

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: MARCH 14, 2016 TIME: 7:00 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE:	PRESENT	ABSENT	
	_____	_____	Mayor Popko
	_____	_____	Deputy Mayor Benowitz
	_____	_____	Committeeman Cann
	_____	_____	Committeeman Carson
	_____	_____	Committeeman Holliday
	_____	_____	Township Clerk Eckert
	_____	_____	Attorney Fahey
	_____	_____	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 4, 2016, 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 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 Professional Services Contract Matter: Alternate Public Defender; Professional Services Contract Matter: COAH; SRL Pipeline and Transco Compressor Station Potential Litigation; John Fityere v. Township of Bordentown; Barbara Woolley-Dillon v. Township of Bordentown and Personnel Matter: 2016 Salaries.

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 #2016-074-7 through #2016-074-22.
7. Resolution #2016-074-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 8. Resolution #2016-074-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
 9. Resolution #216-074-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 10. Resolution #2016-074-10 entitled ENDORSING ASSEMBLY BILLS SPONSORED BY THE HONORABLE RONALD S. DANCER, REGARDING CERTAIN UTILITY COMPANY RIGHTS OF WAY, INTRA-STATE NATURAL GAS PIPELINE PLACEMENT AND BPU PROCEDURES.
 11. Resolution #2016-074-11 entitled AUTHORIZING 2016 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:4-59).
 12. Resolution #2016-074-12 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.
 13. Resolution #2016-074-13 entitled APPROVING RAFFLE LICENSE #RL:425.
 14. Resolution #2016-074-14 entitled RESOLUTION TO AMEND THE SCHEDULE OF DATES AND TIMES FOR THE REGULAR MEETINGS OF THE TOWNSHIP COMMITTEE AND LOCAL BOARD OF HEALTH.
 15. Resolution #2016-074-15 entitled RESOLUTION APPROVING CHANGE ORDER NO. 2 AND AUTHORIZING FINAL PAYMENT TO ALL SURFACE ASPHALT PAVING, INC., FOR THE CHARLES BOSSERT PARK RECREATION IMPROVEMENTS, CONTRACT NO. 2 (STONE DUST PATH & SITE GRADING).
 16. Resolution #2016-074-16 entitled RESOLUTION APPROVING CHANGE ORDER NO. 1 AND AUTHORIZING FINAL PAYMENT TO GOWER&S, INC., FOR THE CHARLES BOSSERT PARK 6 PHASE 2 IMPROVEMENTS.
 17. Resolution #216-074-17 entitled RESOLUTION TO USE ALTERNATE TAX COLLECTION RATE PURSUANT TO N.J.S.A. 40A:4-41 FOR USE IN THE 2016 MUNICIPAL BUDGET.

18. Resolution #2016-074-18 entitled AMENDING RESOLUTION #2016-039-21A ENTITLED APPOINTING VARIOUS MEMBERS OF THE TOWNSHIP PROFESSIONAL STAFF: TOWNSHIP WEBMASTER AND SPECIAL COUNSEL FOR ENVIRONMENTAL MATTERS.
19. Resolution #2016-074-19 entitled APPOINTING VARIOUS MEMBERS OF THE TOWNSHIP PROFESSIONAL STAFF: SPECIAL COUNSEL FOR ENVIRONMENTAL MATTERS RELATING TO SRL PIPELINE AND TRANSCO COMPRESSOR STATION.
20. Resolution #2016-074-20 entitled RESOLUTION TO CREATE AN AD HOC COMMITTEE FOR THE PURPOSES OF REVIEWING THE NEEDS OF NEW MUNICIPAL COMPLEX.
21. Resolution #2016-074-21 entitled APPROVING AND AUTHORIZING PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE.
22. Resolution #2016-074-22 entitled APPOINTING CODE ENFORCEMENT OFFICER TRAINEE.
23. Consideration of Introduction of Ordinance #2016-4 entitled AN ORDINANCE GRANTING A FIVE (5) YEAR TAX EXEMPTION AND ABATEMENT OF LOCAL REAL PROPERTY TAXES TO EXETER 301 BORDENTOWN-HEDDING, LLC, FOR PROPERTY LOCATED AT 301 BORDENTOWN-HEDDING ROAD IN THE CENTRAL CORSSINGS BUSINESS PARK AND IDENTIFIED AS BLOCK 137.01, LOT 3.01 ON THE TAX MAP OF THE TOWNSHIP OF BORDENTOWN.
24. Consideration of Introduction of Ordinance #2016-5 entitled CALENDAR YEAR 2016 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).
25. Township Committee discussion of 2016 Capital Budget.
26. Township Committee and Staff Reports.
27. Public Participation.

