

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: AUGUST 17, 2015 TIME: 7:00 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Cann
_____	_____	Deputy Mayor Popko
_____	_____	Committeeman Benowitz
_____	_____	Committeeman Carson
_____	_____	Committeeman Moynihan
_____	_____	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 7, 2015, 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 COAH Litigation; Construction Department Personnel Matter; Administration 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 #2015-229-7 through #2015-229-30.
7. Resolution #2015-229-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
  8. Resolution #2015-229-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
  9. Resolution #2015-229-9 entitled AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE.
  10. Resolution #2015-229-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
  11. Resolution #2015-229-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
  12. Resolution #2015-229-12 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
  13. Resolution #2015-229-13 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
  14. Resolution #2015-229-14 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE RENEWAL OF THE TERM OF AN INTERLOCAL SERVICES AGREEMENT WITH MANSFIELD, CHESTERFIELD, NORTH HANOVER AND SPRINGFIELD TOWNSHIPS CONCERNING EXTRA DUTY ASSIGNMENT OF POLICE OFFICERS.
  15. Resolution #2015-229-15 entitled RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE EXTENSION OF TRANSPORT AGREEMENT FOR BORDENTOWN TOWNSHIP EMS.
  16. Resolution #2015-229-16 entitled RESOLUTION AUTHORIZING ADDITIONAL BUS STOP LOCATIONS IN THE TOWNSHIP OF BORDENTOWN.
  17. Resolution #2015-229-17 entitled APPROVING CORRECTIVE ACTION PLAN FOR REPORT OF AUDIT FO THE YEAR ENDING DECEMBER 31, 2014.
  18. Resolution #2015-229-18 entitled RESOLUTION AUTHORIZING MR. JOSEPH LARocca TO CONDUCT INSPECTIONS PRIOR TO HIS OFFICIAL START DATE OF EMPLOYMENT AS CONSTRUCTION OFFICIAL FOR THE TOWNSHIP OF BORDENTOWN.
  19. Resolution #2015-229-19 entitled A RESOLUTION TO AWARD A CONTRACT TO BEACON GRAPHICS FOR THE SUPPLY OF A WIDE FORMAT PRINTING DEVICE AND SUPPLIES.

20. Resolution #215-229-20 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES.
21. Resolution #2015-229-21 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES WITH SPECIAL CONDITIONS.
22. Resolution #2015-229-22 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY DISTRIBUTION LICENSE.
23. Resolution #2015-229-23 entitled RENEWING ALCOHOLIC BEVERAGE CLUB LICENSE.
24. Resolution #2015-229-24 entitled APPROVING AND AUTHORIZING PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE.
25. Resolution #2015-229-25 entitled RESOLUTION SUPPORTING NEW JERSEY DEPARTMENT OF TRANSPORTATION IN PROMULGATING A TRAFFIC REGULATION ORDER.
26. Resolution #2015-229-26 entitled AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN EASEMENT FOR A BICYCLE PATH.
27. Resolution #2015-229-27 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO STANLEY KARA UPON RETIREMENT.
28. Resolution #2015-229-28 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO EDWARD POTTS UPON RETIREMENT.
29. Resolution #2015-229-29 entitled APPROVING RAFFLE LICENSE #RL:417.
30. Resolution #2015-229-30 entitled AMENDING RESOLUTION #2015-201-23 ENTITLED ESTABLISHING SALARIES AND OTHER RATES OF COMPENSATION FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN.
31. Public Hearing on Ordinance #2015-12 entitled AN ORDINANCE TO AMEND ORDINANCE #2015-7 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
32. Consideration of Adoption of Ordinance #2015-12 entitled AN ORDINANCE TO AMEND ORDINANCE #2015-7 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
33. Public Hearing on Ordinance #2015-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED AND UNFUNDED APPROPRIATION BALANCES IN THE AMOUNT OF \$654,622.70 AND REAPPROPRIATING SAID FUNDS FOR OTHER GENERAL CAPITAL IMPROVEMENTS AND FOR OTHER PURPOSES.
34. Consideration of Adoption of Ordinance #2015-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED AND UNFUNDED APPROPRIATION BALANCES IN THE AMOUNT OF \$654,622.70 AND REAPPROPRIATING SAID FUNDS FOR OTHER GENERAL CAPITAL IMPROVEMENTS AND FOR OTHER PURPOSES.

35. Consideration of Introduction of Ordinance #2015-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY WITHIN THE TOWNSHIP OF BORDENTOWN.
36. Township Committee discussion of 2015 Park Grant.
37. Township Committee discussion of Bond Anticipation Notes.
38. Township Committee discussion of Opposing Elcon Incinerator.
39. Township Committee and Staff Reports.
40. Public Participation.  
  
Questions, comments or statements from members of the public in attendance.
41. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
42. Motion to Adjourn.

RESOLUTION #2015-229-7

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 August 17, 2015, 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.

08/17/15

RESOLUTION #2015-229-8

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 July 20, 2015; the Regular Meeting of July 20, 2015; and the Special Meeting of August 6, 2015; 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 June 2015 as submitted by the Township Officials are hereby received and filed: Community Development and Construction Official; and

BE IT RESOLVED that the following reports for the month of July 2015 as submitted by the Township Officials are hereby received and filed: Municipal Clerk and Finance.

08/17/15

**RESOLUTION #2015-229-9**

**AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE**

WHEREAS, Tax Sale Certificate #13-00051 was issued to Bordentown Township, for delinquent taxes on Block 140, Lot 1 (Burlington Road), assessed to Wallace and Rosemary Okulicz, at a tax sale held on October 9, 2014; and,

WHEREAS, the assessed owner, Wallace and Rosemary Okulicz, have redeemed Certificate 13-00051 by paying the full amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of Township of Bordentown are hereby authorized to endorse Certificate of Sale 13-00051 for cancellation.

