

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: SEPTEMBER 15, 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 SAAJ PILOT Contract Matter; AFSCME Union Contract Matter; Tax Appeal Appraiser Contract Matter; Police Department Personnel Matter; Administration Department 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. Mayor's Proclamation Honoring Papp's Bowling Alley.
7. Mayor's Proclamation Honoring Grandparent's Day.

8. Mayor's Proclamation Honoring Constitution Week.
9. 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 #2014-258-10 through #2014-258-14.
10. Resolution #2014-258-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 11. Resolution #2014-258-11 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
 12. Resolution #2014-258-12 entitled A RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO A COOPERATIVE PRICING AGREEMENT.
 13. Resolution #2014-258-13 entitled RESOLUTION ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE.
 14. Resolution #2014-258-14 entitled RESOLUTION TO APPOINT POLICE OFFICERS FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT.
 15. Consideration of Adoption of Ordinance #2014-25 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING A FINANCIAL AGREEMENT WITH SAAJ URBAN RENEWAL, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, QUALIFIED AS AN URBAN RENEWAL ENTITY UNDER THE PROVISIONS OF THE NEW JERSEY LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.
 16. Public Hearing on Ordinance #2014-26 entitled AN ORDINANCE PROVIDING FOR AN AGREEMENT FOR A FIVE-YEAR TAX EXEMPTION WITH W.W. GRAINGER, INC., FOR PROPERTY LOCATED ON HEDDING ROAD IN THE CENTRAL CROSSINGS BUSINESS PARK AND IDENTIFIED AS BLOCK 138.12, LOT 5.01 AND BLOCK 137.01, LOT 2.
 17. Consideration of Adoption of Ordinance #2014-26 entitled AN ORDINANCE PROVIDING FOR AN AGREEMENT FOR A FIVE-YEAR TAX EXEMPTION WITH W.W. GRAINGER, INC., FOR PROPERTY LOCATED ON HEDDING ROAD IN THE CENTRAL CROSSINGS BUSINESS PARK AND IDENTIFIED AS BLOCK 138.12, LOT 5.01 AND BLOCK 137.01, LOT 2.

18. Consideration of Introduction of Ordinance #2014-27 entitled AN ORDINANCE TO AMEND ORDINANCE #2014-21 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
19. Township Committee discussion of “Tidy Town” program.
20. Township Committee discussion of Flashing Pedestrian Crossing.
21. Township Committee discussion of Gray Construction’s Request to extend Construction Hours for Grainger project.
22. Township Committee discussion of 4th of July Fireworks Display for year 2015.
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.

RESOLUTION #2014-258-10

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 September 15, 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.

09/15/14

RESOLUTION #2014-258-11

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 August 25, 2014, and the Regular Meeting of August 25, 2014, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected).

09/15/14

RESOLUTION #2014-258-12

A RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11 authorizes contracting units to establish a Cooperative Pricing Agreement for its administration; and

WHEREAS, the County of Burlington, hereinafter referred to as “Lead Agency”, has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on September 15, 2014, the governing body of the Township of Bordentown, County of Burlington, State of New Jersey, duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Bordentown.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Township of Bordentown is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with provision of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

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 September 15, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

09/15/14

RESOLUTION #2014-258-13

RESOLUTION ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE

WHEREAS, the Township Committee of the Township of Bordentown strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of Bordentown wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green Team Advisory Committee (GTA); and

WHEREAS, the Township Committee of the Township of Bordentown wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first; and

WHEREAS, the Township Committee of the Township of Bordentown has appropriated “seed money” in their 2014 budget to begin the process of making its operations greener, and more environmentally friendly beginning with energy audits of the Township’s facilities to pinpoint the most effective ways to reduce energy consumption; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, that we do hereby establish a Green Team Advisory Committee which membership shall consist of residents or employees of the Township of Bordentown, appointed annually; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bordentown that the Mission, Goals and Objectives for the GTA through December 31, 2014, are established as follows:

MISSION

The Bordentown Township Green Team Advisory Committee will advise the Township Committee on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound through research and evaluation.

GOALS

Submit a report and recommendations to the Township Committee by October 1, 2014, to include:

1. An audit of municipal facilities
2. An evaluation of municipal fleet vehicles
3. A report of suggested best practices for “greener” municipal operations

OBJECTIVES

1. Collaborate with Township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTA.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

BE IT FUTHER RESOLVED by the Township Committee of the Township of Bordentown that the Green Team Advisory Committee shall be formulated through a sub-committee of the Environmental Commission with the supervision of either the Environmental Commission Chairperson or Vice-Chairperson; and

BE IT FURTHER RESOLVED that the Green Team Advisory Committee shall further consist of a member of the Parks and Recreation Committee, the Zoning Board of Adjustment, the Planning Board, the Economic Development Advisory Committee and other community-based organizations to include but not be limited to the Boy and Girl Scouts, Garden Club and Senior Citizens Organization.

