

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: NOVEMBER 14, 2016 TIME: 6:30 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 November 6, 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  
NJNG  
DEP Wetlands Permits
- Kevin Johnson Tax Appeal Matter Potential Litigation.
- Contract Negotiations – Consulting Services.
- Community Development Personnel Matter.
- Personnel Matter – Vacation Carryovers.

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 #2016-319-7 through #2016-319-22.
7. Resolution #2016-319-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
  8. Resolution #2016-319-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
  9. Resolution #2016-319-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
  10. Resolution #2016-319-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
  11. Resolution #2016-319-11 entitled REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS.
  12. Resolution #2016-319-12 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
  13. Resolution #2016-319-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
  14. Resolution #2016-319-14 entitled RESOLUTION AUTHORIZING PAYMENT TO BORDENTOWN TOWNSHIP EMPLOYEES FOR RABIES CLINIC.
  15. Resolution #2016-319-15 entitled RESOLUTION AUTHORIZING TUREK CONSULTING TO SUBMIT A GRANT APPLICATION UNDER THE BURLINGTON COUNTY MUNICIPAL PARK DEVELOPMENT PROGRAM.
  16. Resolution #2016-319-16 entitled A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A 2017 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE REMOVAL OF AMERICANS WITH DISABILITIES ACT (ADA) BARRIERS AT BORDENTOWN MUNICIPAL COMPLEX AND WITHIN VARIOUS MUNICIPAL RIGHTS -OF-WAYS.
  17. Resolution #2016-319-17 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

18. Resolution #2016-319-18 entitled RESOLUTION AUTHORIZING FINAL PAYMENT TO A-TEAM CONCRETE, INC., FOR REMOVAL OF ADA BARRIERS AT VARIOUS LOCATIONS.
19. Resolution #2016-319-19 entitled AMEND PUBLIC WORKS EXPANSION PROJECT PHASE 1A – FENCE AND LANDSCAPE BUFFERING WITH GOWER’S, INC., CHANGE ORDER NO. 2 FINAL.
20. Resolution #2016-319-20 entitled A RESOLUTION IN SUPPORT OF SENATE BILL S-2254 AND ASSEMBLY BILL A-3821 WHICH AFFIRMS THE LANGUAGE AND LEGISLATIVE INTENT OF THE FAIR HOUSING ACT.
21. Resolution #216-319-21 entitled AMEND PUBLIC WORKS EXPANSION – PROJECT 2, 266 CROSSWICKS ROAD WITH JOSEPH PORRETTA BUILDERS, INC. – CHANGE ORDERS NO. 7 AND 8.
22. Resolution #2016-319-22 entitled AUTHORIZING NOVEMBER 14, 2016, BUDGET TRANSFERS.
23. Public Hearing on Ordinance #2016-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO AMEND CHAPTER 15.16 OF THE MUNICIPAL CODE “HOUSING CODE”.
24. Consideration of Adoption of Ordinance #2016-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO AMEND CHAPTER 15.16 OF THE MUNICIPAL CODE “HOUSING CODE”.
25. Township Committee and Staff Reports.
26. Public Participation.  
  
Questions, comments or statements from members of the public in attendance.
27. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
28. 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 #2016-319-7

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 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.

11/14/16

RESOLUTION #2016-319-8

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 November 1, 2016, and the Regular Meeting of November 1, 2016, 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 October 2016 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Finance, and Municipal Court.

01/11/05

## **RESOLUTION #2016-319-9**

### **AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #15-00012 was redeemed on October 31, 2016, in the amount of \$305.60.

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 15-00012, Block 81 Lot 15 commonly known as 14 GREENWOOD DRIVE.