JCE  
08/17/15

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2015-229-10**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #13-00049 was redeemed on JULY 29 2015, in the amount of \$391.44.

WHEREAS, CHRYSALIS INVESTORS, LLC, paid tax sale premium, in the amount of \$400.00 for said lien.

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of tax sale premium, in the amount of \$400.00 to, CHRYSALIS INVESTORS, LLC; for Lien 13-00049 Block 138.06 Lot 114, commonly known as 70 MEADOW RUN ROAD

JCE  
08/17/15

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK



RESOLUTION # 2015-229-11

AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

WHEREAS, on MAY 7, 2015, Derrick E. Carter, owner of Block 93.01, Lot 98, commonly known as 45 Windingbrook Road, applied for a tax exemption as a disabled veteran; and

WHEREAS, Mr. Carter's application was approved by the Tax Assessor pursuant to NJS 54:4-3.30; and

WHEREAS, the exemption was effective as of May 7, 2015, and Mr. Carter now has an overpayment of \$1,747.37 as a result of the 3<sup>rd</sup> quarter taxes being paid;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown that it hereby authorizes the refund of 2015 taxes in the amount of \$1,747.37.

JCE  
8-17-15

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2015-229-12

AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

WHEREAS, on MAY 21, 2015, Lorry M. Mendez, owner of Block 84, Lot 4, commonly known as 7 Hunt Road, applied for a tax exemption as a disabled veteran; and

WHEREAS, Mr. Mendez's application was approved by the Tax Assessor pursuant to NJSA 54:4-3.30; and

WHEREAS, the exemption was effective as of May 21, 2015, and Mr. Mendez now has an overpayment of \$1,312.26 as a result of paying the 3<sup>rd</sup> quarter tax;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown that it hereby authorizes the refund of 2015 taxes in the amount of \$1,312.26.

JCE  
8-17-15

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2015-229-13**

**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 2015 taxes in the amount of \$3,550.09 to GUTIERREZ, CLARITO AND FLORENCE for Block 138.01 Lot 24 commonly known as 2 LONGVIEW DRIVE.

08/17/15

JCE

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2015-229-14

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE RENEWAL OF THE TERM OF AN INTERLOCAL SERVICES AGREEMENT WITH MANSFIELD, CHESTERFIELD, NORTH HANOVER AND SPRINGFIELD TOWNSHIPS CONCERNING EXTRA DUTY ASSIGNMENT OF POLICE OFFICERS.

WHEREAS, the Townships of Mansfield, Bordentown, Chesterfield, North Hanover and Springfield are neighboring Townships in Northern Burlington County; and

WHEREAS, their Police Departments provide traffic control and other off-duty police services to third parties; and

WHEREAS, the Townships often rely upon each other for additional officers to provide such services to third parties; and

WHEREAS, the Township of Bordentown has entered into an Interlocal Services Agreement with the aforementioned Townships which requires annual renewal; and

WHEREAS, the Township of Bordentown wishes to renew the Interlocal Services Agreement in accordance with its terms until December 31, 2015;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to notify the Townships of Mansfield, Chesterfield, North Hanover and Springfield that the Township Committee has elected to renew the agreement for the ensuing year until December 31, 2015, and provide each Township with a certified copy of this Resolution.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15

RESOLUTION #2015-229-15

RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE EXTENSION OF  
TRANSPORT AGREEMENT FOR BORDENTOWN TOWNSHIP EMS

WHEREAS, on July 28, 2008, the Township Committee adopted Resolution #2008-210-11, authorizing the Mayor and Township Clerk to execute the transport agreement with Virtua Health, Inc., to provide Advanced Life Support Services for Bordentown Township EMS; and

WHEREAS, the current agreement expires August 31, 2015, and is due to be extended for a one-year term beginning September 1, 2015;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the Mayor and Township Clerk to execute the agreement with Virtua Health, Inc., for a one-year term beginning September 1, 2015 and ending August 31, 2016.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15

RESOLUTION #2015-229-16

RESOLUTION AUTHORIZING ADDITIONAL BUS STOP LOCATIONS IN THE TOWNSHIP OF BORDENTOWN

BE IT RESOLVED by the Mayor and Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey:

That pursuant to N.J.S.A. 39:4-8 (e) the following described locations are designated as bus stops:

ADDED BUS STOPS:

County Road

1. Along Burlington-Bordentown Road (CR662), northbound, on the easterly side thereof at:

Between Rivergate Boulevard and Schindler Way – Mid Block  
Beginning 75 feet north of the northerly curblines of Rivergate Boulevard and extending 135 feet northerly therefrom.

2. Along Burlington-Bordentown Road (CR662), southbound, on the westerly side thereof at:

Between Rivergate Boulevard and Schindler Way – Mid Block  
Beginning 180 feet north of the northerly curblines of Rivergate Boulevard and extending 135 feet northerly therefrom.

BE IT FURTHER RESOLVED that the Mayor and Township Committee of the Township of Bordentown will enforce the needed traffic regulations governing the aforementioned bus stops locations and provide the necessary police security to ensure the safety of the traveling public.

