

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: SEPTEMBER 11, 2017 TIME: 7:00 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Benowitz
_____	_____	Deputy Mayor Fuzy
_____	_____	Committeeman Cann
_____	_____	Committeeman Holliday
_____	_____	Committeewoman Popko
_____	_____	Michael Theokas, Administrator
_____	_____	Township Clerk Eckert
_____	_____	Attorney Fahey
_____	_____	Chief Financial Officer Elsasser

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 11, 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. Kevin Johnson Litigation Matter.
2. Bordentown Waterfront Community Contract Matters.
3. Affordable Housing Contract Matters.
4. Verizon ROW Consent Agreement Contract 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.

Mayor's Proclamation – Constitution Week September 17th through September 23rd.

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

CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.
 - b. Questions or comments from the audience on consent agenda items.
 - c. Motion, Second and Roll Call to adopt Resolutions #2017-254-7 through #2017-254-13.
7. Resolution #2017-254-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
8. Resolution #2017-254-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
9. Resolution #2017-254-9 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
10. Resolution #2017-254-10 entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT.
11. Resolution #2017-254-11 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO MEMORIALIZE ACCEPTANCE OF THE RESIGNATION OF NORMAN HAND, CODE ENFORCEMENT OFFICIAL.
12. Resolution #2017-254-12 entitled RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WARD AVENUE RESURFACING PROJECT.
13. Resolution #2017-254-13 entitled RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE GROVEVILLE ROAD RESURFACING PROJECT.
14. Public Hearing on Ordinance #2017-15 entitled AN ORDINANCE TO AMEND ORDINANCE #2017-11 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
15. Consideration of Adoption of Ordinance #2017-15 entitled AN ORDINANCE TO AMEND ORDINANCE #2017-11 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

16. Public Hearing on Ordinance #2017-16 entitled AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR EMPLOYEES IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT AND AMENDING ORDINANCE #2013-23.
17. Consideration of Adoption of Ordinance #2017-16 entitled AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR EMPLOYEES IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT AND AMENDING ORDINANCE #2013-23.
18. Public Hearing on Ordinance #2017-19 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP AND APPROPRIATING \$1,450,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$1,380,000 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.
19. Consideration of Adoption of Ordinance #2017-19 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP AND APPROPRIATING \$1,450,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$1,380,000 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.
20. Public Hearing on Ordinance #2017-20 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES IN THE TOTAL AMOUNT OF \$102,058.77 AND RE-APPROPRIATING SAID FUNDS FOR THE PAYMENT OF TAX APPEALS FOR 2015 AND 2016.
21. Consideration of Adoption of Ordinance #2017-20 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES IN THE TOTAL AMOUNT OF \$102,058.77 AND RE-APPROPRIATING SAID FUNDS FOR THE PAYMENT OF TAX APPEALS FOR 2015 AND 2016.
22. Public Hearing on Ordinance #2017-21 entitled AN ORDINANCE TO AMEND CHAPTER 10 OF THE BORDENTOWN TOWNSHIP CODE TO ADD NEW SUBCHAPTER 10.04.070 ENTITLED "FIRE LANES".
23. Consideration of Adoption of Ordinance #2017-21 entitled AN ORDINANCE TO AMEND CHAPTER 10 OF THE BORDENTOWN TOWNSHIP CODE TO ADD NEW SUBCHAPTER 10.04.070 ENTITLED "FIRE LANES".
24. Public Hearing on Ordinance #2017-22 entitled AN ORDINANCE AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE BOARD OF CHOSEN FREEDHOLDERS OF THE COUNTY OF BURLINGTON, WATERFRONT VILLAGE URBAN RENEWAL, L.P., AND BORDENTOWN TOWNSHIP FOR THE INSTALLATION AND MAINTENANCE OF A CROSSWALK.