JCE  
11/14/16

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2016-319-10**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #15-00023 was redeemed on November 3, 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 15-00023, Block 116 Lot 4 commonly known as 178 Crosswicks Road

JCE  
11/14/16

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**TOWNSHIP OF BORDENTOWN**

**RESOLUTION NO. 2016-319-11**

**REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS**

WHEREAS, there exists unused balances in the following Planning or Zoning escrow account:

<b>Applicant</b>	<b>Project</b>	<b>Account No.</b>	<b>Amount</b>
Rising Sun Hotels of NJ C/O Arcon Management 2004 Route 206 Bordentown, NJ 08505	Rising Sun Hotels of NJ Block 134.01 Lots 9, 12.02	947400	\$1,592.20
Hedding Hotles LLC 22 Nostrand Road Cranbury, NJ 08512	Hedding Hotels, LLC Block 137.01 Lot 4.01	956300	\$26.78

And, **WHEREAS**, the Director of Community Development has certified that the applications and projects are complete and that the amounts listed above are nets amounts to be refunded to the Applicant after deducting any outstanding invoices which shall be paid upon closure of the account (s); and

**WHEREAS**, the Director of Community Development recommends the balances of the funds should be returned to the applicants; in accordance with N.J.S.A. 40:55D-53.2.

**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. That the Township Committee, for the aforementioned reasons, hereby directs the release of the unused balances of the escrow deposits, in the amounts indicated above, plus applicable interest, if any, in accordance with N.J.S.A. 40:55D-53.1.
2. That the Township Committee directs the Chief Financial Officer to make payment to the aforesaid applicants or owners.
3. That the Township Committee directs the Township Clerk to forward a copy of this resolution to each Applicant.

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK



**RESOLUTION #2016-319-12**

**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 \$1,376.85 to Coretitle LLC for Block 92.05 Lot 22.202 Qual C.202 commonly known as 23 Lancaster Court.

11/14/16

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

11/14/16

**RESOLUTION #2016-319-13**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #14-00003 was redeemed on November 4, 2016, in the amount of \$16,152.93.

WHEREAS, MTAG AS CUSTODIAN FOR ALTERNA FUNDING II, LLC, paid tax sale premium, in the amount of \$17,000.00 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 \$17,000.00 to MTAG AS CUSTODIAN FOR ALTERNA FUNDING II, LLC; for Lien 14-00003, Block 24 Lot 2 commonly known as 3 WILSON AVE.

JCE  
11/14/16

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

11/14/16

RESOLUTION #2016-319-14

RESOLUTION AUTHORIZING PAYMENT TO BORDENTOWN TOWNSHIP EMPLOYEES FOR RABIES CLINIC

WHEREAS, the Bordentown Township Clerk's Office holds a free rabies vaccination clinic annually for the Township of Bordentown; and

WHEREAS, it is a requirement to have writers at the clinic to fill out the appropriate rabies vaccination certificates for each dog/cat that receives a vaccination; and

WHEREAS, it has been determined by the Municipal Clerk that there is a need to extend the request for writers to the Bordentown Township employees, which will consist of a maximum of three (3) hours at an hourly rate of \$25.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize payment to any Bordentown Township employee who works the 2017 Rabies Clinic in the amount of \$25.00 per hour for a maximum of three (3) hours.

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

11/14/16

RESOLUTION #2016-319-15

RESOLUTION AUTHORIZING TUREK CONSULTING TO SUBMIT A GRANT APPLICATION UNDER THE BURLINGTON COUNTY MUNICIPAL PARK DEVELOPMENT PROGRAM

WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund (“Trust Fund”) and established a Municipal Park Development Program (“Program”) to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, the Township Committee of the Township of Bordentown desires to obtain County Municipal Park Development Program funds in the amount of \$250,000.00 to fund 2016 Dix Drive-In Park Improvements (Soccer Fields), Block 129, Lot 18, Route 206; and

WHEREAS, the Township of Bordentown is the owner of and controls the project site;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that:

1. Fred Turek of Turek Consulting, LLC, is authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;
2. The Township of Bordentown is committed to this project and will provide the balance of funding necessary to complete the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state and local government rules, regulations and statutes thereto; and
4. Fred Turek of Turek Consulting, LLC, is hereby authorized to sign and execute any required documents, agreements and amendments thereto with the County of Burlington for the approved funds; and
5. This resolution shall take effect immediately.