DATED: AUGUST 17, 2015

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JAMES CANN, MAYOR

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15

RESOLUTION #2015-229-17

APPROVING CORRECTIVE ACTION PLAN FOR REPORT OF AUDIT FOR THE YEAR ENDING  
DECEMBER 31, 2014

WHEREAS, the New Jersey Division of Local Government Services has advised the Chief Financial Officer and the Township Auditor by Local Finance Notice #92-15 that all municipalities must prepare and submit a Corrective Action Plan beginning within 60 days of receipt by the governing body of the Report of Audit; and

WHEREAS, the Township Committee of the Township of Bordentown has received the Report of Audit for the year ending December 31, 2014; and

WHEREAS, the Township Committee of the Township of Bordentown received the Corrective Action Plan submitted and prepared by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby approve the Corrective Action Plan for the 2014 Report of Audit.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15

RESOLUTION #2015-229-18

RESOLUTION AUTHORIZING MR. JOSEPH LAROCCA TO CONDUCT INSPECTIONS PRIOR TO HIS OFFICIAL DATE OF EMPLOYMENT AS CONSTRUCTION OFFICIAL FOR THE TOWNSHIP OF BORDENTOWN

WHEREAS, the Township Committee adopted Resolution #2015-201-31A on July 20, 2015, to appoint Mr. Joseph LaRocca as the Uniform Construction Official/Code Enforcement Officer and as Subcode Official for Building, Plumbing and Fire; and

WHEREAS, in accordance with Resolution #2015-201-31A, Mr. LaRocca's first day of employment is August 10, 2015, with an annual salary of \$90,000; and

WHEREAS, it has been determined that there is a need for Mr. LaRocca to conduct certain plumbing inspections prior to his initial date of employment; and

WHEREAS, in order to fulfill this requirement, it was necessary for the Township Attorney to poll the governing body members, in accordance with Resolution #2015-3-16, in order to reach a majority vote authorizing Mr. LaRocca to perform said inspections (copies of the poll results are attached to this resolution as part of the official record;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown that it does hereby authorize Mr. Joseph LaRocca to conduct certain plumbing inspections effective August 3, 2015, at the per diem hourly rate based on the approved salary of \$90,000.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15



RESOLUTION #2015-229-19

A RESOLUTION TO AWARD A CONTRACT TO BEACON GRAPHICS FOR THE SUPPLY OF A WIDE FORMAT PRINTING DEVICE AND SUPPLIES

WHEREAS, one (1) bid was received by the Township Clerk on July 23, 2015, for the supply of a Wide Format Printing Device and Supplies; and

WHEREAS, the Township Committee has reviewed the bid and wishes to award the contract to Beacon Graphics, the sole bidder; and

WHEREAS, funds are available for said project as evidenced by the attached Chief Financial Officer's Certification of Availability of Funds;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby award a contract for the supply of a Wide Format Printing Device and Supplies, to Beacon Graphics, 189 Meister Avenue, Branchburg, NJ 08876, in the amount of \$24,313.00; and

BE IT FURTHER RESOLVED that the Mayor and the Township Clerk are hereby authorized and directed to execute a purchase order for same.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15

RESOLUTION #2015-229-20

RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES

WHEREAS, the Township Committee of the Township of Bordentown has received applications for the renewal of Plenary Retail Consumption licenses for 2015-2016, and

WHEREAS, fees have been paid according to Township Ordinances and State regulations;

NOW, THEREFORE, BE IT RESOLVED that, based upon review of the applications, investigation of the applicants and inspection of the premises to be licensed by the appropriate agencies or officials of the Township, and reports submitted to the Township Committee, the Township Committee affirmatively finds that the applicants listed herein have met the following criteria for the renewal of licenses for the dispensing or sale of alcoholic beverages:

- (a) The submitted application form is completed in all respects; and
- (b) The applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- (c) Where the applicant has disclosed that additional financing was obtained in the previous licensed term for use in the licensed business, the issuing authority has reviewed the source of all funds for such additional financing; and

BE IT FURTHER RESOLVED that the Township Committee does hereby authorize the issuance and endorsement of the following Plenary Retail Consumption licenses:

LICENSE #0304-33-003-004

Mastoris & Manetas Enterprises, Inc.  
T/A Mastoris Diner & Restaurant  
144 Route 130  
Township of Bordentown  
Block 57 Lot 12

Fee Paid - \$2,000.00  
Effective Date - July 1, 2015  
Authorized – August 17, 2015

LICENSE #0304-33-004-005

Lo Enterprises, Inc.  
T/A Jade Island Restaurant  
969 Route 206  
Township of Bordentown  
Block 59 Lot 2

Fee Paid - \$2,000.00  
Effective Date - July 1, 2015  
Authorized – August 17, 2015

LICENSE #0304-33-005-007

Trio's Last Call, LLC  
P.O. Box 226  
Township of Bordentown

Fee Paid - \$2,000.00  
Effective Date – July 1, 2015  
Authorized – August 17, 2015

LICENSE #0304-33-009-010

Alstarz Bar & Grill  
140 Route 130  
Township of Bordentown  
Block 57 Lot 12

Fee Paid - \$2,000.00  
Effective Date - July 1, 2015  
Authorized – August 17, 2015

LICENSE #0304-33-010-005

130 Crabco NJ, LLC  
T/A Chickie's & Pete's  
183 Route 130  
Township of Bordentown  
Block 63 Lot 6

Fee Paid - \$2,000.00  
Effective Date - July 1, 2015  
Authorized – August 17, 2015

LICENSE #0304-33-012-002

Mile Hollow Associates, Inc.  
T/A Grapevine Lounge  
921 Route 206  
Township of Bordentown  
Block 51.01, Lot 8

Fee Paid - \$2,000.00  
Effective Date – July 1, 2015  
Authorized – August 17, 2015

LICENSE #0304-33-013-007

DNM Restaurant, Inc.  
T/A Town & Country Restaurant  
175 Route 130  
Township of Bordentown  
Block 58 Lots 20 & 21