Questions, comments or statements from members of the public in attendance.
28. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
29. Motion to Adjourn.

RESOLUTION #2016-074-7

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 March 14, 2016, 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.

03/14/16

RESOLUTION #2016-074-8

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 February 22, 2016, the Regular Meeting of February 22, 2016, and the Special Meeting of February 27, 2016, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected).

03/14/16

RESOLUTION #2016-074-9

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #14-00018 was redeemed on February 19, 2016, in the amount of \$478.23.

WHEREAS, US BANK C/F PC6, LLC STERLING, paid tax sale premium, in the amount of \$1,000.00 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 \$1,000.00 to US BANK C/F PC6, LLC STERLING; for Lien 14-00018, Block 116 Lot 4, commonly known as 178 Crosswicks Road.

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

**RESOLUTION 2016-074-10
TOWNSHIP OF BORDENTOWN
COUNTY OF BURLINGTON**

**ENDORING ASSEMBLY BILLS SPONSORED BY THE HONORABLE RONALD S. DANCER,
REGARDING CERTAIN UTILITY COMPANY RIGHTS OF WAY, INTRA-STATE NATURAL
GAS PIPELINE PLACEMENT AND BPU PROCEDURES**

WHEREAS, the Township of Bordentown has expressed its opposition to a certain route proposed by New Jersey Natural Gas for the installation of its "Southern Reliability Link", which route ignores the existence of a more advantageous and safer route through existing utility easements, but instead attempts to force a 700+ PSI, 30 inch pipeline through municipalities along its proposed route; and

WHEREAS, Assemblyman Ronald S. Dancer has proposed Assembly Bills 1699, 1701, 1702, 1711, 1712, 1713 and 1725, which propose:

1. As to Assembly Bill 1699, requires certain gas companies to use existing rights of way when constructing new transmission lines, where same are practicable and to further seek consent of municipalities prior to initiating certain projects;
2. As to Assembly Bill 1701, requires BPU to allow public comment at public meetings; establishes requirement for public meetings concerning the installation of natural gas conductors and related facilities.
3. As to Assembly Bill 1702, prohibits the placement of certain intra-state natural gas pipelines from being located within 100 feet of any buildings.
4. As to Assembly Bill 1711, permits construction of natural gas transmission lines on areas of preserved farmland already subject to existing utility easements under certain circumstances.
5. As to Assembly Bill 1712, deems dispute between local government and pipeline operator concerning danger posed by certain natural gas pipelines as contested case.
6. As to Assembly Bill 1713, requires BPU to hold public hearings on certain proposed intrastate natural gas pipeline; requires pipeline operator to provide written notice to property owners located within blast area of certain proposed intrastate natural gas pipelines.
7. As to Assembly Bill 1725, requires BPU to designate certain natural gas transmission lines as interstate natural gas transmission extension lines.

WHEREAS, the Township Committee has reviewed said bills, which are attached hereto and made a part of this Resolution, and endorses the efforts of Assemblyman Ronald S. Dancer to advance the interest of the public through these Bills.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey that the Township Committee hereby supports, endorses and recommends that the Assembly pass Assembly Bills 1699, 1701, 1702, 1711, 1712, 1713 and 1725; and that the State Senate enact companion legislation and that the Governor of the State of New Jersey sign into law the Bills proposed as described above.