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

11/14/16

RESOLUTION #2016-319-16

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A 2017 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE REMOVAL OF AMERICANS WITH DISABILITIES ACT (ADA) BARRIERS AT BORDENTOWN MUNICIPAL COMPLEX AND WITHIN VARIOUS MUNICIPAL RIGHTS-OF-WAYS

WHEREAS, the Burlington County Community Development Block Grant Program has been allocated funds for fiscal year 2017 by the United States Department of Housing and Urban Development for locally determined activities; and

WHEREAS, the Township of Bordentown is a participant in the Burlington County Community Development Block Grant Program; and

WHEREAS, the removal of ADA barriers at the Bordentown Township Municipal Complex and various municipal rights-of-ways is thereby an eligible activity for expenditure of Block Grant funds under the Community Development Block Grant Regulations; and

WHEREAS, the Township of Bordentown Committee will hold a public hearing on December 1, 2016, reviewing the Block Grant Program guidelines; receiving public comment; and, considering the needs of the Township's low to moderate income population with respect to eligible activities under the Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington and State of New Jersey, that an application be submitted under the Fiscal Year 2017 Community Development Block Grant.

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

11/14/16

**RESOLUTION #2016-319-17**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #15-00020 was redeemed on November 8, 2016, in the amount of \$293.72.

WHEREAS, LORAMARK CAPITAL, LLC, paid tax sale premium, in the amount of \$800.00 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 \$800.00 to LORAMARK CAPITAL, LLC; for Lien 15-00020, Block 93.01 Lot 137 commonly known as 4 WINDINGBROOK ROAD.

JCE  
11/14/16

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

11/14/16

RESOLUTION #2016-319-18

RESOLUTION AUTHORIZING FINAL PAYMENT TO A-TEAM CONCRETE, INC., FOR  
REMOVAL OF ADA BARRIERS AT VARIOUS LOCATIONS

WHEREAS, on June 27, 2016, the Township Committee adopted Resolution #2016-179-15B, which awarded a contract to A-Team Concrete, Inc., for the Removal of ADA Barrier Removal Project in an amount not to exceed \$62,552.00; and

WHEREAS, by way of correspondence dated November 7, 2016, Turek Consulting, LLC, is recommending approval of Payment Certificate 2, which authorizes final payment to close the project;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize final payment in the amount of \$7,305.90 to A-Team Concrete, Inc., for the Removal of ADA Barriers Project.

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 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

11/14/16

RESOLUTION #2016-319-19

AMEND PUBLIC WORKS EXPANSION PROJECT PHASE 1A – FENCE AND LANDSCAPE BUFFERING WITH GOWER’S, INC., CHANGE ORDER NO. 2 FINAL

WHEREAS, the Township Committee, by Resolution #2015-068-17C, awarded a contract to Gower’s, Inc., for the purpose of performing certain work and services with respect to the Public Works Expansion Project, Phase 1A – Fence and Landscape Buffering 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 November 7, 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 to install automatic gate openers, including all required safety measures, for both the 262 and 266 Crosswicks Road Facilities; 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 \$5,820.50 and the amended total \$269,979.50 in accordance with the terms and conditions of the aforementioned certification and November 7, 2016, correspondence and request being attached hereto as Exhibit A and made part hereof by reference hereto.
2. That the Township Committee hereby directs the Township Mayor and Clerk to execute any and all documents necessary to effectuate the terms of this Resolution and which are prepared by or reviewed by the Township Attorney.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on November 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK



**RESOLUTION #2016-319-20**

**A RESOLUTION IN SUPPORT OF SENATE BILL S-2254 AND ASSEMBLY BILL A-3821 WHICH AFFIRMS THE LANGUAGE AND LEGISLATIVE INTENT OF THE FAIR HOUSING ACT**

