contained within an elevated panel or plate, or a canopy or array thereof, that captures and converts solar radiation to produce power, and includes flat plate, focusing solar collectors, or photovoltaic solar cells and excludes the base or foundation of the panel, plate, canopy, or array.

## § 25-1203. General Provisions- Use Standards

Unless otherwise specified, the following general requirements apply to all solar and photovoltaic facilities regardless of whether they are principal or accessory uses.

- A. Solar or photovoltaic energy systems are permitted as a principal use in the REO (research, engineering, office) District in accordance with 40:55D-66.11.
- B. Solar energy generating systems are permitted as an accessory use on the same lot as the principal use, whether roof-mounted or ground-mounted, in all residential and business zone districts (specifically, R-6, R-7, R-8, R-10, R-20, R-30, R-40, R-120, PO, CC, HC, GC-I & GC-II, PUD, PUD (A/T). The purpose of these accessory systems is to generate energy to satisfy all or a portion of the energy requirements associated with the onsite dwelling(s) or business (es), rather than for sale back into the electrical grid system. This provision shall not be interpreted to prohibit the net metering of excess power generated from time to time from a solar energy system that is designed to meet up to 110% the energy needs of the principal use on the same property. Major Ground Mounted Facilities shall not be accessory uses.
- C. Any solar or photovoltaic energy generating facility mounted to a structure above a surface parking area or a roof shall be deemed an accessory use.
- D. Solar or photovoltaic energy facilities are permitted on the roofs of buildings.
- E. The installation of solar or photovoltaic energy systems by any governmental agency on land owned or leased by said agency shall be permitted as either a conditional accessory use or conditional principal use in any zone district.
- F. Solar or photovoltaic energy systems installed on, within or above a storm water management facility, parking lot, sign structure or any other type of freestanding structure **which is** not ~~{specifically considered}~~ a roof ~~[by the Construction Official]~~ shall be considered a ground-mounted system. Ground mounted systems must be protected from unauthorized access by ~~{an approved}~~ **a security** fence or **similar means**. ~~other acceptable means as approved by the Fire Department and Construction Official.~~
- G. Solar or photovoltaic energy systems shall not be used for displaying any advertising. Reasonable identification of the manufacturer and/or operator of the system is permitted using text that does not exceed a height of two inches. Hazard and/or warning signs pertinent to the electrical nature of the equipment shall also be permitted.
- H. Installation of a solar or photovoltaic energy system on a nonconforming structure, or on a site containing a nonconforming structure or use, shall be considered an expansion of the nonconforming structure or use.
- I. No structure or other portion of any Major Ground Mounted Facility or Structure shall occupy any area designated and regulated by the New Jersey Department of Environmental Protection ("NJDEP") as a floodplain, flood hazard area, wetland, wetland transition area or riparian corridor unless approved in that location by the NJDEP.
- J. Notwithstanding the provisions set forth herein, the installation of any solar energy system shall require a Zoning Permit and all applicable regulatory and construction permits and its design shall conform to all applicable prevailing codes, standards and ordinances.
- K. All access driveways shall meet current Land Use **Ordinance** requirements and provide emergency access to the ~~{entire}~~ site **as required elsewhere herein**.

## § 25-1204. Standards – Types of Solar Energy Systems Installation

- A. Roof Mounted systems
  - (1) Roof-mounted systems which satisfy the provisions set forth herein shall require Construction and Zoning Permits, but may not require site plan approval. If, in the opinion of the Zoning Officer, the

installation of the solar energy system does not satisfy the provisions of this section, the applicant shall be directed to file a site plan or variance application with the reviewing board having jurisdiction.