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 September 15, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

09/15/14

RESOLUTION #2014-258-14

RESOLUTION TO APPOINT POLICE OFFICERS FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT

BE IT RESOLVED by the Township Committee of the Township of Bordentown that as recommended by the Chief of Police, the following candidates for Police Officer, as listed by the Civil Service Commission Certification #OL140891 are hereby appointed as Police Officers in the Police Department of the Township of Bordentown:

Keith Alexander
Peter Appelmann
Anthony Nagle
Adam Edwards

BE IT FURTHER RESOLVED that said appointment shall be effective September 22, 2014, and dependent upon each candidate's successfully completion of the pre-employment selection process; and

BE IT FURTHER RESOLVED that compensation for said appointments shall be at the position of Police Recruit, or \$44,000/year, in accordance with Ordinance #2013-23; and

BE IT FINALLY RESOLVED that the appointments shall be subject to the Rules and Regulations of the New Jersey Civil Service Commission.

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 September 15, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

09/15/14

**TOWNSHIP OF BORDENTOWN
ORDINANCE NO. 2014-25**

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING A FINANCIAL AGREEMENT WITH SAAJ URBAN RENEWAL, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, QUALIFIED AS AN URBAN RENEWAL ENTITY UNDER THE PROVISIONS OF THE NEW JERSEY LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, the Township Committee of the Township of Bordentown, in the County of Burlington, New Jersey (the “**Township**”) caused to be undertaken an investigation to determine whether certain lands located at 195 Route 130 and now designated as Block 63, Lots 1, 2 and 39 and Block 64, Lot 3 on the Official Tax Map of the Township (the “**Property**”) (the “**Redevelopment Area**”), constitute an area in need of redevelopment; and

WHEREAS, following an investigation conducted by the Planning Board of the Township and a public hearing, the Township Committee declared that the Property constituted an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1 et seq; and

WHEREAS, the Township Committee adopted the Redevelopment Plan for the Property on April 13, 2009 by Resolution No. 2009-11 (the “**Redevelopment Plan**”) for the redevelopment of a certain redevelopment area, including the Property; and

WHEREAS, by Resolution No. 2008-239-10 adopted on November 24, 2008, the Township, designated SAAJ Urban Renewal LLC, a New Jersey limited liability company (the “**Entity**”), qualified as an urban renewal entity under the provisions of the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “**Tax Exemption Law**”), as the redeveloper for the Redevelopment Plan; and

WHEREAS, by Resolution adopted on August 7, 2014, the Township authorized a Redevelopment Agreement (the “**Redevelopment Agreement**”), pursuant to which the Entity, agreed, among other things, to develop the Property in accordance with the Redevelopment Plan; and

WHEREAS, the Entity obtained approval from the Planning Board and Township Committee to redevelop the Property by constructing certain improvements (collectively, the “**Improvements**” and together with the Property, the “**Project**”) in accordance with Resolution No. 2009-09 adopted by the Planning Board of Bordentown Township on January 14, 2010; and

WHEREAS, the Tax Exemption Law permits a municipality to exempt from the payment of real estate taxes, for a limited period of time, any rehabilitation or improvements made in the redevelopment of a

redevelopment area, subject to the terms and conditions of a financial agreement complying with the requirements of N.J.S.A. 40A:20-9 to 11; and

WHEREAS, in order to improve the feasibility of Project, the Entity made an application for a long term tax exemption and financial agreement (the “**Application**”) pursuant to the Tax Exemption Law, which Application is on file with the Township Clerk; and

WHEREAS, the Township has reviewed the terms of a proposed financial agreement (the “**Financial Agreement**”), a copy of which has been filed with the Township Clerk and which by this reference incorporated herein; and

WHEREAS, the Financial Agreement sets forth findings that the relevant benefits of Project to the redevelopment of the Redevelopment Area outweigh the costs, if any, associated with the long term tax exemption for the Project; and

WHEREAS, the Township hereby determines that the assistance provided to Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Project.

NOW, THEREFORE, 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:**

Application for Exemption Approved.

The Application, which is on file with the Township Clerk and has been recommended for approval to the Township Committee by the Mayor, is hereby accepted and approved.

