

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: FEBRUARY 26, 2018 TIME: 6:30 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Benowitz
_____	_____	Deputy Mayor Fuzy
_____	_____	Committeeman Holliday
_____	_____	Committeeman Kostoplis
_____	_____	Committeeman Mason
_____	_____	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, 2018, advance written notice of this meeting was posted on the bulletin board opposite the main entrance to the meeting room in the Municipal Building; was faxed to the BURLINGTON COUNTY TIMES and THE TIMES; was filed with the Clerk of Bordentown Township; and was mailed to all persons who requested and paid for such notice.

4. The proceedings of this meeting, which are open to the public, are being electronically recorded. Requisite minutes are kept for all meetings, whether open or closed to the public.
5. Resolution to meet in closed session:

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby recess this Regular Meeting to meet in Closed Session for the purpose of discussing:

- Construction Department Personnel/Contract Matters.
- Environmental Litigation Matter: Compressor Station.
- Professional Services Contract Matters.
- Bordentown Waterfront Community 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.

6. Mayor's Proclamation Recognizing Black History Month.

7. APPOINTMENT OF PLANNING BOARD MEMBERS:

In accordance with N.J.S.A. 40:55D-23 and Section 25:704 of the Revised General Ordinances of the Township of Bordentown as adopted by Ordinance #1990-15, commonly known as the Land Development Ordinance of the Township of Bordentown establishing a Planning Board, I, Stephen Benowitz, as Mayor, do hereby make the following appointments to the Planning Board:

Class IV Member – 4 Year Uexpired Term Expiring 12/31/18: Danielle Esser

8. Administrative Review

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

CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.
  - b. Questions or comments from the audience on consent agenda items.
  - c. Motion, Second and Roll Call to adopt Resolutions #2018-057-9 through #2018-057-18.
9. Resolution #2018-057-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
10. Resolution #2018-057-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
11. Resolution #2018-057-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
12. Resolution #2018-057-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
13. Resolution #2018-057-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
14. Resolution #2018-057-14 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
15. Resolution #2018-057-15 entitled AUTHORIZING 2017 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:59).
16. Resolution #2018-057-16 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.
17. Resolution #2018-057-17 entitled AUTHORIZING CANCELLATION OF GENERAL LEDGER LIABILITIES.

18. Resolution #2018-057-18 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TTI ENVIRONMENTAL, INC., FOR THE PHASE 1 ENVIRONMENTAL SITE AND PRELIMINARY ASSESSMENT, BLOCK 92.01, LOT 18.
19. Public Hearing on Ordinance #2018-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING A CERTAIN APPROPRIATION BALANCE IN THE AMOUNT OF \$700,000 AND RE-APPROPRIATING SAID FUNDS FOR THE ACQUISITION OF PROPERTY.
20. Consideration of Adoption of Ordinance #2018-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING A CERTAIN APPROPRIATION BALANCE IN THE AMOUNT OF \$700,000 AND RE-APPROPRIATING SAID FUNDS FOR THE ACQUISITION OF PROPERTY.
21. Public Hearing on Ordinance #2018-6 entitled AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AMENDING ORDINANCE #2015-11 REGARDING THE ESTABLISHMENT OF AN AMBULANCE SQUAD AND AMBULANCE BILLING SERVICES FOR THE TOWNSHIP OF BORDENTOWN.
22. Consideration of Adoption of Ordinance #2018-6 entitled AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AMENDING ORDINANCE #2015-11 REGARDING THE ESTABLISHMENT OF AN AMBULANCE SQUAD AND AMBULANCE BILLING SERVICES FOR THE TOWNSHIP OF BORDENTOWN.
23. Public Hearing on Ordinance #2018-8 entitled AUTHORIZE THE PURCHASE OF REAL PROPERTY LOCATED ON CROSSWICKS ROAD AND KNOWN AS BLOCK 92.01, LOT 18 AND 18 QFARM PURSUANT TO N.J.S.A. 40A:12-5.
24. Consideration of Adoption of Ordinance #2018-8 entitled AUTHORIZE THE PURCHASE OF REAL PROPERTY LOCATED ON CROSSWICKS ROAD AND KNOWN AS BLOCK 92.01, LOT 18 AND 18 QFARM PURSUANT TO N.J.S.A. 40A:12-5.
25. Consideration of Introduction of Ordinance #2018-9 entitled CALENDAR YEAR 2018 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).
26. Township Committee discussion of the Burlington County request to Conduct Mosquito Control Activities.
27. Administrator and Staff Reports.
28. Township Committee and Staff Reports.
29. Public Participation.  
  