~~[When any type of renewable energy facility is proposed to be installed on an existing roof (roof-mounted), the applicant shall provide to the Construction Code Official, engineered drawings, detailed calculations and/or a structural analysis verifying the structural integrity of the roof system and any other details or calculations as requested by the Construction Official.]~~

(2) Residential Properties in all Zone Districts and Commercial Properties in the Highway Commercial and General Commercial Zoning Districts:

- a. The panels and all accessory equipment on principal or accessory buildings shall not project beyond the vertical plane of the roof edge. This requirement includes installations on flat roofs.
- b. On all pitched roofs which face public rights of way, solar panels shall be as co-planar as possible with the roof surface and shall be mounted no more than 18 inches above the roof surface. **The system may be mounted at a greater angle if the applicant can demonstrate that it is necessary for adequate solar alignment for power generation.**
- c. Solar energy facilities or structures may be attached to any accessory building that satisfies zoning location, setback and height requirements for the zone. However, in no event shall solar energy facilities or structures be attached to more than two accessory buildings on a single lot. Solar energy facilities or structures shall not be exempt from applicable height or setback requirements.
- d. Solar energy facilities or structures ~~are~~ **shall be** permitted accessory uses ~~and~~ **on** structures in condominium complexes, apartment complexes and on fee-simple townhouse lots in developments with a homeowner's association with a design-approval function, in accordance with all accessory use requirements and standards governing residential uses above. Such solar energy facilities or structures are permitted subject to written pre-approval of the homeowner's association, condominium association or apartment association and must be submitted with the necessary permits and applications for the Township.

(3) Nonresidential Properties in all Commercial Districts.

- a. Roof-mounted solar energy facilities or structures on principal or accessory buildings shall be mounted with no more than 15-degrees of angle to the roof line and shall not exceed a height of 3 feet above the roofline to which it is mounted. ~~[However, the reviewing board may permit the system to be mounted at a greater height or angle if the Applicant can demonstrate that no part of the system will be visible from any roadway on which the building has frontage.]~~ **The system may be mounted at a greater height or angle if the applicant can demonstrate that it is necessary for adequate solar alignment for power generation.** In no instance shall any part of the system extend beyond the vertical plane of the edge of the roof or exceed the applicable height requirement of the zone in which it is located, whether located on a principal or accessory structure. ~~[Commercial installations are classified as small commercial (100' by 200') or smaller, and large commercial which are greater in dimension than the small commercial dimensions.]~~
- b. Roof-mounted systems shall not be permitted to be installed on temporary buildings.

B. Ground-mounted systems.

- (1) Residential. A ground-mounted system installed on a single or two-family residential lot which satisfies the provisions set forth herein shall require Construction and Zoning Permits, but shall not require site plan approval.
- (2) Nonresidential. A ground-mounted system installed on a nonresidential or multi-family residential lot shall require a site plan application with the reviewing board having jurisdiction.

## § 25-1205. Standards for Major Ground Mounted Solar or Photovoltaic Energy Facilities or Structures as a Principal Use

- A. All Major Solar or Photovoltaic Energy Facility or Structure installations shall comply with the following area, yard and height requirements:
- (1) Minimum lot area: 10 acres.
  - (2) Minimum front, side and rear yards: 35 feet.
  - (3) Maximum height of any structure, including panels and inverters shall be 15 feet.
- B. No structure or other portion of the facility except for fencing, access roads and non-energy-generating equipment shall be situated less than 200 feet from any residence or less than 50 feet from any accessory structure, whether located on the same or adjacent property.
- (1) Major solar or photovoltaic energy facility applications shall submit a landscape plan conforming to the following requirements. A landscape buffer shall be installed around the facility to buffer the facility and all related accessory structures and parking areas so as to soften the public view and the view of any adjoining uses on a lot having a common lot line on which such facility or structure will be located. The vegetative buffer shall be not less than ~~35~~ **25** feet in width and may be located in the setback required pursuant to the applicable zone. The required buffer shall consist of trees **and shrubs** which may include existing vegetation, new plantings, or a combination thereof providing year-round screening. Deciduous trees shall be at least 1.5 inch caliper and 10 feet in height at the time of planting. Evergreen trees shall have a minimum height at planting of ~~four~~ **3** feet. Trees shall be planted 10 feet on center in staggered rows. Existing hedgerows or vegetated windbreaks that provide screening of the subject site from neighboring properties shall be retained and augmented as necessary. Substations and other associated transmission structures shall be screened with a double row of evergreen plantings with a minimum height of four feet at planting. **This provision shall not be interpreted as requiring a completely opaque screen such as multiple rows of evergreen trees and shrubs.** Buffers and screening that have been planted or natural buffers that have been utilized to form an effective screen must be retained in perpetuity. Any areas in which the effect of the buffer has been reduced, for any cause or reason, must be replanted and returned to an effective buffer as described in this section.
  - (2) All Major facilities shall have a durable, all-weather access road extending from the site driveway or parking/loading area to the solar field so that ~~direct~~ access for emergency vehicles and maintenance is provided to ~~at least one-half of the perimeter of the field, plus~~ all electrical equipment, including transformers, inverters, power conditioners, etc., **and that no part of the solar field is more than 300-feet from the access road**. The access road may be constructed of proprietary “grass-paver” systems which will adequately support emergency vehicles.

