

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: NOVEMBER 1, 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:

- Environmental Litigation Matters: Transco Compressor Station
SRL Pipeline
- Professional Services Contract Matter: Veterans Memorial Park ó Concession/Pavillion
- 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 #2016-306-7 through #2016-306-18.
7. Resolution #2016-306-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 8. Resolution #2016-306-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
 9. Resolution #2016-306-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 10. Resolution #2016-306-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 11. Resolution #2016-306-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
 12. Resolution #2016-306-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 13. Resolution #2016-306-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 14. Resolution #2016-306-14 entitled RESOLUTION AUTHORIZING REFUND OF BUSINESS LICENSE FEE TO X-FACTOR PERSONAL TRAINING, C/O XIOMARA DUDLY.
 15. Resolution #2016-306-15 entitled RESOLUTION ACCEPTING PROPOSAL FROM J.MCHALE & ASSOCIATES, INC., TO CONDUCT APPRAISAL FOR CERTAIN TAX APPEAL FOR THE TOWNSHIP OF BORDENTOWN.
 16. Resolution #2016-306-16 entitled RESOLUTION AWARDED A CONTRACT TO ACCLAIM INVENTORY, LLC, FOR FIXED ASSET VALUATION.
 17. Resolution #2016-306-17 entitled ESTABLISHING A CHANGE FUND FOR THE CONSTRUCTION OFFICE.
 18. Resolution #2016-306-18 entitled AUTHORIZING NOVEMBER 1, 2016, BUDGET TRANSFERS.
 19. Public Hearing on Ordinance #2016-13 entitled AN ORDINANCE GRANTING PUBLIC SERVICE ELECTRIC & GAS A BLANKET UTILITY EASEMENT ON BLOCK 92, LOT 9.03.

20. Consideration of Adoption of Ordinance #2016-13 entitled AN ORDINANCE GRANTING PUBLIC SERVICE ELECTRIC & GAS A BLANKET UTILITY EASEMENT ON BLOCK 92, LOT 9.03.
21. Consideration of Introduction of Ordinance #2016-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO AMEND CHAPTER 15.16 OF THE MUNICIPAL CODE "HOUSING CODE".
22. Township Committee and Staff Reports.
23. Public Participation.

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

ALL PROPOSED LEGISLATION LISTED BELOW IS SUBJECT TO CHANGE AND IS CONSIDERED TO BE A DRAFT UNTIL IT IS OFFICIALLY ADOPTED BY GOVERNING BODY.

RESOLUTION #2016-306-7

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 November 1, 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.

11/01/16

RESOLUTION #2016-306-8

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 October 18, 2016, and the Regular Meeting of October 18, 2016, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected).

11/01/16

RESOLUTION #2016-306-9

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #13-00047 was redeemed on October 17, 2016, in the amount of \$858.84.

WHEREAS, CHRYSALIS INVESTORS LLC, paid tax sale premium, in the amount of \$900.00 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 \$900.00 to CHRYSALIS INVESTORS LLC; for Lien 13-00047, Block 138.01 Lot 13 commonly known as 76 MIRY BROOK ROAD.

JCE
11/7/16

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 November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2016-306-10

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #15-00030 was redeemed on October 17, 2016, in the amount of \$190.57.

WHEREAS, LORAMARK CAPITAL LLC, paid tax sale premium, in the amount of \$600.00 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 \$600.00 to LORAMARK CAPITAL LLC; for Lien 15-00030, Block 138.01 Lot 13 commonly known as 76 MIRY BROOK ROAD.

JCE
11/7/16

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 November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2016-306-11

AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2016 taxes in the amount of \$3816.37 to CARTER, DERRICK for Block 93.01 Lot 98 commonly known as 45 WINDINGBROOK ROAD.

11/01/16

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 November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2016-306-12

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #15-00011 was redeemed on October 20, 2016, in the amount of \$505.08.