BE IT FURTHER RESOLVED, that copies of this Resolution shall be forwarded by the Municipal Clerk of the Township of Bordentown to: Christopher J. Christie, Governor of New Jersey; Stephen M. Sweeney, Senate President; Vincent Prieto, Assembly Speaker; 15TH Legislative District, 14th Legislative District, 12th Legislative District; 11th Legislative District, 10th Legislative District, 7th Legislative District ; James V. Fakult, President of

Jersey Central Power and Light Company; Laurence M. Downes, Chairman and CEO of New Jersey Resources (parent company of New Jersey Natural Gas); Kathleen T. Ellis, Executive Vice President and COO of New Jersey Natural Gas; the New Jersey Board of Public Utilities; New Jersey Department of Environmental Protection; Burlington, Monmouth and Ocean County Boards of Freeholders; the Governing Bodies of Plumstead Township, Chesterfield Township, Lakewood Township, Upper Freehold Township and Manchester Township; and Colonel Frederick D. Thaden, Commander, Joint Base McGuire-Dix- Lakehurst.

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-11

AUTHORIZING 2016 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:4-59)

WHEREAS, various 2015 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2015 budget in the last two months of 2015; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, in the County of Burlington, State of New Jersey, that the transfers in the amount \$9,000.00 be made between the 2015 Budget Appropriation Reserves as follows:

APPRP RESRVE TRANSFERS

03.14.16

	FROM	TO
PETRO PROD - O/E	9,000.00	
TELECOMMUNICATIONS - O/E		9,000.00

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-12

RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT

WHEREAS, pursuant to N.J.S.A. 40A:4-19, the local municipal temporary budget for the year 2016 was approved on the 2nd day of January, 2016; and

WHEREAS, pursuant to N.J.S.A. 40A:4-19, appropriations made for interest and debt redemption charges, capital improvement fund and public assistance are excluded from the 26.25% of the prior year budget cap; and

WHEREAS it is desired to amend said temporary budget in order to appropriate sufficient funds for the payment of the Township's capital improvement needs;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, that the following temporary appropriation be made:

TOWNSHIP OF BORDENTOWN
Temporary Appropriations 03.14.16 NJSA 40A:4-20

	PRIOR	4,434,982.00
General Adm	S & W	10,000.00
	O / E	5,000.00
Mayor & Comm	S & W	8,500.00
	O / E	1,000.00
Clerk	S & W	18,000.00
	O / E	600.00
Financial Adm	S & W	25,000.00
	O / E	10,000.00
Audit	O / E	5,000.00
Revenue Adm	S & W	20,000.00
	O / E	3,000.00
Tax Assessment	S & W	6,000.00
	O / E	10,000.00
Legal Services	O / E	65,000.00
Engineer Svce	O / E	100.00
Econ Dev Comm	O / E	100.00
Planning Board	O / E	100.00

Twp Planner	O / E	100.00
Zone Board Adj	O / E	100.00
Comm Develop	S & W	100.00
	O / E	100.00
Mun Court	S & W	20,000.00
	O / E	1,500.00
Mun Prosecutor	O / E	9,000.00
Public Defender	O / E	100.00
Public Safety - Police Dept	S & W	275,000.00
	O / E	100.00
Public Safety - Emergency Mgt	S & W	100.00
	O / E	100.00
Streets Roads	S & W	60,000.00
	O / E	20,000.00
Solid Waste - Contractual	Contractual	20,000.00
Solid Waste - Other	O / E	100.00
Bldings & Grnds	S & W	100.00
	O / E	5,000.00
Vehicle Maint	S & W	5,000.00
	O / E	10,000.00
Pub Health Svce	O / E	100.00
Environ Comm	O / E	250.00
Green Team	O/E	100.00
Celebrate Events	O / E	5,000.00
Sr Comm Center	O/E	100.00
Rec Svcs/Prog	O/E	100.00
Condo -MAACS	O / E	20,000.00
Electricity	O / E	15,000.00
Street Lighting	O / E	15,000.00

