

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: APRIL 3, 2017 TIME: 7:00 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE:	PRESENT	ABSENT	
	_____	_____	Mayor Benowitz
	_____	_____	Deputy Mayor Fuzy
	_____	_____	Committeeman Cann
	_____	_____	Committeeman Holliday
	_____	_____	Committeewoman Popko
	_____	_____	George Haeuber, Interim Administrator
	_____	_____	Township Clerk Eckert
	_____	_____	Attorney Fahey
	_____	_____	Chief Financial Officer Kocian
	_____	_____	Public Works Director Buhrer

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 March 17, 2017, 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:

1. Environmental Litigation Matters: Transco Compressor Station
 SRL Pipeline
 NJNG
 Elcon Hazardous Waste Facility
2. Kevin Johnson Redevelopment Contract Matter.
3. Shared Services Contract Matter: Municipal Court and Bordentown EMS.

4. Appraisal Professional Services Contract Matter.
5. Attorney-Client Privilege Matter: Township Committee Procedures.

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 #2017-093-6 entitled INTRODUCTION OF 2017 MUNICIPAL BUDGET.
7. Township Committee discussion with Attorney Harrison regarding Transco Matters.
8. Mayor's Proclamation Recognizing Women's History Month.
9. 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 #2017-093-10 through #2017-093-32.
10. Resolution #2017-093-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 11. Resolution #2017-093-11 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS, FILING OF REPORTS AND CORRESPONDENCE.
 12. Resolution #2017-093-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 13. Resolution #2017-093-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 14. Resolution #2017-093-14 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 15. Resolution #2017-093-15 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 16. Resolution #2017-093-16 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
 17. Resolution #2017-093-17 entitled A RESOLUTION TO CANCEL TAXES.
 18. Resolution #2017-093-18 entitled A RESOLUTION TO CANCEL TAXES.
 19. Resolution #2017-093-19 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

20. Resolution #2017-093-20 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
21. Resolution #2017-093-21 entitled REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS.
22. Resolution #2017-093-22 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE RENEWAL OF THE TERM OF AN INTERLOCAL SERVICES AGREEMENT WITH BORDENTOWN CITY, MANSFIELD, CHESTERFIELD, NORTH HANOVER AND SPRINGFIELD TOWNSHIPS CONCERNING EXTRA DUTY ASSIGNMENT OF POLICE OFFICERS.
23. Resolution #2017-093-23 entitled A RESOLUTION TO AWARD A CONTRACT TO EARLE ASPHALT FOR THE DUNNS MILL ROAD RESURFACING PROJECT.
24. Resolution #2017-093-24 entitled RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BORDENTOWN REGIONAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE BORDENTOWN REGIONAL MIDDLE SCHOOL DRIVEWAY AND PARKING LOT RESURFACING PROJECT.
25. Resolution #2017-093-25 entitled RESOLUTION AUTHORIZING EMERGENCY TEMPORARY BUDGET.
26. Resolution #2017-093-26 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.
27. Resolution #2017-093-27 entitled A RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974.
28. Resolution #2017-093-28 entitled AMEND EMERGENCY REPAIR PROJECT, DUNNS MILL ROAD, WITH RICHARD T. BARRETT PAVING COMPANY – CHANGE ORDER NO. 1.
29. Resolution #2017-093-29 entitled APPROVING AND AUTHORIZING PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE.
30. Resolution #2017-093-30 entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT'S.
31. Resolution #2017-093-31 entitled RESOLUTION AUTHORIZING APPROVAL BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT TO APPLY AND PARTICIPATE IN THE LAW ENFORCEMENT SUPPORT OFFICE (LESO) 1033 PROGRAM.
32. Resolution #2017-093-32 entitled A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT FOR POLICE CAR LETTERING BETWEEN THE TOWNSHIP OF BORDENTOWN AND CITY OF BORDENTOWN.
33. Consideration of Re-Introduction of Ordinance #2017-3 entitled CALENDAR YEAR 2017 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

34. Public Hearing on Ordinance #2017-4 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 5.24 OF THE CODE OF THE TOWNSHIP OF BORDENTOWN WITH RESPECT TO BINGO AND RAFFLE LICENSES.
35. Consideration of Adoption of Ordinance #2017-4 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 5.24 OF THE CODE OF THE TOWNSHIP OF BORDENTOWN WITH RESPECT TO BINGO AND RAFFLE LICENSES.
36. Public Hearing on Ordinance #2017-5 entitled AN ORDINANCE TO AMEND ORDINANCE #2016-8 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
37. Consideration of Adoption of Ordinance #2017-5 entitled AN ORDINANCE TO AMEND ORDINANCE #2016-8 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
38. Consideration of Introduction of Ordinance #2017-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR CAPITAL IMPROVEMENTS TO REPAIR AND RESTORE THE CULVERT UNDER ORCHARD AVENUE AT GLEN ROAD AND RELATED EXPENSES AND APPROPRIATING \$775,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$737,500 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; AUTHORIZING THE APPLICATION OF THE GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF \$651,168 TO REDUCE THE AMOUNT OF OBLIGATIONS INCURRED OR TO REPAY THE OBLIGATIONS INCURRED; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.
39. Consideration of Introduction of Ordinance #2017-7 entitled AN ORDINANCE TO AMEND ORDINANCE #2016-8 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
40. Township Committee and Staff Reports.
41. Public Participation.

Questions, comments or statements from members of the public in attendance.
42. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
43. 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 #2017-093-10

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 April 3, 2017, 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.