WHEREAS, US BANK C/F PC6, LLC STERLING, paid tax sale premium, in the amount of \$700.00 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 \$700.00 to US BANK C/F PC6, LLC STERLING; for Lien 15-00011, Block 81 Lot 4 commonly known as 10 SHADY LANE.

JCE
11/7/16

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 November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2016-306-13

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #12-00021 was redeemed on October 21, 2016, in the amount of \$2,980.21.

WHEREAS, HOFFMAN, JOSEF, paid tax sale premium, in the amount of \$250.00 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 \$250.00 to HOFFMAN, JOSEF; for Lien 12-00021, Block 92.06 Lot 27.05 commonly known as 9 SO. COLONIAL DRIVE.

JCE
11/1/16

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 November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2016-306-14

RESOLUTION AUTHORIZING REFUND OF BUSINESS LICENSE FEE TO X-FACTOR PERSONAL TRAINING, c/o XIOMARA DUDLY

WHEREAS, X-Factor Personal Training applied for a business license in the amount of \$100.00 and after review of the application, the license was denied based on the business not being permitted by the landlord of the apartment complex; and

WHEREAS, Section 5.04.040 of the Bordentown Township Municipal Code states, in the event the application is not approved, the Township shall retain the sum of \$25.00 or the entire license fee, whichever is less, to defray the cost of processing the application and shall refund the balance of said fee, if any, to the applicant;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize a refund in the amount of \$75.00 to X-Factor Personal Training for the business license.

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 November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

11/01/16

RESOLUTION #2016-306-15

RESOLUTION ACCEPTING PROPOSAL FROM J. MCHALE & ASSOCIATES, INC., TO CONDUCT APPRAISAL FOR CERTAIN TAX APPEAL FOR THE TOWNSHIP OF BORDENTOWN

WHEREAS, there is a need to appoint a professional appraiser to conduct appraisal on certain properties wherein a tax appeal has been filed; and

WHEREAS, Eileen Carlos, Tax Assessor, has provided a proposal from J. McHale & Associates, Inc.; and

WHEREAS, the proposal submitted by J. McHale & Associates, Inc. is as follows:

| | |
|---|---------|
| Block 57, Lot 6: 2 Story Fitness Center - | \$3,500 |
| Block 57, Lot 6: 1 Story Field House - | \$3,500 |
| Total Proposal | \$7,000 |

WHEREAS, the Township Committee, by way of general consensus in closed session, at the October 18, 2016, meeting approved the acceptance of said proposal and this resolution formalizes the consensus; and

WHEREAS, funds are available as evidenced by the attached Certification of Availability of Funds provided by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby formalize the consensus made during the October 18, 2016, closed session meeting, approving the acceptance of the proposal submitted by J. McHale & Associates, Inc., in the total amount of \$7,000.00, to conduct appraisals for tax appeal purposes.

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 November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

11/01/16

RESOLUTION #2016-306-16

RESOLUTION AWARDDING A CONTRACT TO ACCLAIM INVENTORY, LLC, FOR FIXED ASSET VALUATION

WHEREAS, Technical Accounting Directive 85-2 requires municipalities to establish an asset inventory system and the record of fixed assets be updated on an annual basis; and

WHEREAS, Acclaim Inventory, LLC, has submitted a proposal and is qualified to perform said inventory of fixed assets; and

WHEREAS, the proposal submitted by Acclaim Inventory, LLC, in the amount of \$2,300 is below the quote requirement;

NOW, THEREFORE, BE IT RESOLVED by the Township of the Township of Bordentown that it does hereby authorize a contract with Acclaim Inventory, LLC, 8 Hamilton Avenue, Edison, NJ 08820 in an amount not to exceed \$2,300 for the purpose of conducting a Fixed Asset Valuation.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township of the Township of Bordentown at a meeting held on November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