Sewerage	O / E	100.00
Telecomm	O / E	20,000.00
Water	O / E	100.00
Gas (natural)	O / E	5,000.00
Gasoline	O / E	5,000.00
Landfill/Solid Waste	O / E	35,000.00
Veteran's Services	O / E	100.00
Liability Ins	O / E	100.00
Work Comp Ins	O / E	100.00
Work Comp- Addt Loss Fund	O / E	100.00
Emp Group Ins	O / E	200,000.00
Health Benefits Waiver	O / E	100.00
UCC	S & W	35,000.00
	O / E	100.00
Cert Comp Insp	O/E	5,500.00
Social Security (OASI)	O/E	21,000.00
Disab/Unemploy Ins		100.00
Tax Appeals	O/E	130,000.00
Recycling Tax Approp	O/E	100.00
Public Safety EMS Services	S & W	30,000.00
	O / E	10,000.00
Municipal Court Bordentown City	O/E	100.00
Solid Waste Collection -BRSD	O/E	100.00
SSRO - BRSD -	S & W	100.00
Capital Outlay / CIP		75,000.00
Total Temporary Amendmant		1,242,350.00

**Total Temporary Budget Including This
Resolution**

5,677,332.00

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal temporary budget so amended.

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-13

APPROVING RAFFLE LICENSE #RL:425

WHEREAS, the Chesterfield Townships Athletic Association, Inc., has filed an application with the Township of Bordentown to hold Instant Raffle Tickets at the Scottish Rite located at 103 Dunns Mill Road in the Township of Bordentown on May 14, 2016, 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:425 be issued to the Chesterfield Townships Athletic Association, Inc., with the stipulation that the proceeds be used to support the youth athletics of Chesterfield Township.

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-14

RESOLUTION TO AMEND THE SCHEDULE OF DATES AND TIMES FOR THE REGULAR MEETINGS OF THE TOWNSHIP COMMITTEE AND LOCAL BOARD OF HEALTH

WHEREAS, the Township Committee adopted Resolution #2016-2-15 on January 2, 2016, to establish dates and times for the regular meetings of the Township Committee and Local Board of Health; and

WHEREAS, it has been determined that this resolution needs to be amended;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby cancel the regular meeting scheduled for March 28, 2016; April 11, 2016; and April 25, 2016; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bordentown that it does hereby schedule regular meetings to be held on April 4, 2016 and April 18, 2016, to be held in the Main Meeting Room of the Municipal Building, 1 Municipal Drive, Bordentown, NJ 08505, at 7:00 p.m.

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-15

RESOLUTION APPROVING CHANGE ORDER NO. 2 AND AUTHORIZING FINAL PAYMENT TO ALL SURFACE ASPHALT PAVING, INC., FOR THE CHARLES BOSSERT PARK RECREATION IMPROVEMENTS, CONTRACT NO. 2 (STONE DUST PATH & SITE GRADING)

WHEREAS, the Township Committee, by Resolution #2014-202-14E, awarded a contract to All Surface Asphalt Paving, Inc., for the purpose of performing certain work and services with respect to the Charles Bossert Park Recreation Improvements, Contract #2, Stone Dust Path & Site Grading in the Township of Bordentown; and

WHEREAS, Turek Consulting, the Township's agent responsible for supervising the project as aforesaid, for the Township of Bordentown, has advised the Township Committee, by way of March 1, 2016, correspondence and change order request and the submission of the appropriate certification that the existing contract amount should be decreased to reflect a decrease in material necessary to complete the project by All Surface Asphalt Paving, 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 decreases the contract price by \$4,170.00 and the amended total \$57,730.00 in accordance with the terms and conditions of the aforementioned certification and March 1, 2016, 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 All Surface Asphalt Paving, Inc., in the amount of \$6,502.00.
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.

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-16

RESOLUTION APPROVING CHANGE ORDER NO. 1 AND AUTHORIZING FINAL PAYMENT TO GOWERØS, INC., FOR THE CHARLES BOSSERT PARK ó PHASE 2 IMPROVEMENTS

WHEREAS, the Township Committee, by Resolution #2015-271-20I, awarded a contract to GowerØs Inc., for the purpose of performing certain work and services with respect to the Charles Bossert Park ó Phase 2 Improvements in the Township of Bordentown; and

WHEREAS, Turek Consulting, the TownshipØs agent responsible for supervising the project as aforesaid, for the Township of Bordentown, has advised the Township Committee, by way of February 29, 2016, 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 GowerØs, 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 \$3,375.00 and the amended total \$42,550.00 in accordance with the terms and conditions of the aforementioned certification and February 29, 2016, 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 GowerØs, Inc., in the amount of \$42,550.00.
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.