04/03/17

RESOLUTION #2017-093-11

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of March 6, 2017, and the Regular Meeting of January 23, 2017, and March 6, 2017, 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 February 2017 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Municipal Court, Finance; and

BE IT FURTHER RESOLVED that the following items of correspondence are to be received and/or acted upon:

- a. Letter to Mayor and Committee, from the Burlington County Municipal Joint Insurance Fund, dated February 27, 2017, regarding 2016 Safety Incentive Program Awards.

04/03/17

RESOLUTION #2017-093-12

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #15-00026 was redeemed on MARCH 3, 2017, in the amount of \$20,964.03

WHEREAS, BER-LINE REALTY LLC, paid tax sale premium, in the amount of \$20,000.00 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 \$20,000.00 to BER-LINE REALTY LLC; for Lien 15-00026, Block 129 Lot 5 commonly known as 32 GEORGETOWN 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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-13

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #15-00021 was redeemed on FEBRUARY 24, 2017, in the amount of \$17621.70

WHEREAS, BER-LINE REALTY LLC, paid tax sale premium, in the amount of \$19900.00 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 \$19900.00 to BER-LINE REALTY LLC; for Lien 15-00021, Block 93.01 Lot 171 commonly known as 40 WINDINGBROOK ROAD

JCE
03/27/17

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-14

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #13-00037 was redeemed on MARCH 7, 2017, in the amount of \$32,247.19

WHEREAS, TWR AS CUST FOR EDBURY FUND 1NJ, LLC, paid tax sale premium, in the amount of \$23,500.00 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 \$23,500.00 to TWR AS CUST FOR EDBURY FUND 1NJ, LLC; for Lien 13-00037, Block 81 Lot 9 commonly known as 28 GREENWOOD DRIVE.

JCE
03/27/17

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-15

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #15-00001 was redeemed on MARCH 10, 2017, in the amount of \$4809.62

WHEREAS, DSHC ENTERPRISES LLC, paid tax sale premium, in the amount of \$1,300.00 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 \$1,300.00 to DSHC ENTERPRISES LLC; for Lien 15-00001, Block 12 Lot 2 commonly known as 580 ROUTE 206.

JCE
03/27/17

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-16

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 2017 taxes in the amount of \$1,269.15 to Marvin R. Eccleston Jr. for Block 93.02 Lot 37 commonly known as 4 Paddock Way.

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 2017 taxes in the amount of \$1,060.52 to Steven Campbell. for Block 45 Lot 12 commonly known as 20 Laurel Avenue.

04/03/17
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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-17

A RESOLUTION TO CANCEL TAXES

WHEREAS, the United States Department of Veteran Affairs has classified Marvin R. Eccleston Jr 100% Permanently and Totally Disabled.

WHEREAS, by application to Eileen Carlos, Tax Assessor in the Township of Bordentown, the said exemption is granted from February 1, 2017.

WHEREAS, N.J.S.A.54:4-3.30a – Allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has total or 100% permanent disability as defined by this statute.

WHEREAS, the following taxes must be canceled and any monies paid by the owner should be refunded.

THEREFORE BE IT RESOLVED, that the following taxes be canceled:

Block 93.02 Lot 37	2017	\$3,172.87
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BE IT RESOLVED FURTHER, that a copy of this Resolution be forwarded to the Burlington County Board of Taxation, the Treasurer of Burlington County, the Municipal/Regional School Board to advise them of the action taken by the Township Committee.

04/3/17
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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-18

A RESOLUTION TO CANCEL TAXES

WHEREAS, the United States Department of Veteran Affairs has classified Steven Campbell 100% Permanently and Totally Disabled.

WHEREAS, by application to Eileen Carlos, Tax Assessor in the Township of Bordentown, the said exemption is granted from February 6, 2017.

WHEREAS, N.J.S.A.54:4-3.30a – Allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has total or 100% permanent disability as defined by this statute.

WHEREAS, the following taxes must be canceled and any monies paid by the owner should be refunded.

THEREFORE BE IT RESOLVED, that the following taxes be canceled:

Block 45 Lot 12	2017	\$2,828.06
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BE IT RESOLVED FURTHER, that a copy of this Resolution be forwarded to the Burlington County Board of Taxation, the Treasurer of Burlington County, the Municipal/Regional School Board to advise them of the action taken by the Township Committee.

04/3/17
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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-19

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #15-00002 was redeemed on MARCH 27, 2017, in the amount of \$7,781.59

WHEREAS, US BANK C/F TOWER DBQ VI TRUST 2016-1, paid tax sale premium, in the amount of \$4,900.00 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 \$4,900.00 to US BANK C/F TOWER DBQ VI TRUST 2016-1; for Lien 15-00002, Block 27 Lot 11.03 commonly known as 57 HIGHBRIDGE ROAD.

JCE
04/03/17

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-20

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #14-00004 was redeemed on MARCH 27, 2017, in the amount of \$14,320.02

WHEREAS, MTAG SVCS C/F EMPIRE VII NJ PORT, paid tax sale premium, in the amount of \$14,000.00 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 \$14,000.00 to MTAG SVCS C/F EMPIRE VII NJ PORT; for Lien 14-00004, Block 27 Lot 11.03 commonly known as 57 HIGHBRIDGE ROAD.