25. Consideration of Adoption of Ordinance #2017-22 entitled AN ORDINANCE AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE BOARD OF CHOSEN FREEDHOLDERS OF THE COUNTY OF BURLINGTON, WATERFRONT VILLAGE URBAN RENEWAL, L.P., AND BORDENTOWN TOWNSHIP FOR THE INSTALLATION AND MAINTENANCE OF A CROSSWALK.
26. Public Hearing on Ordinance #2017-23 entitled AN ORDINANCE AUTHORIZING A STORMWATER MANAGEMENT EASEMENT AGREEMENT AND ACCEPTING EASEMENT FROM WATERFRONT VILLAGE URBAN RENEWAL, L.P. FOR BLOCK 140, LOT 3.02.
27. Consideration of Adoption of Ordinance #2017-23 entitled AN ORDINANCE AUTHORIZING A STORMWATER MANAGEMENT EASEMENT AGREEMENT AND ACCEPTING EASEMENT FROM WATERFRONT VILLAGE URBAN RENEWAL, L.P. FOR BLOCK 140, LOT 3.02.
28. Consideration of Introduction of Ordinance #2017-24 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP CODE TO ESTABLISH PERMIT AND FEE SCHEDULE.
29. Township Committee Review and Discussion of Best Practices Worksheet CY 2017/SFY 2018.
30. Administrator and Staff Reports
31. Township Committee Reports.
32. Public Participation.

Questions, comments or statements from members of the public in attendance.
33. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
34. 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 #2017-254-7

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated September 11, 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.

09/11/17

RESOLUTION #2017-254-8

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of August 21, 2017, and the Regular Meeting of August 21, 2017, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected).

09/11/17

RESOLUTION #2017-254-9

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 \$305.63 to Wojciech Rusin for Block 34 Lot 12 commonly known as 17 Homestead Avenue.

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 \$2,580.45 to Thomas A. Stanley Jr for Block 94 Lot 13 commonly known as 13 N. COLONIAL DRIVE.

09/11/17
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 September 11, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2017-254-10

RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint the following part-time EMT effective September 12, 2017;

Ashley Wells

BE IT FURTHER RESOLVED that compensation shall be set at \$12.50 per hour in accordance with Ordinance #2017-11.

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 September 11, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

09/11/17

RESOLUTION #2017-254-11

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO
MEMORIALIZE ACCEPTANCE OF THE RESIGNATION OF NORMAN HAND, CODE
ENFORCEMENT OFFICIAL

WHEREAS, Norman Hand, Code Enforcement Official, has resigned his position with the Township of Bordentown effective August 31, 2017;

WHEREAS, in accordance with the Bordentown Township Employee Manual, it has been determined that Mr. Hand did not use all vacation time afforded to him upon his resignation date, which totals 12.33 hours equivalent to \$308.25; and

WHEREAS, in accordance with the Bordentown Township Employee Manual, a further determination by the Township Administrator will be made regarding additional monies owed to the Township of Bordentown for Mr. Hand's education expenses relating to the Zoning Officer Certification;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept the resignation of Mr. Hand's employment with the Township and further terminates all benefits provided to Mr. Hand effective August 31, 2017; and

BE IT FURTHER RESOLVED that \$308.25 is owed to Mr. Hand for unused vacation time which will be added to Mr. Hand's final pay with the Township of Bordentown; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bordentown that the above employment termination is effected in accordance with and under the regulations of the New Jersey State 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 September 11, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

09/11/17

RESOLUTION #2017-254-12

RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WARD AVENUE RESURFACING PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Bordentown formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Ward Avenue Resurfacing Project-00155 to the New Jersey Department of Transportation on behalf of the Township of Bordentown; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Bordentown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 September 11, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

09/11/17

RESOLUTION #2017-254-13

RESOLUTION AUTHORIZING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE GROVEVILLE ROAD RESURFACING PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Bordentown formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Groveville Road Resurfacing Project-00160 to the New Jersey Department of Transportation on behalf of the Township of Bordentown; and

BE IT FURTHER RESOLVED that the Mayor and Township Committee and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Bordentown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 September 11, 2017.

COLLEEN M. ECKERT, RMC, TWP. CLERK

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

09/11/17

ORDINANCE #2017-15

AN ORDINANCE TO AMEND ORDINANCE #2017-11 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 #2017-11 is hereby amended as follows:

ANNUAL SALARIES

KEYBOARDING CLERK 1 (COMMUNITY DEV.) STIPEND 1,000.00 – 7,000.00

HOURLY SALARIES

ACCOUNT CLERK/CASHIER 19.50 -- 40.00

SECTION 24. Effective date/effective duration. This ordinance shall take effect immediately upon final passage and publication according to law, and the provisions thereof shall be effective as of January 1, 2017, 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 #2017-16

AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR EMPLOYEES IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT AND AMENDING ORDINANCE #2013-23.