**WHEREAS**, the Township of Bordentown supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

**WHEREAS**, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and

**WHEREAS**, in February, the Ocean County Superior Court included a distinct “gap period” analysis retroactively over an additional 16 year period, separate and apart from the normal 10 year present and prospective need; and

**WHEREAS**, the Appellate Division recently in a unanimous decision overturned the February Ocean County Superior Court decision and held that municipalities are only responsible to address the ten year present and prospective need, not any “gap period” number; and

**WHEREAS**, the New Jersey Supreme court has, for the stated purposes of, “...*judicial economy and efficiency based on the large number of actions involved. The Court makes no findings as to the reasonable probability of success on the merits, irreparable harm, or the relative hardship to the parties,*” agreed to hear an appeal of the Appellate Division ruling in late November; and

**WHEREAS**, the Fair Housing Act (FHA) and existing case law, requires that “present and prospective fair share of housing need in a given region . . . shall be computed for a 10-year period.” [N.J.S.A. 52:27D-307(c)]; and

**WHEREAS**, the “gap issue” arises out of the inability of the New Jersey Council on Affordable Housing to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and

**WHEREAS**, any retroactive “gap” obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need, and will likely result in forcing municipalities and their property taxpayers to subsidize development; and

**WHEREAS**, the issue needs a resolution which provides both certainty and an achievable path forward so municipalities can proceed with planning for and implementing their affordable housing obligations;

**WHEREAS**, Senate Bill S-2254, sponsored by Senators Greenstein and Bateman, and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, re-affirm the language and legislative intent of the Fair Housing Act, so as to preclude significant unfair impacts and instead further progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the actual provision of affordable housing.

**NOW, THEREFORE, BE IT RESOLVED**, on this                      day of                      , 2016 by the Township of Bordentown, Burlington County, that:

1. The Township of Bordentown strongly urges New Jersey Legislators to immediately reaffirm the language and legislative intent of the Fair Housing (FHA) and expressly clarify that the municipal affordable housing share in the sum of present and prospective need for the enumerated ten year period.
2. The Township of Bordentown supports Senate Bill S-2254 and Assembly Bill A-3821.
3. Copies of this resolution be distributed to the Governor, the Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, the Legislative Sponsors, Senator Diane Allen, Assemblyman Herb Conaway, Assemblyman Troy Singleton, Senator Jeff Van Drew, Senator Ronald Rice, Assemblyman Jerry Green and Assemblywoman Mila Jasey, the New Jersey League of Municipalities and New Jersey Conference of Mayors.

## Distribution List

The Hon. Diane Allen  
Senator, 7<sup>th</sup> Legislative District  
504 Rt. 130 North  
Cinnaminson, NJ 08077

The Honorable Herb Conaway  
Assemblyman, 7th Legislative District  
8008 Rt. 130 North, Bldg. C, Ste 450  
Delran, NJ 08075

The Honorable Troy Singleton  
Assemblyman, 7th Legislative District  
400 N. Church St., Suite 260  
Moorestown, NJ 08057

The Hon. Chris Christie  
Governor, State of New Jersey  
State House, PO Box 001  
Trenton, NJ 08625

The Hon. Kim Guadagno  
Lieutenant Governor, State of New Jersey  
State House, PO Box 001  
Trenton, NJ 08625

The Hon. Steve Sweeney  
President, NJ Senate  
935 Kings Highway, Suite 400  
West Deptford, NJ 08086

The Hon. Vincent Prieto  
Speaker, NJ General Assembly  
1 Hamilton Plaza, Suite 205  
Secaucus, NJ 07094

New Jersey State League of Municipalities  
222 West State Street  
Trenton, NJ 08608

New Jersey Conference of Mayors  
410 Riverview Plaza  
Trenton, NJ 08611

### Sponsors:

The Hon. Linda Greenstein  
Senator, District 14  
124 S. River Road, Suite 105  
Cranbury, NJ 08512