JCE
04/03/17

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

TOWNSHIP OF BORDENTOWN

RESOLUTION NO. 2017-093-21

REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS

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

<u>Applicant</u>	<u>Project</u>	<u>Account No.</u>	<u>Amount</u>
NWL Transformers Mr. Jeffrey D. Patterson 312 Rising Sun Road Bordentown, NJ 08505	Solar Farm Block 137.02 Lot 5.02	975400	0.00
NWL Transformers Mr. Jeffrey D. Patterson 312 Rising Sun Road Bordentown, NJ 08505	Solar Farm Block 137.02 Lot 5.02	975401	.77
NWL Transformers Mr. Jeffrey D. Patterson 312 Rising Sun Road Bordentown, NJ 08505	Solar Farm Block 137.02 Lot 5.02	975402	911.08
NWL Transformers Mr. Jeffrey D. Patterson 312 Rising Sun Road Bordentown, NJ 08505	Solar Farm Block 137.02 Lot 5.02	975403	2.30
Kevin Beebe 30 Adirondak Road Bordentown, NJ 08505	Fence Block 138.05 Lot 29	970100	62.94
Nancy Liberman 28 Van Drive Bordentown, NJ 08505	Install a deck Block 50.02 Lot 8	982800	\$15.28
David F. Valeri 13 Elm Avenue Bordentown, NJ 08505	Bulk Variance/pool & patio Block 42 Lot 20.02	979100	\$295.36

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-093-22

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

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

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

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

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

WHEREAS, the Township of Bordentown wishes to renew the Interlocal Services Agreement in accordance with its terms until December 31, 2017;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to notify the Townships of Mansfield, Chesterfield, North Hanover and Springfield and the City of Bordentown that the Township Committee has elected to renew the agreement for the ensuing year until December 31, 2017, and provide each Township with a certified copy of this Resolution.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

RESOLUTION #2017-093-23

A RESOLUTION TO AWARD A CONTRACT TO EARLE ASPHALT FOR THE DUNNS MILL ROAD RESURFACING PROJECT

WHEREAS, three (8) bids were received by the Township Engineer on January 31, 2017, for the Dunns Mill Road Resurfacing Project; and

WHEREAS, the Township Committee has reviewed the recommendation made by the Township Engineer to award said contract to the apparent low bidder, Earle Asphalt; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby award a contract for the Dunns Mill Road Resurfacing Project to Earle Asphalt, P.O. Box 556, Farmingdale, NJ 07727 in the amount of \$312,813.13 for the Base Bid Items 1 through 27 and Alternate Bid Items 1 through 14, inclusive; and

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

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

RESOLUTION #2017-093-24

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BORDENTOWN REGIONAL SCHOOL DISTRICT BOARD OF EDUCATION FOR THE BORDENTOWN REGIONAL MIDDLE SCHOOL DRIVEWAY AND PARKING LOT RESURFACING PROJECT

WHEREAS, the Township of Bordentown has agreed to request an Alternate Bid, in conjunction with the bid process for the Dunns Mill Road Resurfacing Project, for the Bordentown Township Middle School Driveway and Parking Lot Resurfacing, in an effort to cut costs; and

WHEREAS, in order to do so, both the Township of Bordentown and the Bordentown Regional School District Board of Education must enter into a Shared Services Agreement to allow for the school district to reimburse the Township for its portion of the project;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby approve the Shared Services Agreement and further authorizes the Mayor and Township Clerk to execute the agreement on behalf of the Township of Bordentown; and

BE IT FURTHER RESOLVED that the agreement shall expire at the conclusion of the 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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

SHARED SERVICES AGREEMENT

BY AND BETWEEN BORDENTOWN REGIONAL SCHOOL DISTRICT
BOARD OF EDUCATION AND THE TOWNSHIP OF BORDENTOWN
FOR THE RESURFACING OF THE DRIVEWAY AND PARKING LOT
LOCATED AT THE BORDENTOWN REGIONAL MIDDLE SCHOOL

This Shared Services Agreement is made this 3rd day of April, 2017, by and between the Bordentown Regional School District Board of Education, with offices located at 318 Ward Avenue, Bordentown, New Jersey 08505 (“Board”), and the Township of Bordentown, with offices located at 1 Municipal Drive, Bordentown, New Jersey 08505 (“Township”).

WHEREAS, Board and Township (“Parties”) desire to enter into this Shared Services Agreement (“Agreement”) pursuant to the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. and N.J.A.C. 6A:23-1.1, et seq; and

WHEREAS, through this Agreement, the Board agrees to cover the costs proportionate to the Alternate Bid Items 1 through 14 (Bordentown Regional Middle School Driveway and Parking Lot Resurfacing); as part of the Bordentown Township’s Dunns Mill Road Resurfacing Project Bid;

NOW, THEREFORE, based on the aforementioned premises, and intending to be legally bound, in exchange for good and valuable consideration, the Parties hereby agree as follows:

Section 1. Intent. The Parties are entering into this Shared Services Agreement under authority of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., and N.J.A.C. 6A:23-1.1, et seq.

Section 2. General Description of Services. The Township shall enter into a contract with Earle Asphalt Company for project name “Dunns Mill Road Resurfacing Project”, which shall also include Alternate Bid Items 1 through 14 for the Bordentown Regional Middle School Drive and Parking Lot Resurfacing, in accordance with the schedule of total costs contained in Exhibit “A” attached hereto.

Section 3. Costs. The cost for the material and labor, as outlined in Exhibit “A”, shall be reimbursed to the Township by the Board, inclusive of the submitted bid construction cost, inspection, management and contingency allowance, in an amount not to exceed \$85,625. Payment shall be made to the Township within ten (10) days of the invoice requesting reimbursement.