11/01/16

RESOLUTION #2016-306-17

**TOWNSHIP OF BORDENTOWN
BURLINGTON COUNTY**

**ESTABLISHING A CHANGE FUND FOR THE
CONSTRUCTION OFFICE**

WHEREAS, a need has been determined to establish a change fund for the Bordentown Township Construction Office so change could be made available for residents paying various construction permit fees; and

WHEREAS, the approval fund amount of \$100.00 has been found to be sufficient by the Chief Financial Officer to address current transactions in the Construction Office;

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

1. The Township Committee hereby authorizes the approved amount of the account known as the "Construction Office Change Fund" of \$100.00.
2. The Township Committee hereby directs the Township Clerk to forward certified copies of this Resolution to the Chief Financial Officer and Auditor.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township of the Township of Bordentown at a meeting held on November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

11/01/16

RESOLUTION #2016-306-18

AUTHORIZING NOVEMBER 1, 2016 BUDGET TRANSFERS

BE IT RESOLVED by the Township of the Township of Bordentown that it hereby approves and authorizes the Chief Financial Officer to make the following 2016 Budget Appropriation transfers pursuant to N.J.S.A. 40A:4-58:

Budget Transfers 11.01.16

| | | From | To |
|---------------------------|-----|-----------|-----------|
| Administration | S&W | 15,000.00 | |
| Engineering | O/E | | 10,000.00 |
| P/W Buildings /Grounds | S/W | 25,000.00 | |
| Contractual / Solid Waste | O/E | | 31,000.00 |
| FICA/ Social Security | O/E | 19,500.00 | |
| Settlements / Judgements | O/E | | 18,500.00 |
| <hr/> | | | |
| | | 59,500.00 | 59,500.00 |

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township of the Township of Bordentown at a meeting held on November 1, 2016.

COLLEEN M. ECKERT, RMC, TWP. CLERK

11/01/16

ORDINANCE #2016-13

**AN ORDINANCE GRANTING PUBLIC SERVICE ELECTRIC & GAS A BLANKET
UTILITY EASEMENT ON BLOCK 92, LOT 9.03**

WHEREAS, the Township is the owner in fee simple of a certain tract of real property situate in the Township of Bordentown, County of Burlington and State of New Jersey, commonly known as Block 92, Lot 9.03 (hereinafter the "Property"); and

WHEREAS, the Property has been developed for use by the Township Department of Public Works; and

WHEREAS, in order to provide gas service to the Property, the Township must convey a blanket utility easement to Public Service Electric & Gas ("PSE&G").

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

1. The Township of Bordentown hereby grants a blanket gas utility easement to PSE&G.
2. The Mayor and Clerk are hereby authorized to sign the easement in the form attached as Exhibit A.
3. This Ordinance shall take effect upon final passage and publication in accordance with law.

ORDINANCE #2016-14

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO AMEND CHAPTER 15.16 OF THE MUNICIPAL CODE "HOUSING CODE"

Chapter 15.16: Housing Code

Sections:

15.16.010 Establishment of Code.

15.16.020 Occupancy.

15.16.030 Certificate of Conformity.

15.16.040 Enforcement.

15.16.010 Establishment of Code.

A code for the purpose of establishing standards governing supplied utilities and facilities and other physical things and conditions essential to making dwellings safe, sanitary and fit for human habitation and governing the condition of dwellings is hereby established for the township. As required by the New Jersey Laws of 1946, Chapter 21, as amended: N.J.S.A. 40:49-5.2, three copies of said code shall be on file in the office of the township clerk and the code is hereby adopted and incorporated as if fully set forth herein. The code herein adopted is commonly known and described as the "New Jersey State Housing Code."

15.16.020 Occupancy.

No person shall occupy as owner, tenant or occupant any dwelling or dwelling unit for the purpose of living therein which does not conform to the provisions of the "New Jersey State Housing Code" established in this chapter as the standard to be used in determining whether a dwelling is safe, sanitary and fit for human habitation. Every dwelling or dwelling unit shall be subject to inspection by the construction official or designated representative for compliance with the provisions of the "New Jersey State Housing Code" not earlier than 60 days nor later than 10 days prior to a change in ownership, tenancy or occupancy.