Fee Paid - \$2,000.00  
Effective Date - July 1, 2015  
Authorized – August 17, 2015

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08-17-15

RESOLUTION #2015-229-21

RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES WITH SPECIAL CONDITION

WHEREAS, the Township Committee of the Township of Bordentown has received applications for the renewal of Plenary Retail Consumption licenses for 2015-2016, and

WHEREAS, fees have been paid according to Township Ordinances and State regulations;

NOW THEREFORE BE IT RESOLVED that, based upon review of the applications, investigation of the applicants and inspection of the premises to be licensed by the appropriate agencies or officials of the Township, and reports submitted to the Township Committee, the Township Committee affirmatively finds that the applicants listed herein have met the following criteria for the renewal of licenses for the dispensing or sale of alcoholic beverages:

- (a) The submitted application form is completed in all respects; and
- (b) The applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- (c) Where the applicant has disclosed that additional financing was obtained in the previous licensed term for use in the licensed business, the issuing authority has reviewed the source of all funds for such additional financing; and

BE IT FURTHER RESOLVED that the Township Committee does hereby authorize the issuance and endorsement of the following Plenary Retail Consumption licenses subject to the SPECIAL CONDITION (Revised Statute 33:1-32) that there shall be no renewal or transfer of the license except for or to premises operated by the licensee as a motor lodge or motel or hotel containing at least 50 bona fide sleeping rooms equipped and furnished for the accommodations of guests:

LICENSE #0304-36-011-007

Comfort Café, Inc.  
1009 Route 206  
Township of Bordentown  
Block 115, Lot 2

Fee Paid - \$2,000.00  
Effective Date – July 1, 2015  
Authorized – August 17, 2015

BE IT FURTHER RESOLVED that the Township Committee does hereby authorize the issuance and endorsement of the following Plenary Retail Consumption licenses subject to the SPECIAL CONDITION (Revised Statute 33:1-32) that there shall be no renewal or transfer of the license except for or to premises operated by the licensee as a motor lodge or motel or hotel containing at least 100 bona fide sleeping rooms equipped and furnished for the accommodations of guests:

LICENSE #0304-36-017-005

Shiv Hospitality, LLC

T/A Ramada Inn

1083 Route 206

Township of Bordentown

Block 132 Lots 1.01 & 1.02

Fee Paid - \$2,000.00

Effective Date - July 1, 2015

Authorized – August 17, 2015

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08-17-15

RESOLUTION #2015-229-22

RENEWING ALCOHOLIC BEVERAGE PLENARY DISTRIBUTION LICENSE

WHEREAS, the Township Committee of the Township of Bordentown has received application for the renewal of a Plenary Retail Distribution license for 2015-2016, and

WHEREAS, fees have been paid according to Township Ordinances and State regulations;

NOW THEREFORE BE IT RESOLVED that, based upon review of the application, investigation of the applicant and inspection of the premises to be licensed by the appropriate agencies or officials of the Township, and reports submitted to the Township Committee, the Township Committee affirmatively finds that the applicant listed herein has met the following criteria for the renewal of licenses for the dispensing or sale of alcoholic beverages:

- (a) The submitted application form is completed in all respects; and
- (b) The applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- (c) Where the applicant has disclosed that additional financing was obtained in the previous licensed term for use in the licensed business, the issuing authority has reviewed the source of all funds for such additional financing; and

BE IT FURTHER RESOLVED that the Township Committee does hereby authorize the issuance and endorsement of the following Plenary Retail Distribution license:

LICENSE #0304-44-007-006

Jay Kay Liquors, Inc.  
T/A Jay Kay Liquors, Inc.  
624 Route 206  
Township of Bordentown  
Block 1.01 Lot 13

Fee Paid - \$1,880.00  
Effective Date - July 1, 2015  
Authorized – August 17, 2015

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08-17-15

RENEWING ALCOHOLIC BEVERAGE CLUB LICENSE

WHEREAS, the Township Committee of the Township of Bordentown has received an application for the renewal of a Club license for 2015-2016, and

WHEREAS, fees have been paid according to Township Ordinances and State regulations;

NOW THEREFORE BE IT RESOLVED that, based upon review of the application, investigation of the applicants and inspection of the premises to be licensed by the appropriate agencies or officials of the Township, and reports submitted to the Township Committee, the Township Committee affirmatively finds that the applicants listed herein have met the following criteria for the renewal of licenses for the dispensing or sale of alcoholic beverages:

- (a) The submitted application form is completed in all respects; and
- (b) The applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and
- (c) Where the applicant has disclosed that additional financing was obtained in the previous licensed term for use in the licensed business, the issuing authority has reviewed the source of all funds for such additional financing; and

BE IT FURTHER RESOLVED that the Township Committee does hereby authorize the issuance and endorsement of the following Club license:

LICENSE #0304-31-015-002

Bordentown BPO Elks Lodge #2085	Fee Paid - \$150.00
T/A Bordentown BPO Elks Lodge #2085	Effective Date - July 1, 2015
11 Amboy Road	Authorized – August 17, 2015
Township of Bordentown	
Block 51.01 Lot 18	

LICENSE #0304-31-018-001

AASR Valley of Central Jersey	Fee Paid - \$150.00
T/A Scottish Rite Cathedral Assn.	Effective Date – July 1, 2015
of Trenton NJ	Authorized – August 17, 2015
103 Dunns Mill Road	
Township of Bordentown	
Block 126, Lot 7.01	

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

APPROVING AND AUTHORIZING PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE

WHEREAS, the Township Committee of the Township of Bordentown has received an application for a person-to-person transfer of Plenary Retail Consumption License #0304-33-008-012 from Dublin Pub Group, LLC, to 175 Route 130, LLC, for the premises located at 167 Route 130; and

WHEREAS, a review and investigation by the various responsible officials of the Township with reference to the application has produced the following findings:

1. The submitted application form is complete in all respects and required transfer fees have been received.
2. A statement of consent to the transfer has been filed with the application.
3. Notice of said application was duly published according to law.
4. The applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations.
5. No written objection to the transfer of license has been filed with the Township.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby approve the person-to-person transfer of Plenary Retail Consumption License #0304-33-008-012 to 175 Route 130, LLC, for the premises located at 167 Route 130, and

BE IT FURTHER RESOLVED that said person-to-person transfer shall be effective as of August 18, 2015.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK



RESOLUTION SUPPORTING NEW JERSEY DEPARTMENT OF TRANSPORTATION IN  
PROMULGATING A TRAFFIC REGULATION ORDER

WHEREAS, due to recent reconstruction of Rising Sun Road and Connector Road in the Township of Bordentown, NJDOT has conducted an investigation of the current traffic regulations and have made certain determinations relating to same; and

WHEREAS, to legally establish these regulations, the NJDOT is required to promulgate a Traffic Regulation Order and is requesting the governing body adopt a resolution showing its support;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby support the following Traffic Regulation Order:

**Connector Road (under State jurisdiction)**

1. Speed Limit for both directions of traffic:  
30 MPH, between Route US 206 and Rising Sun Road.
2. No Stopping or Standing for both sides of the roadway,  
Between Route US 206 and Rising Sun Road.

**Rising Sun Road (for the section under State jurisdiction)**

1. Turn Prohibitions:

No person shall make a “U-Turn” along Rising Sun Road, at a point 930 feet west of Connector Road, at the westerly end of a raised center concrete median, from westbound on Rising Sun Road to eastbound on Rising Sun Road.

2. Center Lane for Left Turns Only:

For both directions of traffic, between at a point 800 feet east of the Route I-295 exit ramp and extending for a distance of 750 feet easterly there from.

3. Speed Limits for both directions of traffic:

- a. Zone 1: 30 mph, between Old York Road (CR 660) and Connector Road, thence
- b. Zone 2: 40 mph, between Connector Road and the entrance ramp to Route I-295 South.

**Repealer Clause:**

All former traffic resolutions/ordinances or parts of resolutions/ordinances in conflict with or inconsistent with the provisions of this resolution are hereby repealed.

BE IT FURTHER RESOLVED that the Township Clerk is hereby authorized to forward a certified copy of this resolution to the State of New Jersey, Department of Transportation.

**RESOLUTION #2015-229-26**

**AUTHORIZING THE MAYOR AND CLERK  
TO EXECUTE AN EASEMENT FOR A BICYCLE PATH**

WHEREAS, it is necessary, and in the public interest, for a bike path to be provided in association with the solar field being developed by Public Service Electric and Gas Company (PSE&G) in accord with the Preliminary and Final Major Site Plan approval (and other forms of relief) by way of a resolution dated March 13, 2014, from the Township Planning Board, and

WHEREAS, the form of easement requires the consent of the Township of Bordentown,

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, the Mayor and Clerk are hereby authorized to execute the Easement in the form attached hereto and incorporated herein

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

## BIKE PATH EASEMENT

**THIS BIKE PATH EASEMENT AGREEMENT** (the "Agreement"), is made on this \_\_\_\_ day of \_\_\_\_, 2014, by Waste Management of New Jersey, successor by merger with Interstate Waste Removal Co., Inc., a New Jersey Corporation, whose address is 720 East Butterfield Road, 4<sup>th</sup> Floor, Lombard, IL 60148 ("Grantor") and the Township of Bordentown, a municipal corporation of the State of New Jersey, whose address is 1 Municipal Drive, Bordentown, New Jersey 08505 ("Grantee").

### RECITALS:

A. Grantor is the owner of Block 134.01 Lots 14 & 15 (the "Property") as shown on the Township of Bordentown (the "Township") Tax Map. Grantee is the owner of Dunns Mill Road, a municipal roadway within the Township. Public Service Electric and Gas Company ("PSE&G") is a lessee at the Property and is seeking to develop a portion of the Property as a solar facility. As such, PSE&G applied and received Preliminary and Final Major Site Plan approval (and other forms of relief) by way of a resolution dated March 13, 2014, from the Township Planning Board (the "Approval").

B. In accordance with the Approval, PSE&G is required to construct a bike path along Dunns Mill Road adjacent to the Property for bicycle traffic (the "Bike Path").

C. In order for the Bike Path to be constructed in a proper manner, a portion of the Bike Path must be located on a portion of the Property ("Easement Area"). The Easement Area consists of approximately 6,195 sq. ft. or .1422 acres and is more particularly described in the legal description prepared by Steve D. Parent, a New Jersey Professional Land Surveyor, dated July 11, 2014, which is annexed hereto as Exhibit A.

D. Grantor has agreed to grant an easement to Grantee over the Easement Area as hereafter set forth.

**NOW, THEREFORE**, Grantor, in furtherance of the requirements of the Approval and for good and valuable consideration, does hereby covenant and agree as follows:

1. **Bike Path Easement.** Grantor grants and conveys to Grantee an easement to maintain and operate the Bike Path over the Easement Area located on the Property (the "Easement"). The Easement Area is depicted on Exhibit B which is annexed hereto. The Easement shall be perpetual, shall run with the land, shall be subject to existing covenants, conditions and restrictions of record and shall be binding upon Grantor and its personal representatives, successors in interest, lessees, and assigns.