Section 4. Indemnification, Release, Hold Harmless. Each party shall indemnify, defend, release and hold harmless the other party, their employees, officers, members, agents, and assigns from and against any and all losses, claims, damages, liabilities, costs, injuries, expenses, including all reasonable attorneys’ fees, and other costs which arise or relate, either directly or indirectly, from acts or omissions of the other party, its employees, officers, members, agents, assigns, in the performance or non-performance of the resurfacing/repairs under this agreement.

Section 5. Duration. Construction shall commence at the conclusion of the District’s school year and the agreement shall remain in effect through the completion of the project including final inspections performed by the Township’s engineer.

Section 6. Insurance. The Parties agree to maintain adequate insurance coverage for the provision of the Shared Services and liabilities associated with the performance of obligations under this agreement, including, but not limited to, workers compensation, comprehensive general liability, and

board liability insurance coverages. In addition, the Township will obtain a Certificate of Insurance from the contractor performing the resurfacing, which shall be designated as primary coverage, provide the above coverages up to a limit of \$1,000,000 per occurrence, and specifically name both the Board and the Township as additional insureds.

Section 8. Notices. All notices under this Agreement shall be given by regular and certified mail and shall be effective upon sending to the respect parties at the following addresses;

To Board: Bordentown Regional School District Board of Education
318 Ward Avenue
Bordentown, NJ 08505
Attn: Eloi Richardson, School Business Administrator

To Township: Township of Bordentown
1 Municipal Drive
Bordentown, NJ 08505
Attn: Colleen M. Eckert, Township Clerk

Section 9. Governing Law. This Agreement shall be construed, governed and enforced under the laws of the State of New Jersey.

Section 10. Severability. In the event any part of this Agreement is held unenforceable or void by any court or tribunal of competent jurisdiction, such determination shall not affect the enforceability of the remaining terms, which shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the date first written above.

TOWNSHIP OF BORDENTOWN

BORDENTOWN REGIONAL SCHOOL
DISTRICT BOARD OF EDUCATION

Stephen Benowitz, Mayor

,Board President

Dated:_____

Dated:_____

Attest:

Attest:

Colleen M. Eckert, RMC, Twp. Clerk

Eloi Richardson, Board Secretary

Dated:_____

Dated:_____

RESOLUTION #2017-093-25

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY BUDGET

WHEREAS, pursuant to N.J.S.A. 40A:4-19, the local municipal temporary budget for the year 2017 was approved on the 7th day of January, 2017; and

WHEREAS, it is desired to amend said temporary budget pursuant to N.J.S.A. 40A:4-20 in order to appropriate sufficient funds for down payments – Capital Improvement Fund – Other Expense;

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

Capital Improvements – Excluded from “CAPS”

Capital Improvement Fund – Other Expense	\$50,000.00
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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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

RESOLUTION #2017-093-26

RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT

WHEREAS, pursuant to N.J.S.A. 40A:4-19, the local municipal temporary budget for the year 2017 was approved on the 7th day of January, 2017; 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 04.03.17 40A:4-20

		2017
	PRIOR	\$3,128,660.00
MAYOR / COMMITTEE	S&W	4,000.00
Municipal Clerk	S&W	18,000.00
Finance	S&W	20,000.00
Tax Collection	S&W	5,000.00
Tax Assessor	S&W	3,000.00
PLANNING	O/E	2,000.00
ZONING	O/E	2,000.00
UCC	S&W	20,000.00
EMPLOYEE HEALTH	O/E	60,000.00
POLICE	S&W	175,000.00
POLICE	O/E	4,000.00
Emergency Mgmt	S&W	4,000.00
P/W - Streets Roads	S & W	40,000.00
P/W - Streets Roads	O/E	10,000.00

P/W - Vehicle Maintenance	S&W	6,000.00
P/W - Vehicle Maintenance	O / E	12,000.00
NATURAL GAS	O/E	5,000.00
Telecommunications	O/E	5,000.00
PETROLEUM PROD	O/E	10,000.00
FICA- Social Security	O / E	25,000.00
EMS - AMBULATORY	S & W	30,000.00
EMS - AMBULATORY	O / E	2,000.00
MUNICIPAL COURT	S & W	30,000.00
		492,000.00
TOTAL INCLUDING THIS RESOLUTION		\$3,620,660.00

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

RESOLUTION #2017-093-27

A RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974

BE IT RESOLVED AND ENACTED, by the Township Committee of the Township of Bordentown, County of Burlington and State of New Jersey to authorize an Agreement with Burlington County for cooperative participation in the Community Development Act of 1974.

- SECTION I. Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and
- SECTION II. It is necessary to establish a legal basis for the County and its people to benefit from this Program; and
- SECTION III. An Agreement has been proposed under which the Township of Bordentown and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq.; and
- SECTION IV. It is in the best interest of the Township of Bordentown that the Agreement entitled "Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities", a copy of which is on file at the Municipal Clerk's office; and
- SECTION V. The Township of Bordentown shall enter into the Agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the Township of Bordentown and affix thereunto the Official Seal; and
- SECTION VI. All resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency; and
- SECTION VII. This Resolution shall take effect immediately after passage and publication as provided by law.