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 #2013-23 is hereby amended as follows:

<u>ANNUALSALARIES</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>
Recruit	40,000	40,000	40,000	40,000	40,000
Police Officer I	45,268	45,268	45,268	45,268	45,268
Police Officer II	50,535	50,535	50,535	50,535	50,535
Police Officer III	55,803	55,803	55,803	55,803	55,803
Police Officer IV	61,070	61,070	61,070	61,070	61,070
Police Officer V	66,338	66,338	66,338	66,338	66,338
Police Officer VI	71,606	71,606	71,606	71,606	71,606
Police Officer VII	76,873	76,873	76,873	76,873	76,873
Police Officer VIII	82,141	82,141	82,141	82,141	82,141
Police Officer IX	87,408	87,408	87,408	87,408	87,408
Police Officer X	92,676	92,676	92,676	92,676	92,676
Police Officer XI	97,943	97,943	97,943	97,943	97,943
Police Officer XII	103,211	103,211	103,211	103,211	103,211

CURRENT OFFICERS

Richard Brettell-(as of 1/1/17)	95,351	97,258	99,204	101,188	103,211
Jeffrey Katora-(as of 1/1/17)	95,351	97,258	99,204	101,188	103,211
Erich Hess-(as of 1/1/17)	95,351	97,258	99,204	101,188	103,211
Kevin Guire-(as of 1/1/17)	95,351	97,258	99,204	101,188	103,211
Ryan Forster-(as of 1/1/17)	95,351	97,258	99,204	101,188	103,211
Joshua Pavlov-(as of 8/7/17)	95,351	97,258	99,204	101,188	103,211
James Chiariello-(as of 10/29/17)	90,407	97,258	99,204	101,188	103,211
Keith Alexander-(as of 9/22/17)	69,755	77,466	83,194	89,098	95,351
Peter Appelmann-(as of 9/22/17)	69,775	77,466	83,194	89,098	95,351
Anthony Nagle-(as of 9/22/17)	69,755	77,466	83,194	89,098	95,351
Adam Edwards-(as of 9/22/17)	69,755	77,466	83,194	89,098	95,351

SECTION 24. Effective date/effective duration. This ordinance shall take effect immediately upon final passage and publication according to law, and the provisions thereof shall be effective as of January 1, 2017, (unless

otherwise noted) and shall be effective for the years 2017, 2018, 2019, 2020, and 2021. 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.

INTRODUCED:

ADOPTED:

ORDINANCE NO. 2017-19

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP AND APPROPRIATING \$1,450,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$1,380,000 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; 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 acquisition, construction or installation, as the case may be, of the capital improvement projects described below, together with all appurtenances, work and material necessary or incidental thereto (collectively, the "Projects"). Additional information regarding each of the Projects is on file with the Township Clerk and is incorporated herein by reference.

The Projects hereby authorized are as follows:

(a) Purpose: Various Road and Street Improvements, including reconstruction and repaving of various Township roads and streets, as set forth in a list on file in the office of the Township Clerk, as such list may be amended to include additional roads and streets in the event there are remaining funds under the appropriation below, including all work and related materials necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$1,405,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$1,337,500
<u>Period or Average Period of Usefulness:</u>	20 years
<u>Amount of Down Payment:</u>	\$67,500

(b) Purpose: Renovations and improvements to municipal buildings, including the Township's municipal complex, as set forth in a list on file in the office of the Township Clerk, including all equipment, work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$25,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$23,750
<u>Period or Average Period of Usefulness:</u>	20 years
<u>Amount of Down Payment:</u>	\$1,250

(c) Purpose: General equipment and other improvements, including improvements to recreational facilities, as set forth in a list on file in the office of the Township Clerk, including all equipment, work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$20,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$18,750
<u>Period or Average Period of Usefulness:</u>	10 years

Amount of Down Payment:

\$1,250

Appropriation for Projects - Down Payment

The Township hereby appropriates the sum of \$1,450,000 for the purpose of paying the costs of the Projects, including the sum of \$70,000 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 (except for such obligations that are for purposes that are self-liquidating, if any) 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 average period of usefulness for the Projects, taking into consideration the respective amounts authorized for the separate purposes, according to their respective reasonable useful lives, is not less than 19.86 years.