2. **Purpose.** The Easement shall be used primarily for bicycle and pedestrian traffic. No other vehicles shall use the Bike Path except for emergency response vehicles.

3. **Costs Of Operation And Maintenance.** Grantee shall be responsible for operating, maintaining, and repairing the Easement Area ("Maintenance Obligations") as well as for the reasonable costs associated with the Maintenance Obligations. Maintenance Obligations include without limitation, the obligations of the Grantee to maintain, repair and keep in repair the paved surface of the Easement Area as well as the removal of all papers, debris, snow, ice, and refuse and thoroughly sweeping the areas to the extent reasonably necessary to keep these areas in a neat, clean and orderly condition;

4. **Enforcement.** Only the parties to this Agreement or their successors in interest shall be able to enforce this Agreement. In no way shall this Agreement be construed or interpreted to grant the public any rights to enforce this Agreement.

5. **Indemnification.** Grantee shall indemnify, defend and hold harmless Grantor from and against all suits, proceedings, actions, claims, losses, damages, costs and expenses, including without limitation, reasonable counsel fees, related to or arising from a Grantee's negligence in performing any of the obligations in connection with this Agreement.

6. **Insurance.** Grantee shall maintain (or cause to be maintained) in force and effect a general policy of liability insurance in commercially reasonable amounts but in no event less than \$1 million combined single limits naming the other party, its heirs successors and assigns, and any mortgagees, tenants or other persons or entities the other party may designate as an additional insured, & Grantee shall comply (or cause to be complied) with all laws, rules, regulations, orders and other legal requirements applicable to their respective property.

7. **Severability.** If any clause, paragraph, sentence or portion of the terms, covenants, conditions, restrictions, obligations, easements, or other provisions of this Agreement become illegal, null or void for any reason whatsoever, or are held by any court of competent jurisdiction to be so, the remaining portion of this Agreement shall remain in full force and effect.

8. **Governing Law.** This Declaration and its effects are subject to and shall be construed and enforced in accordance with the laws of the State of New Jersey.

9. **Counterparts:** This Agreement may be executed in counterparts and the Easement will become effective upon the delivery of original signatures on separate copies of the Agreement signed by all parties hereto.

**INTENDING TO BE LEGALLY BOUND**, the Grantor has caused this instrument to be duly executed, this \_\_\_\_ day of \_\_\_\_\_, 2014.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement the day and year first written above.

**WITNESS:**

\_\_\_\_\_

**WASTE MANAGEMENT OF NEW JERSEY, INC.,  
SUCCESSOR BY MERGER WITH INTERSTATE  
WASTE REMOVAL CO., INC.**

By: \_\_\_\_\_

**Name:**

**Title:**

**WITNESS:**

\_\_\_\_\_

**TOWNSHIP OF BORDENTOWN**

By: \_\_\_\_\_

**Name:**

**Title:**



RESOLUTION #2015- 229-27

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO  
AUTHORIZE FINAL COMPENSATION TO STANLEY KARA UPON RETIREMENT

WHEREAS, Stanley Kara will retire his position with the Bordentown Township Public Works Department effective September 1, 2015; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Mr. Kara's service to the Township, its residents, and the community at large is noteworthy and that Mr. Kara ends this service in good standing; and

WHEREAS, the Township Finance Department has determined that the total and final compensation due to Mr. Kara upon retirement is \$7,061.61, as detailed in the contracts between the Township of Bordentown and the Bordentown Township Public Works;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown hereby authorizes final compensation to Mr. Kara upon retirement of a total of \$7,061.61; and

BE IT FURTHER RESOLVED that the Township Committee hereby directs the Township Clerk to provide Mr. Kara a certified copy of this resolution; and

BE IT FURTHER RESOLVED that the Township Committee hereby states its wishes to Mr. Kara for a happy and healthy retirement.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15

RESOLUTION #2015-229-28

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO  
AUTHORIZE FINAL COMPENSATION TO EDWARD POTTS UPON RETIREMENT

WHEREAS, Edward Potts will retire his position with the Bordentown Township Public Works Department effective September 1, 2015; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Mr. Potts service to the Township, its residents, and the community at large is noteworthy and that Mr. Potts ends this service in good standing; and

WHEREAS, the Township Finance Department has determined that the total and final compensation due to Mr. Potts upon retirement is \$7,500.00, as detailed in the contracts between the Township of Bordentown and the Bordentown Township Public Works;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown hereby authorizes final compensation to Mr. Potts upon retirement of a total of \$7,500.00; and

BE IT FURTHER RESOLVED that the Township Committee hereby directs the Township Clerk to provide Mr. Potts a certified copy of this resolution; and

BE IT FURTHER RESOLVED that the Township Committee hereby states its wishes to Mr. Potts for a happy and healthy retirement.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15

RESOLUTION #2015-229-29

APPROVING RAFFLE LICENSE #RL:417

WHEREAS, the Bordentown Rotary Club has filed an application with the Township of Bordentown to hold a raffle at the Bordentown Elks Lodge located at 11 Amboy Road in the Township of Bordentown on October 22, 2015, 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:417 be issued to the Bordentown Rotary Club, with the stipulation that the proceeds be used towards Bordentown Rotary Club Charities and Scholarship Fund.