Approval Of Financial Agreement

The form of the Financial Agreement, as presented herewith and made a part hereof, is hereby approved. The Mayor is hereby authorized to execute and deliver on behalf of the Township the Financial Agreement in the form attached hereto, with such changes as counsel may advise and the Mayor may approve, such approval to be evidenced by the Mayor’s execution thereof. The Township Clerk is hereby authorized to attest to the execution of the Financial Agreement by the Mayor and to affix the corporate seal of the Township to such Financial Agreement.

The Township Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Township and the Director of the Division of Local Government Services within the Department of Community Affairs in accordance with Section 12 of the Tax Exemption Law.

Severability.

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.

Inconsistencies.

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

Effective Date.

This ordinance shall take effect according to law. immediately upon adoption and publication of notice of adoption as provided by law.

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2014-26

AN ORDINANCE PROVIDING FOR AN AGREEMENT FOR A FIVE-YEAR TAX EXEMPTION WITH W.W. GRAINGER, INC. FOR PROPERTY LOCATED ON HEDDING ROAD IN THE CENTRAL CROSSINGS BUSINESS PARK AND IDENTIFIED AS Block 138.12, Lot 5.01 and Block 137.01, Lot 2

WHEREAS, the Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq. (the "Act") enables municipalities to temporarily abate local property taxes imposed upon eligible dwellings, commercial and industrial structures; and

WHEREAS, the certain areas within the Township of Bordentown (the "Township") were designated by the Planning Board of the Township in accordance with P.L. 1975, Chapter 104 (now, N.J.S.A. 40A:12A-14) as areas in need of rehabilitation and is an area endangered by blight and in need of rehabilitation; and

WHEREAS, since that designation, the conditions within the Township remain a concern with a persistent need to stimulate ratable growth within the Township's industrial and commercial areas, in competition with other municipalities, both within and outside the State of New Jersey, and continued underutilization of the tract known as the Central Crossings Business Park and specifically that portion identified as Block 138.12, Lot 5.01 and Block 137.01, Lot 2, and as set forth in the legal description attached hereto and incorporated herein; and

WHEREAS, pursuant to the Act, the Township adopted Ordinance 2009-19 which authorized a program to attract private investment and ratable growth within these industrial areas via a program of tax abatement and exemption; and

WHEREAS, the Township has negotiated with W.W. Grainger, Inc. to acquire the development of a major warehouse facility providing both jobs and a tax ratable for the Township. The Township acknowledges the substantial investment being made by W.W. Grainger, Inc. and has authorized a five year tax abatement with W.W. Grainger, Inc. for improvements consisting of an approximately 1,470,000 square foot commercial warehouse and related site and parking improvements to be constructed on Hedding Road in the Central Crossings Business Park, and specifically identified in the meets and bounds description attached hereto and incorporated herein (the “Project”) and

WHEREAS, the Grainger has applied for and the Township has agreed to the exemption of the taxable value for the improvements to be constructed as part of the Project as follows:

<u>Year</u>	<u>Percent of Exemption</u>
One	100%
Two	80%
Three	60%
Four	40%
Five	20%
Six and thereafter	0%

WHEREAS, the exemption and schedule of payments on the improvements authorized therein would become effective upon a Certificate of Occupancy for the improvements; and

WHEREAS, the Project has not been constructed due to economic and financial conditions generally prevalent in the Township and the State of New Jersey; and

WHEREAS, the Township Committee of the Township of Bordentown desires to reaffirm the abatement program provided under Ordinance 2009-19 and to make it applicable to the property specifically described in the meets and bounds description attached hereto and incorporated herein;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Township

Committee of the Township of Bordentown that:

1. The Township of Bordentown hereby approves the application for the 5-year tax abatement in accord with the application of W.W. Grainger, Inc. dated May 16, 2014; provided however that absent additional future action, this approval will lapse if the Township does not issue a Certificate of Occupancy for the Project on or before December 31, 2020.

2. This ordinance shall take effect upon final passage, approval and publication as provided by law.

ORDINANCE #2014-27

AN ORDINANCE TO AMEND ORDINANCE #2014-21 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

BE IT ORDAINED an enacted Ordinance by the Township Committee of the Township of Bordentown, County of Burlington and State of New Jersey, as follows:

SECTION 2. Section 2 of Ordinance #2014-21 is hereby amended as follows:

HOURLY SALARIES

ANIMAL CONTROL OFFICER \$12.00 – \$25.00

SECTION 24. Effective date/effective duration. This ordinance shall take effect immediately upon final passage and publication according to law, and the provisions thereof shall be effective as of January 1, 2014, and shall remain in effect until such time as amendments are required. No rights are created beyond the effective period of this ordinance.

SECTION 7. Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. Severability. In the event that any portion of this ordinance is determined to be invalid, such determination shall not affect the remaining portions of the ordinance, which are hereby declared to be severable.