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

RESOLUTION #2017-093-28

AMEND EMERGENCY REPAIR PROJECT, DUNNS MILL ROAD, WITH RICHARD T. BARRETT
PAVING COMPANY - CHANGE ORDER NO. 1

WHEREAS, the Township Committee, by Resolution #2017-065-19, awarded a contract to Richard T. Barrett Paving Company, for the purpose of performing certain work and services with respect to the Emergency Repair Project, Dunns Mill Road, 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 15, 2017, 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 additional work necessary to complete the project; 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 \$1,320.00 and the amended total \$11,200.00 in accordance with the terms and conditions of the aforementioned certification and March 15, 2017, 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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

RESOLUTION #2017-093-29

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 LALL Restaurant, LLC to 175 Route 130, LLC, for the premises located at 167 Route 130; and

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

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

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

BE IT FURTHER RESOLVED that said person-to-person transfer shall be effective as of April 4, 2017.

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

RESOLUTION #2017-093-30

RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT'S

WHEREAS, the Township Committee of the Township of Bordentown has determined the need to appoint additional part-time (per diem) EMT's;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint the following part-time EMT's effective April 4, 2017:

Andrew Liblin
Robert Carr, Jr.

BE IT FURTHER RESOLVED that compensation shall be set at \$12.50 per hour in accordance with Ordinance #2016-8.

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

RESOLUTION #2017-093-31

RESOLUTION AUTHORIZING APPROVAL BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT TO APPLY AND PARTICIPATE IN THE LAW ENFORCEMENT SUPPORT OFFICE (LESO) 1033 PROGRAM

WHEREAS, Congress authorized the 1033 Program to make use of excess Department of Defense (DoD) equipment by making it available at the local, county and state level. This excess DoD equipment has been purchased with taxpayer funds. Law enforcement may request resources from this program. The Defense Logistics Agency (DLA) mandates that all acquired 1033 equipment be under the control of the requesting law enforcement agency. The equipment may enhance community preparedness, response, a resiliency while off-setting the costs in a time of fiscal constraints; and

WHEREAS, Senate Bill 2364(a) requires that all local or county law enforcement agencies be approved by resolution by the majority of the full membership of the governing body prior to the transmittal of 1033 Program application. The DLA requires that applications for program participation be submitted every 365 days; and

WHEREAS, in this era of fiscal constraint, participation in the 1033 Program allows local units to obtain equipment that they might not otherwise be able to afford, and to prepare for, respond to, and recover from incidents of terrorism, counter drug interdiction, and natural disaster such as hurricanes and severe floods, by complying with Sections 2(A) and 2(B) of Senate Bill 2364; and

WHEREAS, the Township Committee of the Township of Bordentown, in complying with Senate Bill No. 2364 sections 2(b), finds that the Bordentown Township Police Department may request and acquire any Demilitarization (DEMIL) items with a code of A and Q with an Integrity Code of 6, without restriction and additional resolutions from the Township Committee; and

WHEREAS, the Township Committee of the Township of Bordentown, in complying with Senate Bill 2364 sections 2(b), finds that the Bordentown Township Police Department may request and acquire any Demilitarization (DEMIL) items with a code of B through G and items with a Code of Q with an Integrity Code of 3 without restriction and additional resolutions from the Township Committee; and

WHEREAS, the Bordentown Township Police Department shall be in accordance with all terms, conditions and requirements set forth by the New Jersey Office of Emergency Management-Law Enforcement Support Office State Plan of Operation and Memorandum of Agreement; and

WHEREAS, it is in the best interest of the residents of the Township of Bordentown that the Bordentown Township Police Department apply and participate in the LESO 1033 Program;

NOW, THEREFORE, BE IT RESOLVED that on this 3rd day of April, 2017, the Mayor and Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, hereby authorizes and approves the Bordentown Township Chief of Police and his authorized Points of Contact (POC) to apply, enroll, and to continue to participate in the Department of Defense-Defense Logistics Agency-Law Enforcement Support Office/1033 Program, complying with Section 2(a) and 2(b) of Senate Bill No. 2364.

RESOLUTION #2017-093-32

A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT FOR POLICE CAR LETTERING BETWEEN THE TOWNSHIP OF BORDENTOWN AND CITY OF BORDENTOWN

WHEREAS, the Township of Bordentown is agreeable to contract with the City of Bordentown to provide Police car lettering to the City of Bordentown; and

WHEREAS, the Township of Bordentown has agreed to provide these services to the City of Bordentown at prices listed in the agreement; and

WHEREAS, such agreements are authorized pursuant to N.J.S.A. 40A:65-1 et seq; and

WHEREAS, this agreement is in the best interest of the Township of Bordentown;

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 Shared-Services Agreement between the Township of Bordentown and the City of Bordentown as stated above is authorized and accepted and the proper officials of the Township of Bordentown are authorized to execute this Agreement; and

BE IT FURTHER RESOLVED that the agreement shall take effect upon the execution of agreement by the parties in accordance with N.J.S.A. 40A:65-1 et seq.; and

BE IT FURTHER RESOLVED that a copy of this resolution and agreement shall be forwarded to the Director of the Division of Local Government Services pursuant to N.J.S.A. 40A:65-4(3)b.

