

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: DECEMBER 19, 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 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  
Elcon Hazardous Waste Facility

--Kevin Johnson Urban Renewal Litigation.

--CFO 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. Resolution #2016-354-6 entitled APPROVING PROMOTION TO POSITION OF POLICE SERGEANT.

--Administration of Oath of Office to Sergeant Anthony Biddle.

7. Presentation of Certificates of Appreciation to Individuals who have been Dedicated to the Opposition of the SRL Pipeline and Transco Compressor Station.

8. Administrative Review

- a. Review of agenda
- b. Review of correspondence

CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.
  - b. Questions or comments from the audience on consent agenda items.
  - c. Motion, Second and Roll Call to adopt Resolutions #2016-354-9 through #2016-354-20.
9. Resolution #2016-354-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
  10. Resolution #2016-354-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
  11. Resolution #2016-354-11 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
  12. Resolution #2016-354-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
  13. Resolution #2016-354-13 entitled ESTABLISHING THE DATE AND TIME OF THE ANNUAL REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE FOR THE YEAR 2017.
  14. Resolution #2016-354-14 entitled AUTHORIZE EXECUTION OF RELEASE WITH MEL-JIF.
  15. Resolution #2016-354-15 entitled RESOLUTION AUTHORIZING FINAL PAYMENT TO ARAWAK PAVING FOR 2014 ROAD PROGRAM.
  16. Resolution #2016-354-16 entitled RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO AN INTERLOCAL SERVICE AGREEMENT FOR ANIMAL CONTROL OFFICER.
  17. Resolution #2016-354-17 entitled A RESOLUTION TO AWARE A THREE (3) YEAR CONTRACT FOR SOLID WASTE COLLECTION SERVICES AND MUNICIPAL DUMPSTER COLLECTION SERVICES TO EXCLUSIVE SERVICE & MAINTENANCE

CO., LLC, DBA GARDEN STATE REMOVAL CO. AND A THREE (3) YEAR CONTRACT FOR SCHOOL DUMPSTER COLLECTION SERVICES TO WASTE MANAGEMENT OF NEW JERSEY, INC.

18. Resolution #2016-354-18 entitled APPROVE SHARED SERVICES AGREEMENT WITH THE BORDENTOWN REGIONAL SCHOOL DISTRICT FOR SOLID WASTE COLLECTION SERVICES.
19. Resolution #2016-354-19 entitled AUTHORIZING DECEMBER 19, 2016, BUDGET TRANSFERS.
20. Resolution #2016-354-20 entitled CANCELLATION OF 2016 BUDGET APPROPRIATIONS.
21. Technical Advisory Committee Report.
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 #2016-354-6

APPROVING PROMOTION TO POSITION OF POLICE SERGEANT

BE IT RESOLVED by the Township Committee of the Township of Bordentown that, as recommended by the Chief of Police, it does hereby promote from the Certificate of Eligibles List dated December 8, 2016, Certification Number PL161483, Patrolman Anthony Biddle, to the position of Police Sergeant effective December 24, 2016; and

BE IT FURTHER RESOLVED that compensation shall be at Police Sergeant, or \$100,180.00 in accordance with Ordinance #2013-21; and

BE IT FURTHER RESOLVED that said promotion is subject to the rules and regulations promulgated by the New Jersey 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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

12/19/16

RESOLUTION #2016-354-9

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated December 19, 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.

12/19/16

RESOLUTION #2016-354-10

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of December 5, 2016, and the Regular Meeting of December 5, 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: Community Development and Construction Office.

BE IT RESOLVED that the following reports for the month of November 2016 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Community Development, Construction Office, Finance, and Municipal Court.

12/19/16

## **RESOLUTION #2016-354-11**

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

WHEREAS, Tax Sale Certificate #15-00015 was redeemed on December 7, 2016, in the amount of \$11,032.60

WHEREAS, US BANK C/F BV002 TRST & CRDT, paid tax sale premium, in the amount of \$16,100.00 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 \$16,100.00 to US BANK C/F BV002 TRST & CRDT; for Lien 15-00015, Block 92.05 Lot 22.234 Qual C.234 commonly known as 9 Pamlico Court

JCE  
12/19/16

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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2016-354-12**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #14-00019 was redeemed on DECEMBER 14, 2016, in the amount of \$1305.93.

