

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: SEPTEMBER 29, 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:

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. Administration of Oath of Office to Police Officers.
7. Township Committee discussion with Fred Turek, Engineer, regarding Final Report of Phase 1 and 2 Remediation of Public Works Facility.

8. 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 #2014-272-9 through #2014-272-16.
9. Resolution #2014-272-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
10. Resolution #2014-272-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
11. Resolution #2014-272-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
12. Resolution #2014-272-12 entitled RESOLUTION APPROVING CHANGE ORDER NO. 1 AND AUTHORIZING FINAL PAYMENT ALLSTATE POWER VAC, INC., FOR THE DRAINAGE IMPROVEMENTS TO MUNICIPAL DRIVE AND GERMANTOWN ROAD PROJECT.
13. Resolution #2014-272-13 entitled RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE DUNNS MILL ROAD RECONSTRUCTION PROJECT.
14. Resolution #2014-272-14 entitled RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BORDENTOWN BIKEWAY PROJECT – PHASE 4.
15. Resolution #2014-272-15 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO NJ, LLC, T/A CHICKIE’S & PETE’S.
16. Resolution #2014-272-16 entitled APPROVING RAFFLE LICENSE #RL:407.
17. Public Hearing on 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.
18. Consideration of Adoption 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 and Staff Reports.

20. **Public Participation.**

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

21. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.

RESOLUTION #2014-272-9

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 29, 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.

09/29/14

RESOLUTION #2014-272-10

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of September 15, 2014, and the Regular Meeting of September 15, 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 July 2014 as submitted by the Township Officials are hereby received and filed: Construction Department; and

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

09/29/14

RESOLUTION #2014-272-11

AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2014 taxes in the amount of \$2,213.35 to Ocwen Loan Servicing for Block 9 Lot 1 commonly known as 103 Carmen Ave.

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2014 taxes in the amount of \$1,679.45 to Perez, Michele & Joel for Block 113 Lot 7 commonly known as 13 Lexington Road.

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2014 taxes in the amount of \$1,003.31 to Wells Fargo for Block 12 Lot 6 commonly known as 114 Fernwood Avenue.

09/15/14

MAP

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 29, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2014-272-12

RESOLUTION APPROVING CHANGE ORDER NO. 1 AND AUTHORIZING FINAL PAYMENT
ALLSTATE POWER VAC, INC., FOR THE DRAINAGE IMPROVEMENTS TO MUNICIPAL
DRIVE & GERMANTOWN ROAD PROJECT

WHEREAS, the Township Committee, by Resolution #2014-027-17B, awarded a contract to Allstate Power Vac, Inc., for the purpose of performing certain work and services with respect to the Drainage Improvements to Municipal Drive & Germantown Road project in the Township of Bordentown; and

WHEREAS, CME Associates, the Township's agent responsible for supervising the project as aforesaid, for the Township of Bordentown, has advised the Township Committee, by way of September 17, 2014, correspondence and change order request and the submission of the appropriate certification that the existing contract amount should be increased to reflect an increase in material necessary to complete the project by Allstate Power Vac, Inc.; and

WHEREAS, N.J.A.C. 5:30-14.4 provides that the Governing Body may authorize change orders and amend contracts in accordance with the procedures set forth in said regulations; and

WHEREAS, the Township Committee has reviewed the aforementioned request and desires to act favorably with respect to same and to amend the contract accordingly and to approve the change order;

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

1. That the Township Committee, for the aforementioned reasons, hereby amends the aforementioned contract and increases the contract price by \$21,739.31 and the amended total \$481,912.31 in accordance with the terms and conditions of the aforementioned certification and September 17, 2014, correspondence and request being attached hereto as Exhibit A and made part hereof by reference hereto.
2. That the Township Committee hereby authorizes final payment to Allstate Power Vac, Inc., in the amount of \$124,980.02.
3. That the Township Committee hereby directs the Township Mayor and Clerk to execute any and all documents necessary to effectuate the terms of this Resolution and which are prepared by or reviewed by the Township Attorney.

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 29, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

09/29/14

RESOLUTION #2014-272-13

RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE DUNNS MILL ROAD RECONSTRUCTION PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Bordentown formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Bordentown Township-00180 to the New Jersey Department of Transportation on behalf of the Township of Bordentown; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Bordentown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on September 29, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

09/29/14

RESOLUTION #2014-272-14

RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BORDENTOWN BIKEWAY PROJECT – PHASE 4

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Bordentown formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee and Clerk are hereby authorized to submit an electronic grant application identified as BIKE-2015-Bordentown Township-00017 to the New Jersey Department of Transportation on behalf of the Township of Bordentown; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Bordentown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on September 29, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

09/29/14

RESOLUTION #2014-272-15

AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO NJ, LLC, T/A CHICKIE'S & PETE'S

WHEREAS, 130 Crabco NJ, LLC, T/A Chickie's & Pete's located at 183 Route 130 North, Bordentown, NJ 08505, has filed an application for a Public Gathering Permit to take place at 183 Route 130 North in the Township of Bordentown on October 12, 2014; and

WHEREAS, Section 6-4 of the Revised General Ordinances of the Township of Bordentown requires the issuance of a Public Gathering Permit to any association which conducts traveling and other shows, circuses, carnivals, fairs, theatrical performances, motion picture exhibitions, plays, exhibitions, concerts, dances, dinner dances, picnics, outings fetes, parades, etc., in the Township of Bordentown;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it hereby approves the application and authorizes the Township Clerk to issue a Public Gathering Permit to 130 Crabco NJ, LLC, T/A Chickie's & Pete's.

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 29, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

09/29/14

RESOLUTION #2014-272-16

APPROVING RAFFLE LICENSE #RL:407

WHEREAS, the Foundation for Bordentown Traditions has filed an application with the Township of Bordentown to hold a Raffle at the Joseph Lawrence Park located on Ward Avenue in the Township of Bordentown on October 24, 2014, and payment of the required fees has been made;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that Raffle License #RL:407 be issued to the Foundation for Bordentown Traditions, with the stipulation that the proceeds be used to benefit the Foundation's continued commitment to provide financial support and organize community events including the 2015 fireworks.

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 29, 2014.

COLLEEN M. ECKERT, RMC, TWP. CLERK

09/29/14

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.