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 April 3, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/03/17

SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF BORDENTOWN AND THE CITY OF BORDENTOWN FOR POLICE CAR LETTERING

THIS SHARED SERVICES AGREEMENT is made this 3rd day of April, 2017, by and between the Township of Bordentown, having its municipal offices at 1 Municipal Drive, Bordentown, NJ 08505 and the City of Bordentown, having its municipal offices at 324 Farnsworth Avenue, Bordentown, NJ 08505;

WHEREAS, the City of Bordentown desires to contract with the Township of Bordentown for the provision of police car lettering services on an “as needed” basis; and

WHEREAS, the Township of Bordentown is agreeable to providing the services as described to the City of Bordentown for a fee; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. permits local units of this State to enter into a contract with any other local unit for the joint provisions within their combined jurisdictions of any service which any party to the agreement is empowered to render within its jurisdiction; and

WHEREAS, the City of Bordentown and the Township of Bordentown have authorized and approved of this Agreement by resolution duly adopted pursuant to N.J.S.A. 40A:65-5 of the Uniform Shared Services Consolidation Act;

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein, the parties hereto agree as follows:

1. Term. This Agreement shall take effect upon both parties duly adopting a resolution authorizing same and shall remain in effect until December 31, 2017. The Agreement may be renewed on an annual basis.
2. Scope of Services and Fees. The Township of Bordentown shall provide police car lettering services to the City of Bordentown as follows:

Vinyl	\$200.00
Initial Design*	\$100.00
Set up	\$75.00
Labor	\$150.00
Other Material and Ink	\$50.00

*Initial design is only for the first car and will not be Charged on future cars.

3. Billing and Payment. The Township of Bordentown shall provide the City of Bordentown with itemized billings of all costs. Payment shall be due from the City of Bordentown within 30 days of the date of billing.
4. Liability. The City of Bordentown and the Township of Bordentown shall be responsible for acts of their own negligence consistent with the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq. arising out of or related to performance of any activity under the terms of this Agreement.

5. Each party shall provide the other in writing with sixty (60) days notice if it desires to continue services and negotiate a new contract for the succeeding year.

IN WITNESS WHEREOF, parties of the Agreement have caused it to be signed by their proper officers and their corporate seals to be affixed as of the day and year set forth above.

ATTEST: (Affix Seal)

CITY OF BORDENTOWN

Grace Archer, City Clerk

Joseph Malone, Mayor

Dated:

Dated:

ATTEST: (Affix Seal)

TOWNSHIP OF BORDENTOWN

Colleen M. Eckert, Twp. Clerk

Stephen Benowitz, Mayor

Dated:

Dated:

TOWNSHIP OF BORDENTOWN

ORDINANCE #2017-3

CALENDAR YEAR 2017 "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 .5% 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 2017 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 \$307,560.00, 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 2017 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 3.5 percent, amounting to \$307,560.00, and that the CY 2017 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.

**TOWNSHIP OF BORDENTOWN
BURLINGTON COUNTY**

**AN ORDINANCE OF THE TOWNSHIP OF
BORDENTOWN AMENDING CHAPTER 5.24 OF
THE CODE OF THE TOWNSHIP OF BORDENTOWN
WITH RESPECT TO BINGO AND RAFFLE LICENSES**

ORDINANCE NO. 2017-4

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

SECTION I. INTRODUCTION.

Township Committee desires to amend the Township Code to provide for the Township Clerk to be the issuing authority responsible for approving bingo and raffle licenses and to otherwise amend the Township Code with respect to bingo and raffle licensing.

SECTION II.

The Township Committee hereby amends Chapter 5.24 of the Township Code, entitled "Bingo and Raffles" as follows:

- a) Sections 5.24.010 through 5.24.030 shall be deleted and replaced with the following:

5.24.010. Purpose; administration

This chapter is for the purpose of regulating all games of chance held, operated or conducted within the township, pursuant to Acts of the Legislature of the State of New Jersey known as the "Bingo Licensing Law", N.J.S.A. 5:8-24 et seq., and the "Raffles Licensing Law" N.J.S.A. 5:8-50 et seq., and in accordance with the rules and regulations issued or to be promulgated by the Legalized Games of Chance Control Commission in the Department of Law and Public Safety of the State of New Jersey. All applications, licenses and proceedings in connection therewith shall be subject to the provisions of such Acts and the rules and regulations and any laws, rules and regulations hereafter enacted and shall be further subject to the provisions of this chapter.

5.24.020. Issuing authority

The issuing Authority, as the same is defined in N.J.S.A. 5:8-24 et seq and N.J.S.A. 5:8- 50 et seq, responsible for approving bingo and raffle licenses shall be the Municipal Clerk.

5.24.030. Conduct of games on Sunday.

Licensees authorized by law to conduct any games of chance, including raffles and bingo, shall be permitted to conduct the same on any day of the week, including Sundays as provided by N.J.S.A. 5:8-31 and N.J.S.A. 5:8-58.

5.24.040. Application.

The issuing authority shall approve or deny all applications for bingo or raffle licenses with due expedition after the filing of the application. Applications must be filed with the Municipal Clerk together with required fees pursuant to law. The applicant shall demonstrate in writing compliance with the provisions of all applicable laws and regulations.

5.24.050. Organizations eligible for license.

No license to conduct a game of chance as authorized by law shall be issued to any organization not having a bona fide sites established in good faith within the State of New Jersey and actively engaged in serving one or more of the authorized purposes as defined by the rules and regulations of the Legalized Games of Chance Control Commission.