## § 25-1206. Standards for Ground Mounted Minor Solar or Photovoltaic Energy Facilities or Structures as an Accessory Use

- A. All minor ground-mounted solar or photovoltaic energy installations shall be considered accessory uses and shall comply with the following standards:
- (1) The purpose of a Minor Solar or Photovoltaic Energy Facility or Structure shall be to provide power for the principal use on the property. The Facility shall be sized to accommodate no more than 110 % of the average annual electric use for the property, or in the case of new construction, 110 % of the projected annual electrical use of the property.

- (2) Maximum height of any structure, including panels and inverters shall be 15 feet.
  - (3) Minor ground mounted solar or photovoltaic energy facilities or structures shall only be located in the rear yard.
  - (4) All non-residential minor ground mounted solar or photovoltaic energy facilities or structures shall be buffered by providing at least one row of evergreen trees or shrubs to soften the view from neighboring properties. This provision shall not be interpreted as requiring a completely opaque screen such as multiple rows of evergreen trees and shrubs.
  - (5) All other bulk standards shall be as otherwise required for accessory structures in the applicable Zone District of the subject property.
- B. Facilities mounted above parking lots shall be considered accessory uses and shall meet the following requirements:
- (1) Facilities mounted above parking lots shall be designed to provide adequate ~~{space}~~ **clearance and turning radii** for access by emergency vehicles ~~{whenever necessary}~~.
  - (2) The maximum permitted height shall be 20 feet.
  - (3) Facilities **for new or existing parking lots** shall only be located within the rear yard. **Facilities for existing parking lots only may also be located in a side yard where parking exists.**
  - (4) The minimum side and rear yard setback for any such facility shall be ~~{35}~~ **25** feet if adjacent to a non-residential use or district and 50 feet if adjacent to a residential use or district.
  - (4) The facility shall be buffered on all sides by a planted or natural buffer which softens the view of the facility. This provision shall not be interpreted as requiring a completely opaque screen such as multiple rows of evergreen trees and shrubs.
  - (5) Existing vegetation shall be retained and utilized to the extent practical.

**§ 25-1207. Standards Applicable to All Ground Mounted Major and Minor Solar or Photovoltaic Energy Facilities or Structures**

- A. Ground mounted facilities shall be located to minimize views of the facilities from public roadways and from adjacent residences and residentially-zoned property.
- B. All onsite utility lines associated with the renewable energy system shall be underground.
- C. Soil erosion control, soil stabilization. All ground areas occupied by the solar or photovoltaic energy facility or structure installation that are not utilized for access to operate and maintain the installation shall be planted and maintained with **vegetative cover** ~~{erops or pasture for farm animals, or native or non-invasive shade-tolerant vegetation}~~ for the purpose of soil stabilization. Plants such as clovers, vetches and other low-growing blooming plants supportive of pollinators should ~~{shall}~~ be included in any ground cover seeding mix. ~~{The vegetative cover must be established prior to the setting or construction of a solar array.}~~ Stone ground cover is prohibited. Ground cover shall be maintained primarily by using mechanical means; however, herbicides may be used on a spot basis for targeted weeds. Broadcast application of herbicides for routine maintenance of ground cover is prohibited.
- D. Sound levels from the energy system shall comply with the New Jersey State Noise Control Regulations (N.J.A.C. 7:24).
- E. The use of concrete, asphalt or other impervious surface is prohibited on the site of such facilities, except in the following locations:



- (1) The mounting of inverters, transformers, power conditioning units, control boxes, pumps and other such facility components.
  - (2) The mounting of solar photovoltaic panels, films and arrays when used as ballast.
  - (3) Driveway aprons.
  - (4) Dual-use site driveways.
- F. All electrical and control equipment shall be labeled and secured to prevent unauthorized access.
- G. The only signs permitted on a solar or photovoltaic facility or any associated building or structure are those depicting the manufacturers or installer's identification, appropriate warning signs, or owner identification.
- H. The system shall be constructed in such a manner that exposed hardware, supporting structures, frames and piping are finished with non-reflective surfaces.
- I. In the event that the system is secured with fencing, emergency personnel shall be provided with the necessary keys, codes, etc, to gain access for emergency operations.

#### **§ 25-1208. Application Requirements.**

- A. Permits. A zoning permit and construction permit shall be required for the installation of a renewable energy system.
- B. Except for roof-mounted solar applications, a non-residential facility will require a Major Site Plan approval. The application, plans, and supporting documents shall include the following, in addition to the items listed Section 800 of Land Development Ordinance:
- (1) The location, dimensions, and types of existing major and accessory structures on the property.
  - (2) The location of the all components of the renewable energy system, including substations, inverters, transfer switching and transformers.
  - (3) The location of proposed and existing overhead and underground utility and transmission lines.
  - (4) Schematic plans for the interconnection to the electrical distribution or transmission system of the intended energy user.
  - (5) Description of any necessary upgrades or modifications to the existing off-site electrical system infrastructure. For projects over 2 MW, the information shall also include the location and elevations of all transmission lines, support structures and attachments to any substation(s).
  - (6) A grading and drainage plan including the details necessary to adequately demonstrate to the reviewing Board that storm water management is in compliance with Township Ordinance standards. Notwithstanding that the surface of a solar panel shall not be considered to be impervious for the purpose of calculating storm water runoff, the applicant shall provide storm water calculations and/or improvements to determine if the **proposed grading for the** installation of the ground-mounted system and associated site improvements will create an **adverse** impact to the onsite or offsite drainage or increase storm water runoff from the pre-development condition.
  - (7) A maintenance plan and land surface management plan shall be submitted that sets forth provisions for the continuing maintenance of the entire site including all solar panels and associated equipment, required plantings, area not devoted to solar production, including a schedule of specific maintenance

activities to be conducted. On site, but outside of the solar facility, shall be maintained to a level that will discourage successional growth or the establishment of invasive species. Planting of warm-weather native grasses which allow for mid to late summer mowing, providing beneficial critical habitat to native bird species and other wildlife is encouraged. The use of herbicides, pesticides and chemical cleaners or solvents shall not be permitted as an acceptable maintenance practice.

- (9) A construction staging and sequencing plan shall be provided which details all pertinent information related to construction activities.
- (12) ~~Upon request, the~~ **The** owner or operator shall ~~cooperate with local emergency services in developing~~ **develop** an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for **site safety and** public inquiries throughout the life of the installation.
- (13) The owner or operator of a major ground mounted solar installation shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained **in accordance with the approved site plan.** ~~to a level acceptable to the local Fire Official and Emergency Medical Services.]~~ The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access roads serving the site.

## § 25-1209. Decommissioning Plan

A. All applications for a major solar facility as a principal use shall be accompanied by a Decommissioning Plan to be implemented upon abandonment and/or in conjunction with removal of solar energy systems. Before beginning any decommissioning activities, the applicant must submit a performance bond in a form and amount satisfactory to the Township Attorney, which shall be based upon an estimate approved by the Board Engineer, assuring the availability of adequate funds to restore the site to a useful, non-hazardous condition in accordance with the Decommissioning Plan. Prior to removal of solar energy systems, a permit for removal activities shall be obtained from the Bordentown Township Construction Official. The Decommissioning Plan shall include the following provisions:

- (1) Restoration of the surface grade and soil after removal of aboveground structures and equipment.
- (2) [Restoration] **Stabilization** of soil areas. ~~[with native seed mixes, and/or plant species suitable to the area, which shall not include any invasive species.]~~

~~Retention of access roads, fences, gates or buildings or buffer plantings, as required at the discretion of the Township.~~

~~Restoration of the site for agricultural crops or forest resource land, as applicable.~~

~~The parcel must be restored in accordance with NJAC 7:50-6.24 unless it will be put into active agricultural use or approved for other development in accordance with Township Ordinances.~~

(3) The disposal of all solid and hazardous waste shall be in accordance with all local, state, and federal waste disposal regulations.

- (4) Owners of major ground mounted solar photovoltaic facilities shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Township must remove the installation and remediate the landscape, in the amount and form deemed to be reasonable by the Township Engineer. Such surety will not be required for Municipal, State or Utility Company-owned facilities. The owner of the facility shall submit a fully inclusive estimate of the cost associated with removal, prepared by a Professional Engineer.

## **§ 25-1210. Abandonment**

- A. A solar energy facility that is out of service for a continuous twelve-month period will be deemed to be abandoned. The Zoning Officer shall issue a notice of abandonment to the owner of a solar energy facility that is deemed to be abandoned.
- B. The property owner shall have 30 days to respond to the Notice of Abandonment from the receipt date of the notice.
- C. If the property owner provides information that demonstrates the solar energy facility has not been abandoned, the Zoning Officer shall withdraw the notice of abandonment and notify the property owner that the notice has been withdrawn.
- D. If the Zoning Officer determines the solar energy facility has been abandoned, the property owner shall remove the facility in its entirety at the owner's sole expense within six months after the owner receives the Notice of Abandonment.
- E. If the property owner fails to remove the facility in the time allowed, the Township may, at its sole discretion, compel the Owner to perform the removal, take action to capture the proceeds of the surety guarantee, or enter the property to remove the solar energy facility and all costs of such removal shall be reimbursed to the Township by the owner. In the event the owner fails to reimburse the Township, the Township may place a lien on the property in the amount of the costs of said removal and, in the event that the township incurs any additional costs in enforcing the lien and/or collecting the money owed, the owner shall be obligated to reimburse the Township for the additional costs and expenses, including reasonable attorney fees.

**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 and publication of notice of adoption as provided by law.

# TOWNSHIP OF BORDENTOWN

## AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP CODE TO ESTABLISH FEES AND TO FURTHER PROVIDE A PROCEDURE FOR REVIEWING AND AMENDING THE FEE SCHEDULE

### ORDINANCE #2014-16

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

WHEREAS, the Township Committee of the Township of Bordentown wishes to provide for flexibility in alteration of the permit and fee schedule;

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

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

#### SECTION 15.04.020 PERMITS AND FEES

### 1. BUILDING FEES:

#### A. NEW CONSTRUCTION & ADDITIONS:

- |   |  |
|---|--|
| a. Use Groups B, H, I-1, I-2, I-3, M, E, R-1, R-2, R-3, R-4, R-5, U, A-2,       | Volume _____ cu. ft. X .035<br>of Bldg         |
| b. A-1, A-3, A-4, A-5, F-1, F-2,  | Volume _____ cu. ft. X .027<br>of Bldg         |
| c. S-1 & S-2 500,000 Sq ft or less  | Volume _____ cu. ft. X .023<br>of Bldg         |
| <b>500,001 Sq ft to 1,000,000 sq ft</b>   | <b>Volume _____ cu. ft. X .018<br/>of Bldg</b> |
| <b>1,000,001 sq ft or larger</b>  | <b>Volume _____ cu. ft. X .015<br/>of Bldg</b> |
| d. Commercial Farm Buildings<br>of Bldg<br>Maximum fee not to exceed \$1,500.00 | Volume _____ cu. ft. X .020                    |