Questions, comments or statements from members of the public in attendance.
30. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.

31. 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 #2018-057-9

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated February 26, 2018, 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.

02/26/18

RESOLUTION #2018-057-10

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of February 12, 2018, and the Regular Meeting of February 12, 2018, 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 January 2018 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Community Development, Construction, Municipal Court and Finance.

02/26/18

## **RESOLUTION #2018-057-11**

### **AUTHORIZING REFUND OF OVERPAYMENT OF TAXES**

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2018 taxes in the amount of \$1516.69 to McADAMS, SAMANTHA for Block 44 Lot 17 commonly known as 17 LAUREL AVE.

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 \$1,808.66 to CORELOGIC. for Block 45 Lot 14 commonly known as 20 Laurel 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 2018 taxes in the amount of \$1978.08 to SORENSON, LORI for Block 93.03 Lot 97 commonly known as 18 FARMINGTON COURT.

02/26/18

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 February 26, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2018-057-12**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #16-00001 was redeemed on FEBRUARY 13, 2017, in the amount of \$937.06

WHEREAS, SOHEHA, paid tax sale premium, in the amount of \$1,200.00 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 \$1200.00 to SOHEHA; for Lien 16-00001, Block 9 Lot 3 commonly known as 109 CARMEN AVE.

JCE  
2/26/18

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 February 26, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK



**RESOLUTION #2018-057-13**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #16-00019 was redeemed on FEBRUARY 14, 2018, in the amount of \$8922.45

WHEREAS, US BANK C/F ACTLIEN HOLDING LLC, paid tax sale premium, in the amount of \$24,300.00 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 \$24300.00 to US BANK C/F ACTLIEN HOLDING LLC; for Lien 16-00019, Block 81 Lot 24 commonly known as 55 EATON ROAD.

JCE  
2/26/18

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 February 26, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2018-057-14**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #16-00026 was redeemed on FEBRUARY 16, 2018, in the amount of \$629.97

WHEREAS, US BANK C/F PRO CAP 4 & CRDTS, paid tax sale premium, in the amount of \$1500.00 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 \$1500.00 to US BANK C/F PRO CAP 4 & CRDTS; for Lien 16-00026, Block 92.05 Lot 22.309 commonly known as 2 SALISBURY COURT

JCE  
2/26/18

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 February 26, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-057-15

AUTHORIZING 2017 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:4-59)

WHEREAS, various 2017 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2017 budget in the last two months of 2017; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

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 transfers in the amount \$1,928.68 be made between the 2017 Budget Appropriation Reserves as follows:

2017 BUDGET  
TRANSFERS

2/26/2018

ACCOUNT NUMBER	NAME	DEBIT	CREDIT
7-01-20-100-200	ADMIN/EXEC - OTHER EXPENSES	\$59.50	
7-01-26-305-330	SOLID WASTE CONTRACTUAL	\$690.65	
7-01-31-435-430	ELECTRICITY	\$1,178.53	
7-01-21-190-200	COMM DEVELOPMENT - OTHER EXPENSE		\$1,928.68
<b>TOTAL</b>		<b>\$1,928.68</b>	<b>\$1,928.68</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 February 26, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-057 16

RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT

WHEREAS, pursuant to N.J.S.A. 40A:4-19, the local municipal temporary budget for the year 2018 was approved on the 6<sup>th</sup> day of January, 2018; 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