5.24.060. Suspension or revocation of license.

The governing body, pursuant to N.J.S.A. 5:8-30 and N.J.S.A. 5:8-57, may suspend and revoke any issued bingo or raffle license, after a hearing, for any violation of this chapter or state law. The governing body may suspend the operation of a bingo or raffle pending hearing, in which case a hearing must be held within five days after such action. Notice of a hearing shall be served personally upon an officer of the licensee or the member in charge of the conduct of the bingo or raffle or sent by registered mail or certified mail to the licensee at the address shown on the license. All decisions and findings by the governing body regarding the suspension or revocation of a bingo or raffle license shall be in writing.

5.24.070. Fees.

The fees payable by law shall be as established by the rules and regulations of the Legalized Games of Chance Control Commission. All fees under this section payable to the Township of Bordentown by nonprofit entities engaged in nonprofit activities in the Township of Bordentown shall be one-half of the State mandated fee.

5.24.080. Violations and penalties.

Any person who violates any of the provisions of this chapter, upon conviction, shall be subject to the penalties as provided in the New Jersey Administrative Code.

SECTION III.

This Ordinance shall take effect upon final passage and publication according to law.

SECTION IV.

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION V.

If any section, paragraph, subdivision, clause or provisions of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

ORDINANCE #2017-5

AN ORDINANCE TO AMEND ORDINANCE #2016-8 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

BE IT ORDAINED an enacted Ordinance by the Township Committee of the Township of Bordentown, County of Burlington and State of New Jersey, as follows:

SECTION 2. Section 2 of Ordinance #2016-8 is hereby amended as follows:

ANNUAL SALARIES

CHIEF FINANCIAL OFFICER	5,000.00– 121,000.00
CONSTRUCTION/CODE ENFORCEMENT OFFICIAL	40,000.00 –115,000.00

SECTION 24. Effective date/effective duration. This ordinance shall take effect immediately upon final passage and publication according to law, and shall remain in effect until such time as amendments are required. No rights are created beyond the effective period of this ordinance.

SECTION 7. Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. Severability. In the event that any portion of this ordinance is determined to be invalid, such determination shall not affect the remaining portions of the ordinance, which are hereby declared to be severable.

ORDINANCE NO. 2017-6

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR CAPITAL IMPROVEMENTS TO REPAIR AND RESTORE THE CULVERT UNDER ORCHARD AVENUE AT GLEN ROAD AND RELATED EXPENSES AND APPROPRIATING \$775,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$737,500 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; AUTHORIZING THE APPLICATION OF THE GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF \$651,168 TO REDUCE THE AMOUNT OF OBLIGATIONS INCURRED OR TO REPAY THE OBLIGATIONS INCURRED; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), AS FOLLOWS:

Description of Projects

The Township of Bordentown, in the County of Burlington, New Jersey (the "Township") hereby authorizes the development, construction and installation of repairs to the culvert under Orchard Avenue at Glen Road to repair damage caused, in whole or in part, by Superstorm Sandy together with all appurtenances, work and material necessary or incidental thereto (collectively, the "Project").

Appropriation for Projects - Down Payment

The Township hereby appropriates the sum of \$775,000 for the purpose of paying the costs of the Project, including the sum of \$37,500 which is hereby appropriated as the down payment for said purposes pursuant to the Local Bond Law (constituting Chapter 169 of the 1960 Laws of New Jersey, as amended). It is hereby determined and stated that the amount of the down payment is not less than five percent (5%) of the obligations authorized by this Ordinance and that the amount appropriated as a down payment has been made available prior to final adoption of this Ordinance by provisions in prior or current budgets of the Township for capital improvements and down payments.

Useful Life

It is hereby determined and stated that the period of usefulness for the Project is not less than 10 years.

Estimated Cost

It is hereby determined and stated that the estimated cost of the improvements described in Section 1 hereof is \$775,000, that the amount of this appropriation is \$775,000 and that such estimated cost includes the aggregate amount of \$50,000 for items of expense permitted to be included in the cost of said improvements under Section 20 of the Local Bond Law, including engineering and inspection costs, legal expenses, accounting, printing and other expenses of authorizing and issuing the obligations hereinafter authorized, interest on the obligations and other expenses as set forth in said Section 20 of the Local Bond Law.

General Improvement Projects

The Projects described in Section 1 hereof shall be undertaken as general improvement projects, no part of the cost of which has been or shall be assessed against properties benefited thereby. It is hereby determined and stated that the purposes described in Section 1 hereof are not current expenses and are improvements which the Township may lawfully make as general improvements.

Authorization of Bonds

For the purpose of financing a portion of the costs of the improvements authorized in Section 1 hereof, there is hereby authorized pursuant to the Local Bond Law the issuance of bonds of the Township in an aggregate principal amount not to exceed \$737,500.

The Chief Financial Officer of the Township and the Mayor of the Township are hereby authorized and directed to execute all bonds authorized under this Ordinance on behalf of the Township and the Township Clerk is hereby authorized and directed to affix to such bonds the seal of the Township and to attest the same. The Chief Financial Officer of the Township is authorized to deliver all such bonds to the purchaser thereof against receipt of the purchase price therefor. All such Township officials are authorized to take such other action and execute such other documents as may be necessary or appropriate to effect the issuance or delivery of the bonds authorized under this Ordinance.

Authorization of Notes

Pending the issuance of the bonds authorized in Section 6(a) hereof, there is hereby authorized the issuance of bond anticipation notes of the Township in an aggregate principal amount not to exceed \$737,500; provided, however, that if bonds are issued pursuant to Section 6(a) hereof, the aggregate amount of notes authorized to be issued under this Section 7(a) shall be reduced by an amount equal to the principal amount of bonds so issued.