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 14-00019, Block 118 Lot 7.01, commonly known as 18 CEMETARY LANE.

JCE  
12/19/16

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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK



RESOLUTION #2016-354-13

ESTABLISHING THE DATE AND TIME OF THE ANNUAL REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE FOR THE YEAR 2017

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the annual Reorganization Meeting of the Township Committee for the year 2017 shall be held on January 7, 2017, at 12:00 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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

12/19/16

RESOLUTION #2016-354-14

AUTHORIZE EXECUTION OF RELEASE WITH MEL-JIF

WHEREAS, the Township of Bordentown submitted a claim for coverage to the Municipal Excess Liability Joint Insurance Fund (MEL-JIF) and its claims manager, Scibal Associates d/b/a Qual-Lynx, regarding an action entitled Barbara Wooley Dillon v. Township of Bordentown, filed in the Superior Court of New Jersey, Burlington County and identified as Docket No. BUR-L-3724-10; and

WHEREAS, the Township and the MEL-JIF have reached an agreement on the compensation to be paid to the Township for the above claim and the MEL-JIF has required a release to be executed by the Township in favor of the MEL-JIF and Scibal.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Mayor and Clerk are hereby authorized to execute the form of Release submitted by the MEL-JIF in reference to the above litigation.

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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

12/19/16

RESOLUTION #2016-354-15

RESOLUTION AUTHORIZING FINAL PAYMENT TO ARAWAK PAVING FOR 2014 ROAD PROGRAM

WHEREAS, on September 29, 2014, the Township Committee adopted Resolution #2014-272-16C, which awarded a contract to Arawak Paving for the 2014 Road Program in an amount of \$825,800.00; and

WHEREAS, by way of correspondence dated December 14, 2016, Brian Johnson, Community Development Director, is recommending approval of Payment Certificate 6, 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 \$17,653.52 to Arawak Paving for the 2014 Road Program.

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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

12/19/16

RESOLUTION #2016-354-16

RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO AN INTERLOCAL SERVICE AGREEMENT FOR ANIMAL CONTROL OFFICER

WHEREAS, the Township of Bordentown has an appointed Animal Control Officer; and

WHEREAS, the Township of Springfield and City of Burlington are in need of Animal Control Services and have expressed interest in entering into an Interlocal Services Agreement with the Township of Bordentown for Animal Control services; and

WHEREAS, said Interlocal Service Agreement has been prepared by the Township of Bordentown and has been found to be acceptable by the Township Committee of the Township of Bordentown; and

WHEREAS, N.J.S.A. 40:8A-1, et seq., the Interlocal Service Act, permits this Interlocal Service Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that the Mayor of the Township of Bordentown is hereby authorized to execute the Interlocal Service Agreement with the Township of Springfield and City of Burlington concerning Animal Control services; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officers and the Municipal Clerks of the Township of Springfield and City of Burlington.

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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

12/19/16

RESOLUTION #2016-354-17

A RESOLUTION TO AWARD A THREE (3) YEAR CONTRACT FOR SOLID WASTE COLLECTION SERVICES AND MUNICIPAL DUMPSTER COLLECTION SERVICES TO EXCLUSIVE SERVICE & MAINTENANCE CO., LLC, dba GARDEN STATE REMOVAL CO. AND A THREE (3) YEAR CONTRACT FOR SCHOOL DUMPSTER COLLECTION SERVICES TO WASTE MANAGEMENT OF NEW JERSEY, INC.