Estimated Cost

It is hereby determined and stated that the estimated cost of the improvements described in Section 1 hereof is \$1,450,000, that the amount of this appropriation is \$1,450,000 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 \$1,380,000.

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 \$1,380,000; 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 \$1,380,000 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 \$1,380,000 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 any Project, 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 such 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: August 21, 2017

Enactment: September 11, 2017

Attest: _____

Mayor

ORDINANCE NO. 2017-20

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES IN THE TOTAL AMOUNT OF \$102,058.77 AND RE-APPROPRIATING SAID FUNDS FOR THE PAYMENT OF TAX APPEALS FOR 2015 AND 2016.

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:

Section 1. The Township of Bordentown, in the County of Burlington, New Jersey (the “Township”) previously enacted Ordinance No. 2011-25, which authorized a refunding program to fund amounts owing to certain taxpayers for certain settled and adjudicated tax appeals. An appropriation in the amount of \$76,088.21 remains as a balance in Ordinance No 2011-15.

In addition, the Township previously enacted Ordinance No. 2012-05, which authorized a refunding program to fund amounts owing to certain taxpayers for certain settled and adjudicated tax appeals. An appropriation in the amount of \$25,970.56 remains as a balance in Ordinance No 2012-05.

The remaining balances of \$76,088.21 in Ordinance No 2011-15 and \$25,970.56 in Ordinance No 2012-05 are each hereby cancelled and are each hereby re-appropriated to fund the cost of certain refunds owing for certain tax appeals for 2015 and 2016.

Section 2. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and 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.

Section 3. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

Introduction: August 21, 2017

Enactment: September 11, 2017

Attest: _____

Mayor

ORDINANCE #2017-21

AN ORDINANCE TO AMEND CHAPTER 10 OF THE BORDENTOWN TOWNSHIP CODE TO
ADD NEW SUBCHAPTER 10.04.070 ENTITLED "FIRE LANES"

WHEREAS, upon recommendation of emergency management staff and in order to provide unobstructed means of access to the buildings and other structures within the Township in the event of a fire or other emergency the Township Committee seeks to clarify the procedure and standards for the creation of fire lanes and zones and provide for enforcement of the same.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Bordentown as follows:

Section 1. Chapter 10 of the Township Code is hereby amended to include new subchapter 10.04.070 entitled Fire Lanes as follows:

A. Creation of fire lanes.

The Fire Official may require and designate public or private fire lanes or/or fire zones as deemed necessary for the efficient and effective uses of fire apparatus. Unless stated to the contrary, the phrases "fire lanes" and "fire zones" shall be identical in meaning and used interchangeably.

Fire lanes shall be marked and constructed in accordance with this chapter and shall be described in Schedule IX, attached hereto and made a part of this section which Schedule shall also be on file with the Township. Notwithstanding anything herein to the contrary, approval of the designation of such fire lanes and/or fire zones by the Township Committee may be by resolution.

B. Standards for the establishment of fire zones and fire lanes.

The location, dimensions, markings and number of signs that shall be required in or upon a fire lane or zone shall be determined by the Fire Official of the Township who shall base his findings upon the size, type and location of the buildings and/or other structures; provided, however, that each such lane or zone shall, where possible, conform to the schedule in this chapter.

C. Responsibility of owner of land or premises having a fire lane and/or zone located within said land or premises.

It shall be the responsibility of the owner or owners of the land or premises wherein a fire lane or zone has been designated to stripe, letter or maintain the appropriate signs as required and to maintain said striping, lettering and signage in a legible manner at all times. The signs and painting designation required hereunder shall be completed before the certificate of occupancy is issued. If not so completed, the Township may take the necessary steps to obtain compliance and bill the owner for the reasonable cost thereof.

D. No parking.

No person shall, at any time, stop or park a vehicle or in any other manner obstruct any area that has been designated as a fire lane. If deemed necessary by the enforcing agency, the vehicle may be removed and stored at the owner's expense. The Fire Official and the Police Department shall have concurrent jurisdiction to enforce the provisions of this chapter. Violation of the fire lane regulations shall be considered a violation of the Township parking ordinances, as well as violations of the Uniform Fire Code, N.J.A.C. 5:70-3.1 et seq. Enforcement by the Township Police Department or parking enforcement officers shall be handled as a Township ordinance violation or as a Uniform Fire Code violation.