**B. RECONSTRUCTION, ALTERATION, RENOVATION, REPAIR:** *(The applicant shall submit cost data by architect or engineer of record, a recognized estimating firm, or by contractor bid. The Construction Office will review the construction cost for acceptability.)*

**Renovation Cost: Fees for reconstruction, renovations, alterations and repairs shall be based on the estimated cost of the work.**

- a. Estimated cost up to and including **\$50,000.00 plus** \$32.00 per \$1,000
- b. Portion of cost **\$50,001.00** Additional fee of \$25.00 per \$1,000 to and including **\$100,000.00 plus**
- c. Portion of cost above Additional fee of **\$100,000.00** \$21.00 per \$1,000

**C. TENTS** (Temporary, > 900 sq. ft. or more than 30 feet in any direction) fee \$150.00

**D. ROOFING & SIDING** ( R-5 Only): fee is \$59 each, or \$99 for both  
All other use groups, the fee shall be calculated as per Section B (a), (b), (c)

**E. SWIMMING POOLS:**

Above ground	\$75.00
In-ground	\$175.00
Fence (new)	\$58.00

**F. SHEDS (Accessory Structures Anchoring)**  
**Gazebo's, Metal carports, etc**

200 Sq ft or less	\$59.00
201 Sq ft or more	\$149.00

**G. DECKS:**

200 Sq ft or less	\$95.00
201 Sq ft or more	\$175.00

**H. TANK REMOVAL OR INSTALLATION**

(R-5 only)	\$75.00
all other use groups	\$175.00

**I. SIGNS:** All Pylon, Ground or Wall

\$4.00 per Sq ft for first 100 Sq ft
\$3.50 per Sq ft for next 300 Sq ft
\$2.50 per Sq ft for remaining ft

**J. DEMOLITION OR REMOVAL PERMIT:**

Structures 5000 Sq ft or less, all one and two family residences and Commercial farm buildings	\$100.00
All other structures	\$175.00

**K. SOLAR/PHOTOVOLTAIC SYSTEMS FOR USE GROUPS**

R-3, R-4, R-5 Flat fee of	\$200.00
ALL OTHER USE GROUPS	See 1 B- a,b,c

**L. CERTIFICATE OF OCCUPANCY FEES:**

a. Fee for Certificate of Occupancy- Use Groups R-3, R-4 & R-5 **\$85.00**  
All other Use Groups 10% of new construction permit.

**CERTIFICATE OF OCCUPANCY FEES:**

- b. Fee for Certificate of Continued Occupancy \$149.00
- c. Fee for C.O granted to change of Use \$229.00
- d. Fee for Extension of Temporary Certificate of Occupancy \$149.00

**M. CONSTRUCTION PERMIT SURCHARGE FEE:**

a. Volume of new construction \_\_\_\_\_ X .00334

b. Cost of Renovation work \$1.70 per \$1,000.00

**N. VARIATION FEES:**

a. Use Group R-3, R-4 & R-5

\$100.00

b. All other use Groups

\$636.00

**O. RETAINING WALLS:**

a. Use Groups R-1, R-2, R-3, R-4 & R-5 Requiring a VARIANCE

Less than 550 Sq ft

\$75.00 per wall

Over 550 Sq ft

\$150.00 per wall

b. All other Use Groups

less than 550 Sq ft

\$100.00 per wall

Over 550 Sq ft

\$200.00 per wall

**P. ASBESTOS ABATEMENT:**

The Administrative cost shall be

\$175.00

**Q. MINOR CONSTRUCTION:**

The fee for minor construction work shall be based on the estimated cost of \_\_\_\_\_ construction. The fee shall be as listed in the Reconstruction, Alteration, \_\_\_\_\_ Renovation, Repair subsection B a, b, c. Minor work shall be described in the State Uniform Construction Code, N.J.A.C. 5:23-2.17A

**R. THE MINIMUM FEE FOR ALL SUBCODES SHALL BE \$58.00**

**2. PLUMBING FEES:\***

a. Total number of plumbing/gas/oil piping fixtures\*: \_\_\_\_\_ X \$19.00 ea.