WHEREAS, the Township of Bordentown did advertise for bids for solid waste collection services for a period of three (3) years; and

WHEREAS, the bid opening was held on November 17, 2016 and three bids were received; and

WHEREAS, the bid of Exclusive Service & Maintenance Co., LLC, dba Garden State Removal Co., is the apparent low bid on the Alternate Bid #1 collection contract, (three (3) year contract, one collection day per week with two collection days per week from Memorial Day to Labor Day) inclusive of 5, 4-cubic yard dumpster containers; and

WHEREAS, the bid of Waste Management of New Jersey, Inc., is the apparent low bid on Option Bid #1 collection contract for the Bordentown Regional School Dumpsters (three (3) year contract of 4, 8-cubic yard dumpster containers and 1, 10-cubic yard dumpster container);

NOW, THEREFORE, BE IT RESOLVED by the Bordentown Township Committee, in public session this 19<sup>th</sup> day of December, 2016, that a contract for solid waste collection services for a three (3) year period beginning January 1, 2017 and ending December 31, 2019, be and hereby is awarded to Exclusive Service & Maintenance Co., LLC dba Garden State Removal Co., for the Alternate Bid #1 collection contract, (three (3) year contract, one collection day per week with two collection days per week from Memorial Day to Labor Day) inclusive of 5, 4-cubic yard dumpster containers, as stipulated in the bid specifications; and

BE IT FURTHER RESOLVED that the amount of the contract award for Alternate Bid #1 contract is \$272,275.68 for year 2017; \$289,618.08 for year 2018 and \$296,121.48 for year 2019, for a total contract amount of \$858,015.24; and

BE IT FURTHER RESOLVED by the Bordentown Township Committee, in public session this 19<sup>th</sup> day of December, 2016, that a contract for solid waste collection services for a three (3) year period beginning January 1, 2017 and ending December 31, 2019, be and hereby is awarded to Waste Management of New Jersey, Inc., for the collection of the Bordentown Regional School District dumpsters (four, 8-cubic yard dumpster containers and one, 10-yard dumpster container) with the pick-up schedule as stipulated in the bid specifications; and

BE IT FURTHER RESOLVED that the amount of the contract award for Option Bid #1 contract is \$34,272.00 for year 2017; \$35,300.37 for year 2018 and \$36,361.50 for year 2019, for a total contract amount of \$105,933.87; and

BE IT FURTHER RESOLVED that this award is subject to availability of funds in the 2017, 2018 and 2019 municipal budgets; and

BE IT FINALLY RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the Mayor and Township Clerk to execute all documents relating to the award of said contract.

**RESOLUTION NO. 2016-354-18**

**APPROVE SHARED SERVICES AGREEMENT WITH  
THE BORDENTOWN REGIONAL SCHOOL DISTRICT  
FOR SOLID WASTE COLLECTION SERVICES**

WHEREAS, the Township of Bordentown and the Bordentown Regional School District have determined the need to enter into a Shared Services Agreement for solid waste collection services; and

WHEREAS, the form of agreement for the solid waste collection services is attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey that it hereby authorizes a shared services agreement with the Bordentown Regional School District for the purpose of providing solid waste collection services; and

BE IT FURTHER RESOLVED that the term of the agreement shall be for a three year period effective January 1, 2017 and expiring December 31, 2019.

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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

12/19/16

**SHARED SERVICES AGREEMENT  
BETWEEN THE  
TOWNSHIP OF BORDENTOWN  
AND THE  
BORDENTOWN REGIONAL SCHOOL DISTRICT  
FOR SOLID WASTE COLLECTION SERVICES**

**THIS AGREEMENT entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between**

**THE TOWNSHIP OF BORDENTOWN**, a New Jersey Municipal Corporation, whose address is One Municipal Drive, Bordentown, New Jersey 08505, herein referred to as "the Township,"

AND

**THE BORDENTOWN REGIONAL SCHOOL DISTRICT**, whose principal address is 318 Ward Avenue, Bordentown, New Jersey 08505, hereinafter referred to as "the School District"

**WITNESSETH:**

**WHEREAS**, the Township of Bordentown and the Bordentown Regional School District have mutual needs with regard to solid waste disposal and the regular collection of dumpsters, and

**WHEREAS**, the Township of Bordentown has solicited bids for solid waste collection and has included an option for the collection of the dumpsters of the Bordentown Regional School District as an option for the implementation of a shared service, and

**WHEREAS**, the Township of Bordentown has, by Resolution 2016-354-\_\_\_, adopted by the Township Committee on December 19, 2016, awarded a contract to Waste Management of New Jersey, Inc. for the collection of the Bordentown Regional School District Dumpsters for a three year period beginning January 1, 2017, and ending December 31, 2019, pursuant to the requirements of the Local Public Contracts Law and subject to a shared services agreement between the Township and the School District,

**NOW, THEREFORE**, in consideration of the mutual covenants, agreements and considerations contained herein, the Township and the School District do hereby agree as follows:

A. The Township of Bordentown shall be the lead agency for the collection of solid waste with services to the Bordentown Regional School District as set forth in the specifications issued by the Township and the response to those Specifications for the servicing of the dumpsters of the School District.