Enforcement by the Township Fire Official shall be pursuant to N.J.S.A. 52:27D-210, which provides for penalties under the Penalty Enforcement Law of 1999, N.J.S.A. 2A:58-10 et seq., for violations of the Uniform Fire Code.

E. Violations and Penalties

Any violation of this section shall be punishable by a fine of not less than \$50 per occurrence nor more than the maximum penalty as set forth in Chapter 1.08, General Penalty.

Section 2. Current Section 10.04.070 shall be renumbered as Section 10.04.080.

Section 3. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 4. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudicated by a court of competent jurisdiction to be involved or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. This ordinance shall take effect immediately upon adoption and publication according to law.

ORDINANCE #2017-22

AN ORDINANCE AUTHORIZING A SHARED SERVICE AGREEMENT
BY AND BETWEEN
THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, WATERFRONT
VILLAGE URBAN RENEWAL L.P., AND BORDENTOWN TOWNSHIP FOR THE INSTALLATION
AND MAINTENANCE OF A CROSSWALK

WHEREAS, VOADV Property, Inc., was granted final major site plan approval from the Township Planning by Resolution P-2016-17 (the "Approvals") to develop 70 units of age restricted affordable housing designated on block 140, lot 3.02 (the "Property"); and,

WHEREAS, VOADV Property, Inc. transferred ownership of the Property to its enterprise known as Waterfront Village Urban Renewal, L.P. ("Waterfront") and

WHEREAS, pursuant to Section 4 of Resolution P-2016-17, the Township Planning Board requested VOADV Property, Inc. to make application to Burlington County to construct a Crosswalk across Burlington – Bordentown Road; and

WHEREAS, the Crosswalk Improvements are shown on a Plan prepared by Atlantic Engineers dated May 23, 2016, last revised and on file with the Township; and

WHEREAS, as part of its approval, the County has required Waterfront and the Township to enter into a shared service agreement with the County identifying the responsibilities and obligations of the parties with respect to the construction and maintenance of the crosswalk and liability for the same; and

WHEREAS, the Township Committee has determined that entering the shared service agreement is in the best interest of the Township as it assures the maintenance of the crosswalk serving the affordable housing development.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Bordentown as follows:

Section 1. The Township Committee hereby authorized the Mayor and Clerk to execute the Shared Service Agreement with the Burlington County Board of Chosen Freeholders and Waterfront Village Urban Renewal, L.P.

Section 3. This Ordinance shall take effect upon final passage and publication according to law.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistent.

Section 5. If any section, paragraph, subdivision, clause or provision 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 #2017-23

AN ORDINANCE AUTHORIZING A STORMWATER MANAGEMENT EASEMENT AGREEMENT AND ACCEPTING EASEMENT FROM WATERFRONT VILLAGE URBAN RENEWAL, L.P. FOR BLOCK 140, LOT 3.02

WHEREAS Waterfront Village Urban Renewal, L.P. is the owner of Block 140, Lot 3 (“Waterfront”) and has proposed a Development Plan for this property which, when constructed, will increase impervious coverage upon the land; and,

WHEREAS Waterfront has proposed to mitigate the impacts of its development via a Stormwater Management Plan under which Waterfront, and/or its successors in title shall install, operate and maintain Stormwater Management Measures detailed within a Stormwater Maintenance Manual, Stormwater Management Report and its Final Major Site Plan. Last revised on July 20, 2017; and

WHEREAS Waterfront has submitted an Stormwater Management Easement Agreement detailing its obligations under its Stormwater Management Plan and granting the Township an easement for purposes of accessing Waterfront’s property to assure Waterfront’s compliance with its Stormwater Management Plan and to address deficiencies in the Stormwater system.

WHEREAS, authorization of the proposed agreement and acceptance of the easement shall permit the Township to protect its lands and residents from the adverse impact of increased runoff and degraded water quality.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown as follows:

Section 1. The Township Committee hereby authorized the Mayor and Clerk to execute the Stormwater Management Easement Agreement with Waterfront Village Urban Renewal, L.P.

Section 2. The Township Committee hereby accepts the Stormwater Management easement from Waterfront Village Urban Renewal, L.P. for Block 140, Lot 3.02.

Section 3. This Ordinance shall take effect upon final passage and publication according to law.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistent.

Section 5. If any section, paragraph, subdivision, clause or provision 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.