15.16.030 Certificate of Conformity.

Prior to any change in ownership or occupancy of any house, dwelling, apartment unit, boarding house unit, rooming house unit or premises, whether by transfer of title, change of renting or leasing tenants, or otherwise, which is used, partially used or intended to be used for human occupancy, a certificate of conformity shall first have been obtained from the construction official or designated representative stating that the building, or the specified portion thereof, or particular unit therein, or premises complies with the requirements of the New Jersey State Housing Code and all other codes and ordinances of township regulating and governing matters of health, sanitation, maintenance, and use of any structure for human occupancy. Such certificate of conformity shall be requested, processed, and issued in accordance with the following:

A. Application shall be made in writing by the owner or the owner's agent or representative to the construction official prior to a change in ownership or occupancy, requesting an inspection by the said construction official or designated representative, specifying the premises to be inspected, the location thereof, agent information if applicable, the name of the present owner(s) and tenant(s) and lessee(s) and the name of the prospective purchaser(s) or tenant(s) and lessee(s). The fee for such inspection shall be as set forth by Bordentown Township resolution, and shall be tendered and paid to the Construction Official with the application.

B. The requested inspection shall be made and an inspection report containing all existing violations as may be found of all township codes and ordinances regulating and governing matters of health, sanitation, maintenance, and use of any structure for human occupancy shall be set forth as separate items by the inspecting official in a written report.

C. All of said violations shall be corrected prior to any change of ownership or occupancy, or in the alternative, may be assumed by the prospective purchaser on the condition that such violations be corrected prior to occupancy and a Letter of Knowledge and Intent form must be submitted to the Construction Official signed by the prospective purchaser. Violations set forth in subsection D of this section must be corrected prior to a change in ownership or occupancy.

D. All violations which in the judgment of the inspecting official pose a positive, clear, and serious present or potential threat to the health, safety or welfare of any present or potential occupant shall be so designated upon the Inspection Report, and such violations must be corrected prior to any change in ownership or occupancy.

E. Any additional or later re-inspection(s) shall only be made upon payment of the inspection fee as set forth by Bordentown Township resolution, and shall be tendered and paid to the Construction Official.

F. The township shall not, by the performance of inspections and re-inspections required by this chapter, become or be considered to be a guarantor to any owner, purchaser, tenant or other person as to the condition of any building, unit or premises inspected, or a participant in any contractual relationship between any persons or parties as to same.

G. Upon an Inspection Report being rendered without any violation being disclosed, or upon any disclosed violation(s) being remedied and corrected prior to re-inspection, and such re-inspection being performed as required, the construction official shall issue to the applicant a certificate of conformity for the subject premises so qualifying which shall be valid until the next occurring change in ownership or occupancy, or any subsequent inspection by the construction official or his or her representative as shall disclose ordinance violations, whichever occurs first.

H. Any person who shall be the owner, purchaser, tenant, lessee, agent of owner, rental agent, or real estate agent, broker, firm, company, partnership or corporation and shall transfer, sell, buy, occupy, rent, lease or otherwise change the ownership or occupancy of any structure regulated or encompassed by this chapter without complying with the requirements concerning the obtaining of a certificate of conformity shall be subject to the penalty set forth in Chapter 1.08.

15.16.040 Enforcement.

The enforcement procedure for the "New Jersey State Housing Code" shall be as provided in Sections 15.20.040, 15.20.060 and 15.20.070, as the same shall apply to violations of said code. Penalties shall be as set forth in Chapter 1.08. Enforcement responsibilities for multiple dwellings (three or more units) shall be as established and approved by resolution and agreement between the Township of Bordentown and Fire District 1 and Fire District 2.