If the aggregate principal amount of outstanding obligations issued pursuant to Section 6(a) and Section 7(a) hereof shall at any time exceed \$737,500 the proceeds thereof shall, to the extent of such excess, be applied to the payment of the obligations then outstanding. Whenever funds have been deposited with a bank or trust company and committed or reserved for the payment thereof, the principal amount of the obligations for which sufficient funds have been so deposited shall be deemed no longer outstanding under this Ordinance.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Township. The Chief Financial Officer shall determine all other matters in connection with notes pursuant to this Ordinance, and the execution of the notes on behalf of the Township shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer of the Township is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer of the Township is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this Ordinance is made. Such report must include the amount, the interest rate and the maturity schedule of the notes sold, the price obtained and the name or names of the purchasers.

Supplemental Debt Statement

It is hereby determined that the Supplemental Debt Statement required pursuant to the Local Bond Law has been duly filed in the Office of the Township Clerk prior to the passage on first reading of this Ordinance, that a complete executed duplicate thereof has been duly filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the final passage of this Ordinance, and that said Supplemental Debt Statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of obligations hereunder in the amount of \$737,500 and that the issuance of the obligations authorized by this Ordinance is within all the debt limitations prescribed by the Local Bond Law

Amendment of Capital Budget

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The amended capital budget and capital program as approved by the

Director of the Division of Local Government Services is on file with the Township Clerk and is available in the office of said Clerk for public inspection.

Pledge of Credit and Taxes

For the punctual payment of the principal of and interest on all obligations authorized to be issued by this Ordinance, the entire full faith, credit and taxing power of the Township is hereby irrevocably pledged. The obligations shall be direct, unlimited general obligations of the Township, and, unless paid from other sources, the Township shall levy ad valorem taxes upon all taxable property within the Township for the payment of the principal of and interest on the obligations without limitation as to rate or amount.

Covenant as to Federal Income Tax Exemption

The Township hereby covenants with the owners of all obligations authorized to be issued by this Ordinance not to take or omit to take any action so as to cause interest on the obligations to be no longer exempt from federal income taxes. The Township further covenants with the owners of the obligations that it will not authorize or make any prohibited payment or any investment of any proceeds of any obligations or make any other use of such proceeds which would cause such obligations to be "arbitrage bonds" as such term is defined in Section 148 of the Internal Revenue Code of 1986 as the same may be amended or superseded from time to time and the regulations issued thereunder, and the Township further covenants to rebate to the United States Treasury any excess earnings on the gross proceeds of such obligations, as necessary, and to otherwise comply with said Section 148 and said regulations throughout the term of all such obligations.

Official Intent

The Township reasonably expects to reimburse itself from proceeds of the obligations authorized by this Ordinance for capital expenditures with respect to the Projects initially paid for from current or other available funds of the Township. This constitutes a declaration of "official intent" within the meaning of Treasury Regulations §1.150-2. The Township hereby certifies that this declaration is reasonable on the date hereof in that (i) it is consistent with the budgetary and financial circumstances of the Township, (ii) no funds (other than the proceeds of the obligations authorized by this Ordinance) are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Township pursuant to its budget or financial policies with respect to the capital expenditures to be reimbursed, and (iii) the Township does not have a pattern of failing to reimburse itself for capital expenditures actually paid and for which an official intent was declared, other than due to unforeseeable extraordinary circumstances beyond the Township's control. The Township acknowledges that in order to reimburse itself for capital expenditures incurred with respect to the Projects, the obligations authorized by this Ordinance must be initially issued not later than eighteen months after the later of the date the relevant capital expenditure is initially paid or the date the relevant capital improvement is placed into service.

Grants

To the extent that the Township receives grants in aid of the Project, including the grant expected to be received from the Federal Emergency Management Agency in the amount of \$651,168, any such grant proceeds from time to time received by the Township shall be used for financing the Project for which such grant was made by application thereof either to direct payment of the costs of the Project, or to payment, or reduction of the authorization, of the obligations of the Township authorized therefor by this Ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of the Project shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Ordinance.

Subsequent Resolutions

Pursuant to Section 16 of the Local Bond Law, all matters with respect to the obligations authorized by this Ordinance not contained or determined in this Ordinance, including, without limitation, the maturity or maturities, rate or rates of interest and redemption provisions thereof, may be determined by resolution or resolutions hereafter to be adopted in the manner provided by law.

[END OF TEXT ON THIS PAGE]

Effective Date

This Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

THE TOWNSHIP OF BORDENTOWN IN THE COUNTY OF
BURLINGTON, NEW JERSEY

Introduction:

Enactment:

Attest: _____

Mayor

ORDINANCE #2017-7

AN ORDINANCE TO AMEND ORDINANCE #2016-8 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

BE IT ORDAINED an enacted Ordinance by the Township Committee of the Township of Bordentown, County of Burlington and State of New Jersey, as follows:

SECTION 2. Section 2 of Ordinance #2016-8 is hereby amended as follows:

HOURLY SALARIES

SPECIAL OFFICER CLASS II

17.00-25.00

SECTION 24. Effective date/effective duration. This ordinance shall take effect immediately upon final passage and publication according to law, and shall remain in effect until such time as amendments are required. No rights are created beyond the effective period of this ordinance.

SECTION 7. Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. Severability. In the event that any portion of this ordinance is determined to be invalid, such determination shall not affect the remaining portions of the ordinance, which are hereby declared to be severable.