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

TOWNSHIP OF BORDENTOWN
COUNTY OF BURLINGTON
RESOLUTION TO USE ALTERNATE TAX COLLECTION RATE
PURSUANT TO N.J.S.A. 40A:4-41
FOR USE IN THE 2016 MUNICIPAL BUDGET
RESOLUTION NO. 2016-074-17

WHEREAS, the Township of Bordentown experienced substantial cancellations of 2015 property taxes due to tax appeal judgments of the county taxation board pursuant to [R.S.54:3-21 et seq.](#), or the State tax court pursuant to [R.S.54:48-1 et seq.](#), and a resulting decline in the tax collection rate for the year 2015; and

WHEREAS, the use of the lower collection rate in arriving at the budget appropriation Reserve for Uncollected Taxes in the 2016 Municipal Budget would result in an unfair tax burden to the taxpayers of the Township of Bordentown; and

WHEREAS, if tax appeal judgments of the county tax board or the State tax court result in tax reductions for the previous fiscal year, the governing body of the municipality may elect to calculate the current year reserve for uncollected taxes by reducing the certified tax levy of the prior year by the amount of the adjustments resulting from those judgments; and

WHEREAS, the Division of Local Government Services, Department of Community Affairs will allow the Township of Bordentown to use the alternate collection rate for the year 2015 in calculating the budget appropriation Reserve for Uncollected Taxes in the 2016 Municipal Budget; and

WHEREAS, the collection rate for 2015 was 97.59%; 2014 was 99.01% and 2013 was 96.86%; and

WHEREAS, the average of the three previous years is 97.82%;

NOW, THEREFORE, BE IT RESOLVED that the Township of Bordentown will use the collection rate of 97.82% in calculating the 2016 Municipal Budget's appropriation for Reserve for Uncollected Taxes.

The foregoing Resolution was duly adopted by the Township Committee of the Township of Bordentown at a regular meeting held on March 14, 2016.

COLEEN ECKERT, TOWNSHIP CLERK

RESOLUTION #2016-074-18

AMENDING RESOLUTION #2016-039-21A ENTITLED APPOINTING VARIOUS MEMBERS OF THE TOWNSHIP PROFESSIONAL STAFF: TOWNSHIP WEBMASTER AND SPECIAL COUNSEL FOR ENVIRONMENTAL MATTERS

WHEREAS, the Township of Bordentown published a notice for the solicitation of proposals for professional service agreements for certain professionals to be appointed by the Township Committee; and

WHEREAS, the proposals were solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et. Seq; and

WHEREAS, prior to awarding the professional service agreements herein, the Township Committee considered six criteria that included the applicant's qualifications; general experience; specific experience with the Township of Bordentown, if any; quantified achievements within the scope and nature of the services required; compensation; and references;

NOW, THEREFORE, BE IT RESOLVED, that after receiving said proposals, the Township Committee desires to award the following professional service agreements for the year 2016:

JRS Strategies - Township Webmaster
Florio, Perrucci, Steinhardt & Fader - Special Counsel for Environmental Matters relating to
Elcon Hazardous Waste Incinerator and Waste
Management Landfill

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-19

APPOINTING VARIOUS MEMBERS OF THE TOWNSHIP PROFESSIONAL STAFF: SPECIAL COUNSEL FOR ENVIRONMENTAL MATTERS RELATING TO SRL PIPELINE AND TRANSCO COMPRESSOR STATION

WHEREAS, the Township of Bordentown published a notice for the solicitation of proposals for professional service agreements for certain professionals to be appointed by the Township Committee; and

WHEREAS, the proposals were solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et. Seq; and

WHEREAS, prior to awarding the professional service agreements herein, the Township Committee considered six criteria that included the applicant's qualifications; general experience; specific experience with the Township of Bordentown, if any; quantified achievements within the scope and nature of the services required; compensation; and references;