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

**TOWNSHIP OF BORDENTOWN**  
**Temporary Budget Amendment 2018**

**2018**

		<b>DEBIT</b>	<b>CREDIT</b>
8-01-20-100-200	ADMINISTRATIVE & EXECUTIVE O/E	1,500.00	
8-01-20-150-200	ASSESSMENT OF TAXES O/E	257.26	
8-01-23-210-000	LIABILITY INSURANCE	500.00	
8-01-26-305-330	SOLID WASTE COLLECTION - CONTRACTUAL	3,314.61	
8-01-26-315-200	VEHICLE MAINTNENANCE O/E	7,500.00	
8-01-27-335-200	ENVIRONMENTAL COMMISSION O/E	87.00	
8-01-20-155-200	LEGAL SERVICES O/E		13,158.87
<b>Total Amendment</b>		<b>13,158.87</b>	<b>13,158.87</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 February 26, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2018-057-17**

**AUTHORIZING CANCELLATION OF GENERAL LEDGER LIABILITIES**

WHEREAS, there exists numerous general ledger liabilities from previous years dedicated to specific purposes and

WHEREAS, as of the date hereof, these liabilities have been paid or otherwise satisfied;  
and

WHEREAS, the Township now desires to cancel such remaining liability balances.

ACCOUNT	AMOUNT TO BE CANCELLED
01-211-55-300-000	3252.00
01-213-55-000-000	8304.00
01-214-55-000-000	50.00
01-215-55-000-000	1121.15
01-285-55-000-000	212.00
01-292-55-000-000	2000.00
01-400-55-000-000	<u>.62</u>
	14939.77

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that the previously listed liabilities be cancelled as of the date of this resolution.

02/26/18  
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 February 26, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-057-18

RESOLUTION ACCEPTING THE PROPOSAL FROM TTI ENVIRONMENTAL, INC., FOR THE PHASE I ENVIRONMENTAL SITE AND PRELIMINARY ASSESSMENT, BLOCK 92.01, LOT 18

WHEREAS, it is the intent of the Township Committee to negotiate the purchase of real property, located on Crosswicks Road, a/k/a Block 92.01, Lot 18; and

WHEREAS, it is necessary to have an environmental assessment conducted on the property prior to entering into an agreement of sale;

WHEREAS, TTI Environmental, Inc., has provided the Township with a proposal to conduct the environmental assessment; and

WHEREAS, it is the desire of the Township Committee to accept the proposal from TTI Environmental, Inc., in an amount not to exceed \$3,200.00; and

WHEREAS, funds are available to accept said proposal, as evidenced by the attached Certification of Availability of Funds;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept the proposal from TTI Environmental, Inc., in an amount not to exceed \$3,200.00 for the Phase I Environmental Site and Preliminary Assessment of Block 92.01, Lot 18.

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 February 26, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

02/26/18

ORDINANCE NO. 2018-2

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING A CERTAIN APPROPRIATION BALANCE IN THE AMOUNT OF \$700,000 AND RE-APPROPRIATING SAID FUNDS FOR THE ACQUISITION OF PROPERTY.

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.** An appropriation in the amount of \$700,000, which represents a portion of the total amount authorized in Bond Ordinance 2017-19, Section 1(a) for Various Road and Street Improvements, which remains as a balance in said Ordinance, is hereby cancelled, and such amount is hereby re-appropriated towards the following purpose: The acquisition of certain real property located within the Township for public purposes as specified in the Local Land and Buildings Law, N.J.S.A. 40A:12-1 et seq., approximating between 15-20 acres. The period of usefulness associated with the acquisition of real property, as set forth in the Local Bond Law, N.J.S.A. 40A:2-1 et seq., is 40 years.

**Section 2.** The capital budget is hereby amended to conform with the provisions of this bond 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. The Township reasonably expects to commence the acquisition of the several improvements or purposes described in Section 1 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes authorized by the bond ordinance described in Section 1. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by the bond ordinance described in Section 1 hereof, in an aggregate amount not to exceed the amount of bonds or notes authorized by the bond ordinance described in Section 1 hereof.