*\*Fixtures to include all fixtures and appliances connected to the plumbing, water closets, urinal/bidet, bath tub, lavatory, shower, sink, indirect waste traps, floor drains, pool drains, dishwasher, water coolers, garbage disposals, water heaters, plumbing vents (Residential), sump pumps (Residential), hose bib, condensate pumps, appliance extension for oil or gas piping system except as listed below in subsection (b).*

b. Total number of special devices\*: \_\_\_\_\_ X \$82.00 ea.

*\*Special devices include grease traps, oil separators, water-cooled air conditioning units, refrigeration units, utility service connection (water/sewer/gas lines), extension or re-arrangement of water/sewer/gas lines, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker (backflow preventers), sewer pump, stacks, steam boilers, hot water boilers (excluding those for domestic water heating), active solar systems, stacks, plumbing vents (Commercial), roof drains (Commercial), and interceptors.*

c. Annual Commercial backflow preventer test certification\*: \_\_\_\_\_ \$100.00 ea

**3. ELECTRICAL FEES:\***

*a and b: Receptacles, fixtures and devices to be counted for these parts are lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light standards 8 ft or less in height including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amps or less including motors or equipment rated less than 1 hp or 1 kw.*

a. Receptacles and fixtures - First 25: fee is

\$58.00

b. Increments of 25 additional receptacles and fixtures \$2 5.00 ea

c. Each motor or electrical device rated from 1 hp or 1 kw to 10 hp or 10 kw; for each transformer or generator rated from 1 kw or 1 kva to 10kw or 10 kva; for each replacement of wiring involving one branch circuit or part; for each storable pool or hydromassage bathtub; for each underwater lighting fixture; for household electric cooking equipment rated up to 16 kw; for each fire, security or burglar alarm control unit; for each receptacle rated from 30 to 50 amps, pool lights, each light standard greater than 8 feet in height including luminaries; for each communications closet.  
the fee is: \$20.00 ea.

d. Each motor or electrical device rated from greater than 10 hp or 10 kw to 50 hp or 50 kw; for each service equipment, panelboard, switchboard, switchgear, motor control center, disconnecting means, service entrance or feeder conductors for an overcurrent device rated 225 amps or less; for each transformer or generator rated from greater than 10 kw or 10 kva to 45 kw or 45 kva; for each electric sign rated from greater than 20 amps to 225 amps including associated disconnecting means; for each receptacle rated greater than 50 amps; for each utility load management device;  
the fee is: \$69.00 ea.

e. Each motor or electrical device rated from greater than 50 hp or 50 kw to 100 hp or 100 kw; for each service equipment, panelboard, switchboard, switchgear, motor control center or disconnecting means, service entrance or feeder conductors for an overcurrent device rated greater than 225 amps to 1,000 amps;  
the fee is: \$129.00 ea.

f. Each motor or electrical device rated greater than 100 hp or 100 kw; for each service equipment, panelboard, switchboard, switchgear, motor control center or disconnecting means, service entrance or feeder conductors for an overcurrent device rated greater than 1,001 amps;  
the fee is: \$599.00

**g. Photovoltaic Systems:**

The fee shall be based on the designated kilowatt rating of the Solar/Photovoltaic system as follows:

- (1) One to 50 kilowatts, the fee shall be \$100.00
- (2) 51 to 100 kilowatts, the fee shall be \$200.00
- (3) Greater than 100 kilowatts, the fee shall be \$576.00
- (4) Inverters, the fee shall be \$59.00
- (5) Micro inverters, the fee shall be \$4.00 ea

h. For each annual Commercial pool inspection (certification): \$75.00  
Re-inspection fee \$35.00

i. For all private swimming pools, the fee charged for electrical work for each permanently installed *swimming pool* as defined in the building subcode, spa, hot tub, or fountain shall be a flat fee of \$100.00 which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, etc., excepting heaters, panelboards and underwater lighting fixtures.

j. For *public swimming pools*, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with the sections (a) through (f) listed above.

k. The fee charged for the installation of single and multiple station smoke or heat detectors and fire, burglar or security alarm systems in any one or two family dwelling shall be a flat fee of 58.00 per dwelling unit.

l. For fire, burglar and security alarm systems and detectors in buildings other than one or two family dwellings, the fee shall be charged in accordance with 3(Electrical Fees), (a) through (f) listed above.