B. As set forth in the relevant contract Specifications, for the Option Bid #1 contract, the collection of solid waste from the four (4) designated 8-cubic yard dumpster containers and one (1) designated 10-cubic yard container shall take place in accord with the designated pick-up schedule stipulated in the bid specifications.

C. Contract Term. The term of this Agreement shall begin on January 1, 2017, and shall end on December 31, 2019.

D. Compensation. In accordance with the bids received, compensation to the hauler is \$34,272.00 for year 2017; \$35,300.37 for year 2018 and \$36,361.50 for year 2019, for a total contract amount of \$105,933.87. The School District shall remit the required amount to the Township within ten (10) business days of the receipt of the billing.

E. Records. All billing records and performance reports shall be available for inspection by the Township or by the School District.

F. Miscellaneous

- (1) Whenever written notice is required or permitted to be given by one party to the other party pursuant to this Agreement, such notice shall be deemed to have been sufficiently given if personally delivered to the Municipal Clerk and the School Business Administrator or if mailed by way of certified or registered mail, return receipt requested, and addressed to the party to whom notice is to be given, as set forth below:

Township:

Township Clerk  
Township of Bordentown  
One Municipal Drive  
Bordentown, New Jersey 08505

School District:

School Business Administrator  
Bordentown Regional School District  
318 Ward Avenue  
Bordentown, New Jersey 08505

G. In the event that any court of competent jurisdiction shall declare any section of this agreement invalid for any reason, all other sections shall remain in full force and effect, or if the laws of the State of New Jersey relied upon to enter this Agreement or amend it to forbid such Agreements.

H. This Agreement may be modified from time to time by the written mutual agreement of the parties and by authorizing Resolutions of the Township Committee of the Township of Bordentown and the Board of Education of the Bordentown Regional School District



IN WITNESS WHEREOF, the Township and the School District have caused this Agreement to be executed by their duly authorized representatives as of the day and year first written above.

Attest:

TOWNSHIP OF BORDENTOWN  
a New Jersey Municipal Corporation

By: \_\_\_\_\_  
Colleen Eckert, RMC

By: \_\_\_\_\_  
Jill Popko, Mayor

Attest:

BORDENTOWN REGIONAL  
SCHOOL DISTRICT

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

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

RESOLUTION #2016-354-19

AUTHORIZING DECEMBER 19, 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 12.19.16**

		From	To
POLICE	S&W	17,500.00	
ADMMINISTRATION	O/E		3,000.00
EMPLOYEE HEALTH INS	O/E		14,500.00
		<hr/>	
		17,500.00	17,500.00

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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

12/19/16

RESOLUTION #2016-354-20

CANCELLATION OF 2016 BUDGET APPROPRIATIONS

WHEREAS, the following Current Fund 2016 budget appropriations remain unexpended:

Administration S&W	40,000.00
Tax Collection S&W	30,000.00
Legal O/E	30,000.00
Community Development S&W	10,000.00
Community Development O/E	65,000.00
Uniform Construction Code O/E	20,000.00
Police S&W	125,000.00
Emergency Mgmt O/E	10,000.00
P/W Streets and Roads O/E	40,000.00
P/W Vehicle Maintenance S&W	30,000.00
Petroleum Products O/E	12,500.00
PERS O/E	7,000.00
FICA O/E	7,500.00
EMS Ambulatory O/E	25,000.00
Municipal Court O/E	10,000.00
Public Defender O/E	3,000.00

Total                                      \$ 465,000.00

WHEREAS, it is necessary to formally cancel said appropriations so that such unexpended appropriations may be cancelled to budget operations:

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that the above listed unexpended appropriations of the Current Fund be cancelled.

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 December 19, 2016.

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COLLEEN M. ECKERT, RMC, TWP. CLERK