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15



RESOLUTION #2015-229-30

AMENDING RESOLUTION #2015-201-23 ENTITLED ESTABLISHING SALARIES AND OTHER RATES OF COMPENSATION FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN

WHEREAS, on June 22, 2015, the Township Committee of the Township of Bordentown adopted Ordinance #2015-7 entitled AN ORDINANCE TO AMEND ORDINANCE #2014-21 TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES; and

WHEREAS, this ordinance provides salary and wage increments or ranges for certain officials and employees of the Township of Bordentown; and

BE IT RESOLVED that in accordance with Ordinance #2015-7, the Township Committee does hereby establish the following annual salaries effective January 1, 2015 (or otherwise noted) for the following:

Mark Costner	Lieutenant	\$101,490.00 (1-1-15 to 9-5-15) \$104,250.00 (9-6-15 to 12-31-15)
Shawn Mount	Lieutenant	\$101,490.00 (1-1-15 to 9-5-15) \$104,250.00 (9-6-15 to 12-31-15)

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 August 17, 2015.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

08/17/15

ORDINANCE #2015-12

AN ORDINANCE TO AMEND ORDINANCE #2015-7 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 #2015-7 is hereby amended as follows:

**ANNUAL SALARIES**

CONSTRUCTION/CODE ENFORCEMENT OFFICIAL (6/1/15)	\$55,000.00 – \$115,000.00
ADMINISTRATIVE ASSISTANT 3 (EMER. MGT.) STIPEND	\$1,000.00 - \$3,000.00

**HOURLY SALARIES**

FIRE INSPECTOR	\$20.00 - \$40.00
BUILDING INSPECTOR	\$20.00 - \$40.00
ELECTRICAL INSPECTOR	\$20.00 - \$40.00
PLUMBING INSPECTOR	\$20.00 - \$40.00

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, 2015, 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.

**ORDINANCE NO. 2015-13**

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING CERTAIN FUNDED AND UNFUNDED APPROPRIATION BALANCES IN THE AMOUNT OF \$654,622.70 AND REAPPROPRIATING SAID FUNDS FOR OTHER GENERAL CAPITAL IMPROVEMENTS AND FOR OTHER PURPOSES.**

**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 the members thereof affirmatively concurring), pursuant to the Local Bond Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The following appropriations, remaining as balances in bond ordinances heretofore adopted by the Township, are hereby cancelled:

<u>Ordinance Number</u>	<u>Amount of Funded Appropriation to be Cancelled</u>	<u>Amount of Unfunded Appropriation to be Cancelled</u>
A. 2009-17, Section 3.a	\$49,997.54	\$0
B. 2009-17, Section 3.b	\$13,097.66	0
C. 2009-17, Section 3.d	\$92,320.00	0
D. 2009-17, Section 3.e	\$185,470.00	0
E. 2009-28, Section 3(a)I	\$0	\$3,251.50
F. 2015-06, Section 3(a)I	<u>\$310,486.00</u>	<u>0</u>
TOTAL	\$651,371.20	\$3,251.50

**Section 2.** The aggregate sum of \$654,622.70 is hereby reappropriated from the bond ordinances referred to in Section 1 hereof, consisting of \$651,371.20 of Funded Appropriation and \$3,251.50 of Unfunded Appropriation as follows:

- |   |              |
|---|--------------|
| a. Acquisition of Equipment and construction of Improvements for the Public Works Department, as set forth in a list on file in the office of the Township Clerk, including all work and related materials and equipment necessary therefor and incidental thereto. | \$545,953.54 |
| b. Acquisition of Equipment for the Police Department, as set forth in a list on file in the office of the Township Clerk, including all work and related materials and equipment necessary therefor or incidental thereto.   | \$108,669.16 |

**Section 3.** The Capital Budget is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Municipal Clerk and available for inspection.

**Section 4.** The improvements authorized hereby are not current expenses and are general improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 5.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 6.** This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**TOWNSHIP OF BORDENTOWN**  
**ORDINANCE NO. 2015-14**

**An Ordinance of the Township of Bordentown Authorizing the Acquisition of certain real property within the Township of Bordentown**

**WHEREAS**, acting in accordance with the provisions of the Local Lands and Buildings Law, N.J.S.A. 40A: 12-5, the Township Committee has the authority to acquire certain real property by way of conveyance from a private citizen or a private entity; and

**WHEREAS**, in conformance with the law, the Township Committee has determined that there is an opportunity to acquire certain land and that the acquisition will advance the purpose of maintaining open space area within the Township and will serve other appropriate environmental goals and governmental purposes; and

**WHEREAS**, the Township Committee has determined that the acquisition of available land within the East Haven Woods development area, which is a storm basin, located at 47 Thorntown Lane, Block 66, Lot 19.10, will serve the aforesaid governmental purposes; and

**WHEREAS**, the Township Committee has further determined that said parcel is to be dedicated Open Space and that the terms and limitations for maintenance of the same and are set forth in the proposed Agreement of Sale; and

**WHEREAS**, the terms for the acquisition of said parcel are contained in an Agreement of Sale which was negotiated with the Seller, East Haven Woods, LLC by the Township. The proposed Agreement of Sale provides that the Township shall receive \$45,000 as consideration for the acquisition of the identified parcel, which is to be dedicated as Open Space, and which shall be more particularly described in the legal description of the property incorporated in the Agreement of Sale.

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

**Section 1.** The form and terms of the proposed conveyance of the property described herein as set forth in Exhibit "A," attached hereto and made a part hereof, is hereby approved. The land to be conveyed is a storm basin which is to be dedicated Open Space. The Mayor is hereby authorized to execute and deliver the Agreement on behalf of the Township, in substantially the form attached hereto, with such changes as counsel and the Township's Director of Community Development may advise and which the Mayor shall approve, with such approval being evidenced by the Mayor's execution of the Agreement. The Township Clerk is hereby authorized to attest to the execution of the Agreement by the Mayor and to affix the corporate seal of the Township to the Agreement.