NOW, THEREFORE, BE IT RESOLVED, after receiving said proposals, the Township Committee desires to award the following professional service agreement effective February 24, 2016:

Genova Burns, LLC - Special Counsel for Environmental Matters relating to
SRL Pipeline and Transco Compressor Station

BE IT FURTHER RESOLVED that due to certain deadlines needing to be met, it was necessary for the Municipal Clerk to conduct an electronic poll of the Committee members to obtain approval to enter into a professional services agreement prior to a meeting; and

BE IT FINALLY RESOLVED that a majority vote of the Township Committee was received via e-mail on February 24, 2016, to enter into said agreement and a copy of each electronic vote is attached hereto, to be made part 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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-20

RESOLUTION TO CREATE AN AD HOC COMMITTEE FOR THE PURPOSES OF REVIEWING THE NEEDS OF NEW MUNICIPAL COMPLEX

WHEREAS, the Township Committee appointed the Ragan Design Group to conduct a study and provide a report relating to the needs of a new Municipal Complex; and

WHEREAS, the Ragan Design Group did, in fact, provide said study for review by the Township Committee; and

WHEREAS, it is the desire of the Township Committee to create an Ad Hoc Committee to review the report and provide its findings back to the Township Committee for further review;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby create the Municipal Complex Study Ad Hoc Committee which shall consist of the following members:

James Cann, Township Committee Member
Eric Holliday, Township Committee Member
Fred Turek, Alternate Township Engineer
Brian Johnson, Community Development Director
Frank Nucera, Jr., Chief of Police/Acting Twp. Administrator

BE IT FURTHER RESOLVED that meetings of the Municipal Complex Study Ad Hoc Committee shall be established amongst the members of the Committee and shall not be subject to the Open Public Meetings Act.

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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-21

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 175 Route 130, LLC, to LALL Restaurant, LLC, t/a The Parlour, 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 LALL Restaurant, LLC, t/a The Parlour for the premises located at 167 Route 130, and

BE IT FURTHER RESOLVED that said person-to-person transfer shall be effective as of March 15, 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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

RESOLUTION #2016-074-22

APPOINTING CODE ENFORCEMENT OFFICER TRAINEE

WHEREAS, the Township Committee has established the need to appoint a qualified candidate to the part-time position of Code Enforcement Officer Trainee to execute all duties and responsibilities related to this position; and

WHEREAS, the Township Committee is in receipt of a resume from Norman Hand, who wishes to fill this position; and

WHEREAS, it has been determined that Mr. Hand does possess the necessary qualifications to execute the duties and responsibilities of this position;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint Mr. Norman Hand to the position of Code Enforcement Officer Trainee on a part-time basis effective April 4, 2016; and

BE IT FURTHER RESOLVED that compensation shall be set at \$20.00 per hour in accordance with Ordinance #2016-3 and Mr. Hand shall work a maximum of 28 hours per week; and

BE IT FINALLY RESOLVED that said appointment shall be subject to the Rules and Regulations of the NJ 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 March 14, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/14/16

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2016-4

**AN ORDINANCE GRANTING A FIVE (5) YEAR TAX
EXEMPTION AND ABATEMENT OF LOCAL REAL
PROPERTY TAXES TO EXETER 301 BORDENTOWN-
HEDDING, LLC, FOR PROPERTY LOCATED AT 301
BORDENTOWN-HEDDING ROAD IN THE CENTRAL
CROSSINGS BUSINESS PARK AND
IDENTIFIED AS BLOCK 137.01, LOT 3.01
ON THE TAX MAP OF THE TOWNSHIP OF BORDENTOWN**

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

WHEREAS, 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

WHEREAS, in order to address the continued underutilization of the tract known as the Central Crossings Business Park (which includes Block 137.01, Lots 2, 3.01 and 3.03 and Block 138, Lots 5.01, 5.03 and 6), the Township Planning Board adopted Resolution P-2001-12 on April 12, 2001, granting General Development Plan approval for the development of approximately 1,680,000 square feet of non-residential floor space; and