**\* For specific information on fees for multimeter stacks, concurrent installation of components of motor controls, and process equipment, refer to NJAC 5:23-4.20(c)2iii(8), (9) and (11) for details on fee applicability.**

## **4. FIRE PROTECTION FEES**

### **FIRE PROTECTION & HAZARDOUS EQUIPMENT FEES:**

#### **a. Sprinkler heads:**

- 1 - 20 heads = \$99.00
- 21 - 100 heads = \$189.00
- 101 - 200 heads = \$399.00
- 201 - 400 heads = \$995.00
- 401 - 1,000 heads = \$1,500.00
- 1,001- 2000 heads = \$2,500.00
- 2001- and over= \$1.00 per head

#### **b. Detectors, Horns/Strobes, Exit signs, Signaling devices, Supervisory devices:**

Fee for first 12, fee is \$59.00; for each group of 25 in addition to this, fee is \$29.00

#### **c. Independent Pre-engineered systems:**

Number of systems \$149.00 ea

#### **d. Gas or oil fired appliance which is not connected to the plumbing system:**

Number of appliances \$59.00 ea

#### **e. Kitchen exhaust system:**

Number of systems \$109.00 ea

#### **f. Incinerators:**

Number of incinerators \$399.00 ea

#### **g. Crematoriums:**

Number of crematoriums \$399.00 ea

#### **h. Standpipe fee:**

Number of standpipes \$299.00 ea

#### **i. Fuel storage tanks:**

550 gals or less \$59.00  
551 gals or more \$139.00

#### **j. Fire Department Connection:**

Number of FD connections \$100.00 ea  
Roof Hydrants \$100.00 ea

#### **k. Smoke Control system:**

Number of systems \$150.00 ea

#### **l. Fireplace venting/Metal Chimney**

Number of vents/Chimneys \$59.00 ea

#### **m. Dry pipe alarm valves/Pre-action valves**

Number of vales \$79.00 ea

#### **o. Fire Pumps:**

500 gpm or less, \$350.00  
501 gpm or more, \$500.00

## **5. General Provisions**



a. All other Permits and Fees not specifically covered by this Section shall be in accordance with NJAC 5:23-4.

b. Section 15.04.020 of the Bordentown Township Code is further amended to add a new provision, as follows:

The schedule of fees established herein shall be reviewed at least annually by the Construction Official to determine whether the fees are sufficient to cover the costs of issuing permits, conducting inspections and maintaining records and filed.

The Construction Official shall submit at least annually, a report to the Township Committee. The Township Committee may adopt and amend the fee schedule by Resolution, which schedule shall provided to anyone seeking a permit.

c. 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.

d. 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.

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

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE NO. 2014-17**

**An Ordinance of the Township of Bordentown Providing for the appropriation of a portion of revenues from a certain Payment In Lieu of Taxes (PILOT) benefit of the Bordentown Regional School District**

**WHEREAS**, the Township of Bordentown has entered into a Financial Agreement with KJohnson Urban Renewal, LLC which will provide for the payment of an Annual Service Charge (Payment In Lieu Of Taxes) to the Township of Bordentown, and

**WHEREAS**, the Township Committee of the Township of Bordentown finds and determines that the law requires that a portion of that payment shall be paid over to the County of Burlington and that it is appropriate and in the public interest that a similar amount be shared with the Bordentown Regional School District, even though such sharing is not required by law,

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

**Section 1.** From the Annual Service Charge (Payment In Lieu Of Taxes) paid by the KJOHNSON URBAN RENEWAL, LLC, the Township Committee shall, beginning with the 2015 municipal budget, annually appropriate for the benefit of the Bordentown Regional School District an amount equal to or greater than the payment made to Burlington County in accordance with the provisions of N.J.S.A. 40A:20-12.

**Section 2.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court or 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 final passage. Notice of adoption shall be published as provided by law.