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

Introduced: August 17, 2015

Adopted:

## AGREEMENT

**THIS AGREEMENT** (the "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2015 by and between:

**EAST HAVEN WOODS, LLC**, a New Jersey corporation, having an address of 702 N. White Horse Pike, Stratford, NJ 08084 (the "Developer"); and

**Bordentown Township**, having an address of Farnsworth Avenue, NJ 08505 ("Township"); (collectively known as the "Parties")

### WITNESSETH:

**WHEREAS**, the Planning Board granted preliminary and final subdivision approval for 9 single family lots on Thorntown Lane ("Property") on 12/12/2013 Memorialized in Resolution P-2013-22 ("Resolution").

**WHEREAS**, Condition E.7 of the Resolution on Page 17 required the formation of a Homeowners Association for ownership and maintenance of the detention facilities and adjoining open space ("Open Space").

**WHEREAS**, the Planning Board Approval and Resolution was based upon plans prepared by Princeton Junction Engineering titled Preliminary/Final Major Subdivision Plans dated 11/15/13, last revised 8/26/14 ("Plans").

**WHEREAS**, the Final Plat creating the lots which are the subject of the Resolution prepared by Princeton Junction Engineering dated 11/15/13, last revised 11/16/14 was filed in the Burlington County Courthouse on 1/29/15 as map 5114773 ("Plat").

**WHEREAS**, the Developer is the current owner of the Property purchasing said Property, subject to the plans and project approvals, on 1/28/15. The Property to be conveyed to the Township is a portion of the subject parcel, namely the storm basin within the development, which is more particularly described in a legal description attached hereto as Exhibit "A."

**WHEREAS**, the Parties desire that the Township will take dedication and will perform the maintenance of the land designated as the responsibility of the Homeowners Association; and

**NOW, THEREFORE**, in consideration of the mutual covenants hereinafter contained, the parties hereto agree as follows:

1. The Developer shall pay to the Township \$5,000.00 per lot for each of the nine (9) lots to be constructed for a total payment from the Developer of \$45,000.00. The payments shall be paid in installments for each lot as a condition to the Township issuing a Certificate of Occupancy for the first individual lot and for each successive lot constructed in the East Haven Woods community.
2. The total payment from the Developer of \$45,000.00 shall be paid prior to the Township taking dedication of the Open Space.
3. During construction and prior to the acceptance by the Township Committee, the Developer shall have the continuing obligation to maintain and repair the subject parcel and have liability for any repairs or claims relating to the same until such time as the Township has formally acted upon and its action has been memorialized taking dedication of the parcel. The Township shall not have any liability whatsoever or responsibility for maintenance, repair or for any claims relating to the parcel until such time as the Developer has paid the entire sum due of \$45,000 to the Township, notwithstanding that the fact that the Township Committee may have already released the Developer's performance bond.
4. The Open Space shall not be conveyed to the Township until all improvements are accepted and the performance guaranty is released by the Township Committee. The Open Space shall be conveyed to the

Township by Deed, the form of which shall be satisfactory to the Planning Board Solicitor. In connection with the conveyance by Deed, the metes and bounds description shall be submitted for review by the Planning Board Engineer to ensure the description is accurate and satisfactory to the Planning Board Engineer. The cost of preparation and recording of the Deed of conveyance shall be borne solely by the Developer.

5. The Township shall request that the Tax Collector assign a new Block and Lot # to the area to be conveyed. If there is a cost for the preparation of a new Tax Map, the cost of the same shall be borne by the Developer.
6. The Open Space shall be conveyed by the Developer to the Township free of liens and encumbrances at the time of dedication. The Developer shall provide a title search indicating that no liens and encumbrances exist for this plot of land.
7. The Developer shall provide written confirmation that this portion of the property was included in a Phase I Environmental Study previously performed in connection with the development and that no environmental concerns were cited in the study.
8. In the event the Township's Zoning map has to be revised to reflect the changes in the use of the affected parcel, the Developer shall pay the costs for the preparation and copying of a new Zoning map. The Township will endeavor to include any such revision as part of other updates to the Township's Zoning map.
9. The Open Space dedication shall be subject to approval of the Township Engineer that the detention basin facilities and other improvements have been satisfactorily constructed and all improvements made and all "as built" plans have been signed.
10. The maintenance and repair responsibility attributable to a Homeowners Association (HOA) as contained in the Planning Board's Resolution approving the development shall be the responsibility of the Township only upon finalization of the Open Space dedication consistent with the procedure set forth in paragraphs 2-4 of this Agreement.
11. The Bordentown Township Planning Board granted Preliminary and Final Subdivision and Final Site Plan approval for the construction of 9 single family lots on Thorntown Lane ("Property") on 12/12/2013, which approval was memorialized in Resolution P-2013-22 ("Resolution"), with approval subject to certain conditions. Condition E.7 of the Resolution (Page 17) requires the formation of a Homeowners' Association for the purpose of maintenance and repair of the detention basin. The performance of the obligations under this Agreement by the Developer shall be deemed in conformance with Condition E7 of the Bordentown Township Planning Board's Resolution approving the Preliminary and Final Site Plan for this development.

**WITNESS WHEREOF**, the parties hereto have hereunto set their hands and seals and/or have caused their corporate seal to be affixed hereto the day and year first above written.

**EAST HAVEN WOODS, LLC**

By:  
Name: Jeffrey M. Goodwin  
Title: Member

Date

**BORDENTOWN TOWNSHIP**



Date

By:  
Name: James Cann  
Title: Mayor