WHEREAS, pursuant to Resolution P-2002-21, adopted December 12, 2002, the Township Planning Board granted preliminary and final major subdivision approval for four lots within the Central Crossings Business Park for warehouse-distribution use and preliminary and final site plan approval for these lots; and

WHEREAS, pursuant to the approvals received, Exeter 301 Bordentown-Hedding, LLC (öExeterö) undertook the development of a warehouse distribution facility consisting of an approximately 213,000 square foot commercial warehouse and related site and parking improvements located 301 Bordentown Hedding Road in the Central Crossings Business Park, and more particularly described as Block 137.01, Lot 3.01, (the öProjectö);

WHEREAS, Exeter timely filed an application with the Township requesting a five (5) year tax exemption and abatement of local real property taxes in connection with the Project; and

WHEREAS, Exeter has submitted the required application materials and application fee pursuant to N.J.S.A. 40A:21-9 and Township Ordinance 2009-19; and

WHEREAS, having reviewed Exeter's application and submission materials, the Township is satisfied that the Project to be constructed by Exeter satisfies the requirements to qualify for a five (5) year tax exemption and abatement pursuant to N.J.S.A. 40A:20-21 et seq. an Township Ordinance 2009-1

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Bordentown that:

1. Pursuant to the Laws of the State of New Jersey, N.J.S.A. 40A:21-1 et seq., and Township Ordinance 2009-19, the Township Committee of the Township of Bordentown (öCommitteeö) hereby approves the Application of Exeter for a five (5) year tax exemption and abatement for its Project constructed

on Block 137.01, Lot 3.01, 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 September 30, 2016.

2. The Committee hereby authorizes an Agreement for Payment in Lieu of Taxes in a form approved by the Township Attorney and Township Administrator to be entered into between Exeter and the Township authorizing the tax exemption and abatement and setting forth the obligations of the respective parties and payment schedule for Exeter's payment in lieu of taxes (the Agreement).
3. The Mayor, on behalf of the Township, is hereby authorized to execute, and the Township Clerk to attest and affix the seal of the Township to, the Agreement.
4. The Township Clerk shall maintain a copy of the Application and executed Agreement on file in the Township Clerk's Office; and shall forward a copy of the executed Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs within 30 days of full execution of the Agreement.
5. The tax exemption and abatement shall commence from the date of the issuance of a temporary certificate of occupancy or permanent certificate of occupancy, whichever is issued first, for the improvements and expire five (5) years thereafter.
6. The Property shall be subject to the total tax levy as more fully set forth in the Agreement.

7. The Township Tax Assessor and Township Tax Collector are hereby authorized to take any and all necessary actions granted under law to implement the provisions of this Ordinance.
8. Exeter shall provide to the Township all required information concerning construction costs and any other relevant information requested by the Township Tax Assessor or Tax Collector.
9. Exeter, or any subsequent owner of the Property, shall notify Township in writing pursuant to the notice provisions of the attached Agreement, of any alteration and/or improvements made to the Property that were not specifically approved by the Agreement as qualifying for a five (5) year tax exemption and abatement while the Agreement is in effect. Such notice shall include a description of the alterations and/or improvements, a copy of any permits issued for the alterations and/or improvements, and the total cost of said alterations and/or improvements.
10. In the event that alterations and/or improvements are made to the Property pursuant to Paragraph 8 immediately above, the additional costs shall be added to the initial cost of the development as set forth in the Application and included in the payment in lieu of taxes calculated in accordance with the terms of the Agreement.
11. Fraud or misrepresentation of material facts surrounding the Application and related documents thereto shall be grounds to rescind the Agreement *ab initio*.

12. The Ordinance shall take effect upon final passage and publication in accordance with law.

TOWNSHIP OF BORDENTOWN

ORDINANCE #2016-5

CALENDAR YEAR 2016 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq. provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5 % over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Bordentown, in the County of Burlington, finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 3.5% percent increase in the budget for said year, amounting to \$292,088.16, in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of Bordentown shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by three and a half percent, amounting to \$292,088.16, and that the CY 2016 Municipal Budget for the Township of Bordentown be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