**Section 3.** The improvements authorized hereby are not current expenses and are general improvements that the Township may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 4.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 5.** This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

ORDINANCE #2018-6

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AMENDING ORDINANCE #2015-11 REGARDING THE ESTABLISHMENT OF AN AMBULANCE SQUAD AND AMBULANCE BILLING SERVICES FOR THE TOWNSHIP OF BORDENTOWN

WHEREAS, the Township Committee of the Township of Bordentown has previously established an ambulance squad and ambulance-billing services for the municipality; and

WHEREAS, the Township Committee of the Township of Bordentown recognizes that the billing amounts set forth in Ordinance #2015-11 require updating;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown that Ordinance #2015-11 shall now read as follows (new text is underlined):

- (a) The Township of Bordentown, in order to support the BTEMS and the volunteer squads comprising it, shall bill for ambulance and transportation services provided by the BTEMS. The rates of such services shall currently be set as follows:

A fee of eight hundred dollars (\$800) plus seventeen dollars (\$17.00) per laden mile calculated one way shall be charged to all persons receiving emergency medical services or ambulance transport services by BTEMS. A fee in the amount of two hundred dollars (\$200.00) for each treat without transport..

An additional fee for the administration of the following will be incurred:

<u>Disposable Cervical Collar</u>	<u>\$45.00</u>
<u>Oxygen Administration</u>	<u>\$65.00</u>
<u>Narcan Administration</u>	<u>\$95.00</u>
<u>EPI Pen Administration</u>	<u>\$150.00</u>
<u>CPAP Administration</u>	<u>\$95.00</u>
<u>Aspirin Administration</u>	<u>\$3.00</u>

- (b) 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.
- (c) 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.
- (d) This ordinance shall take effect immediately upon adoption and publication according to law.



ORDINANCE #2018-8

AUTHORIZE THE PURCHASE OF REAL PROPERTY LOCATED ON CROSSWICKS ROAD AND KNOWN AS BLOCK 92.01, LOTS 18 AND 18 QFARM PURSUANT TO N.J.S.A. 40A:12-5

WHEREAS, the owner of property located on Crosswicks Road and identified as Block 92.01, Lots 18 and 18QFarm on the Township Tax map has offered this property for sale to the Township; and

WHEREAS, an appraisal was obtained, and due diligence undertaken to determine the suitability of the property for public purposes; and

WHEREAS, the Township Committee has determined that this property is suitable for a legitimate public purpose, more specifically, to satisfy Green Acres diversion requirements for the construction of future public facilities; and

WHEREAS pursuant to N.J.S.A. 40A:12-5(a)(1) et. seq., a municipality may acquire real property for public use.

**WHEREAS**, funding for this purchase, totaling \$650,000.00 will be provided from the Re-appropriation Ordinance being introduced simultaneously with this Ordinance to purchase real property.

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

**SECTION 1.**

The Township is hereby authorized to acquire the real property known as (Street address) and designated as Block 92.01, Lots 18 and 18 QFARM on the Township's Official Tax Map for the sum of \$650,000.00 to be paid through the Re-appropriation Ordinance being introduced with this ordinance, such purchase to be contingent upon the adoption of the Re-appropriation Ordinance and in accordance with the provisions of the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et. seq.

**SECTION 2.**

The Township Administrator and Township Attorney are hereby authorized to prepare a contract of sale and to negotiate its terms in accordance with applicable law and to do and to perform all other acts as are necessary to complete the real estate transaction including retaining such professionals including, but not limited to, engineers, land surveyors, title company and the like. The Township's acquisition shall be contingent upon satisfaction of all conditions and requirements contained in the contract documents.

**SECTION 3.**

The Mayor, Township Clerk, Township Administrator, Township Attorney, and such other Township Officials and/or professionals as required are authorized and directed to execute any and all documents on behalf of the Township and undertake all necessary actions in regard to this matter.

**SECTION 4.**

**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 5.**

**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 6.**

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

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE #2018-9**

**CALENDAR YEAR 2018 "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. 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 2.5% 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 2018 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 % increase in the budget for said year, amounting to \$ 315,910.98 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 2018 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%, amounting to \$ 315,910.98, and that the CY 2018 municipal budget for the Township of Bordentown be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any 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.