The Hon. Wayne DeAngelo  
Assemblyman, District 14  
4621A Nottingham Way

Hamilton, NJ 08690

The Hon. Christopher “Kip” Bateman  
Senator, District 16  
36 E. Main Street  
Somerville, NJ 08876

The Hon. Daniel Benson  
Assemblyman, District 16  
3691A Nottingham Way  
Hamilton Square, NJ 08690

The Senate Community and Urban Affairs Committee:

The Hon. Jeff Van Drew  
Chair, Senate Community & Urban Affairs Committee  
Senator, District 1  
21 South Main Street, Suite 104  
Cape May Court House, NJ 08210

The Hon. Ronald L. Rice  
ViceChair, Senate Community & Urban Affairs Committee  
Senator, District 28  
1044 South Orange Avenue  
Newark, NJ 07106

The Hon. Jennifer Beck  
Senator, District 11  
32 Monmouth Street, 3<sup>rd</sup> Floor  
Red Bank, NJ 07701

The Hon. Christopher J. Connors  
Senator, District 9  
620 West lacey Road  
Forked River, NJ 08731

The Hon. Brian Stack  
Senator, District 33  
411 Palisades Avenue  
Jersey City, NJ 07307

The Assembly Housing and Community Development Committee:

The Hon. Jerry Green  
Chair, Assembly Housing & Local Gov. Committee  
Assemblyman, District 22  
17 Watchung Avenue  
Plainfield, NJ 07060

The Hon. Mila M. Jasey  
ViceChair, Assembly Housing & Local Gov. Comm.  
Assemblywoman, District 27  
15 Village Plaza, Suite 1B  
South Orange, NJ 07079

The Hon. Robert D. Clifton

Assemblyman, District 12  
935 Highway 34, Suite 3B  
Matawan, NJ 07747

The Hon. Jamel C. Holley  
Assemblyman, District 20  
985 Stuyvesant Ave., Suite B  
Union, NJ 07083

The Hon. Patricia Egan Jones  
Assemblywoman, District 5  
515 White Horse Pike  
Audubon, NJ 08106

The Hon. Maria Rodriguez-Gregg  
Assemblywoman, District 8  
176 Route 70, Suite 13  
Medford, NJ 08055

RESOLUTION #2016-319-21

AMEND PUBLIC WORKS EXPANSION – PROJECT 2, 266 CROSSWICKS ROAD WITH JOSEPH PORRETTA BUILDERS, INC. - CHANGE ORDERS NO. 7 AND 8

WHEREAS, the Township Committee, by Resolution #2015-341-20A, awarded a contract to Joseph Porretta Builders, Inc., for the purpose of performing certain work and services with respect to the Public Works Expansion – Project 2, 266 Crosswicks Road Project 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 November 7, 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 work and materials necessary to complete the project as outlined below:

1. Change Order #7 – HVAC work for men’s room. Flex duct and register for heat and air off of existing duck work.
2. Change Order #8 – Installation of Gas Regulator as required by PSE&G, lock out regulator.

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:

3. That the Township Committee, for the aforementioned reasons, hereby amends the aforementioned contract and increases the contract price by \$3,613.90 and the amended total \$886,543.63 in accordance with the terms and conditions of the aforementioned certification and November 7, 2016, correspondence and request being attached hereto as Exhibit A and made part hereof by reference hereto.
4. That the Township Committee hereby directs the Township Mayor and Clerk to execute any and all documents necessary to effectuate the terms of this Resolution and which are prepared by or reviewed by the Township Attorney.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on November 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2016-319-22

AUTHORIZING NOVEMBER 14, 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 11.14.16**

		From	To
UCC	S&W	36,000.00	
Employee Health Ins	O/E		10,000.00
MACCS	O/E		6,000.00
Landfill / Solid Waste	O/E		20,000.00
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		36,000.00	36,000.00

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 November 14, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

11/14/16

## **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.