

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: MARCH 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:

--Bordentown Waterfront Community Redevelopment Contract Matter.

--Environmental Litigation: Compressor Station.

--KJUR Redevelopment Contract Matter.

--Construction Department Personnel Matter.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

6. 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 #2018-085-7 through #2018-085-19.
7. Resolution #2018-085-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 8. Resolution #2018-085-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
 9. Resolution #2018-085-9 entitled GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964".
 10. Resolution #2018-085-10 entitled RESOLUTION REQUESTING DELAWARE RIVER BASIN COMMISSION TO BAN NATURAL GAS DEVELOPMENT AND FRACKING THROUGHOUT THE BASIN.
 11. Resolution #2018-085-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
 12. Resolution #2018-085-12 entitled A RESOLUTION TO CANCEL TAXES.
 13. Resolution #2018-085-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 14. Resolution #2018-085-14 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
 15. Resolution #2018-085-15 entitled APPOINTMENT OF MEMBERS TO ZONING BOARD OF ADJUSTMENT.
 16. Resolution #2018-085-16 entitled A RESOLUTION AUTHORIZING AND APPROVING A SHARED SERVICES AGREEMENT FOR POLICE CAR LETTERING BETWEEN THE TOWNSHIP OF BORDENTOWN AND CITY OF BORDENTOWN.
 17. Resolution #2018-085-17 entitled AUTHORIZING YEAR 2018 TEMPORARY EMERGENCY APPROPRIATIONS (N.J.S.A. 40A:4-20).

18. Resolution #2018-085-18 entitled A RESOLUTION AMENDING AND REPLACING RESOLUTION #2009-257-12, ESTABLISHING A VETERANS' ADVISORY COMMITTEE.
19. Resolution #2018-085-19 entitled AUTHORIZING PURCHASE OF CUSHION TIRE FORKLIFT, UNDER STATE CONTRACT, FOR THE BORDENTOWN TOWNSHIP PUBLIC WORKS DEPARTMENT.
20. Consideration of Introduction of Ordinance #2018-11 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN APPROPRIATION BALANCES IN THE AGGREGATE AMOUNT OF \$643,322.24 AND RE-APPROPRIATING SAID FUNDS FOR OTHER CAPITAL IMPROVEMENTS AND THE PURCHASE OF EQUIPMENT.
21. Consideration of Introduction of Ordinance #2018-12 entitled AN ORDINANCE AMENDING ORDINANCE #2016-14 TO AMEND CHAPTER 15.16 OF THE MUNICIPAL CODE "HOUSING CODE".
22. Consideration of Introduction of Ordinance #2018-13 entitled AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR BLOCK 1.01, LOTS 3, 6, 9 AND 20 AND AMENDING BORDENTOWN TOWNSHIP CODE CHAPTER 25 "LAND DEVELOPMENT", SECTION 606. *(To be Introduced by Title Only)*
23. Administrator and Staff Reports.
24. Township Committee and Staff Reports.
25. Public Participation.

Questions, comments or statements from members of the public in attendance.
26. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
27. 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 #2018-085-7

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 March 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.

03/26/18

RESOLUTION #2018-085-8

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

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

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions
Under Title VII of the Civil Rights Act of 1964"**

RESOLUTION #2018-085-9

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Bordentown, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON MARCH 26, 2018.

Clerk

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S**

**“Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964”**

GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES

NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF BURLINGTON

We, members of the governing body of the Township of Bordentown being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Committee of the Township of Bordentown in the county of Burlington;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history;
4. We certify that the local unit’s hiring practices comply with the above-referenced enforcement guidance.

(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)

Sworn to and subscribed before me this _____ day of _____
Notary Public of New Jersey

Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

RESOLUTION #2018-085-10

RESOLUTION REQUESTING DELAWARE RIVER BASIN COMMISSION TO BAN
NATURAL GAS DEVELOPMENT AND FRACKING THROUGHOUT THE BASIN

WHEREAS, a fundamental purpose of government is to protect the health, safety, and welfare of citizens; and

WHEREAS, there is significant evidence that shale gas development, and its related operations, which include all the phases of the hydraulic fracturing (“fracking”) process, from the first stage of industrial land preparation; to the storage, handling and use of chemicals and additives for extraction and stimulation; to drilling and fracking; to the withdrawal of and degradation of large volumes of water and its discharge and disposal as waste, has adverse effects on public health, property interests, agriculture, and on our air, water, and land¹; and

WHEREAS, in the most recent statistical analysis of the body of scientific literature by the Concerned Health Professionals of New York and Physicians for Social Responsibility, 685 peer reviewed papers examining gas drilling and/or fracking were reviewed, and the overwhelming majority of studies found evidence of or potential adverse impacts on water, air, and human health²; and

WHEREAS, the negative impacts of shale gas development are documented in neighboring Pennsylvania’s active shale field by Pennsylvania Department of Environmental Protection certification of 292 private water well contamination cases that were determined by the agency to have been caused by oil and gas operations³; and

WHEREAS, the EPA’s most recently released fracking study provides scientific evidence that fracking activities can impact drinking water resources and includes water impacts from shale gas in the Pennsylvania community of Dimock⁴; and

WHEREAS, neither (*New Jersey nor Delaware, in NY just mention DRBC*) nor the Delaware River Basin Commission has conducted a comprehensive assessment of the cumulative and long-term impacts of fracking and related shale gas development activities; and

WHEREAS, the absence of such an assessment makes it impossible to determine whether shale gas development can proceed safely and prevents the appropriate management of the harms

¹See Delaware Riverkeeper Network, “Unsafe and Unsustainable,”

http://www.delawariverkeeper.org/Documents/DRN_Report_Unsafe+Unsustainable_fr.pdf

² PSE Healthy Energy Library, https://www.zotero.org/groups/pse_study_citation_database/items; See Compendium, <http://concernedhealthny.org/compendium/>, p. 4.

Delaware Riverkeeper Network, “Unsafe and Unsustainable,”

http://www.delawariverkeeper.org/Documents/DRN_Report_Unsafe+Unsustainable_fr.pdf

³http://files.dep.state.pa.us/OilGas/BOGM/BOGMPortalFiles/OilGasReports/Determination_Letters/Regional_Determination_Letters.pdf

⁴ Environmental Protection Agency (EPA). 2015. Assessment of the Potential Impacts of Hydraulic Fracturing for Oil and Gas on Drinking Water Resources – External Review Draft. June 2015. Available at: www.epa.gov/hfstudy; Hein 2012, p. 2. <https://cfpub.epa.gov/ncea/hfstudy/recordisplay.cfm?deid=332990>

associated with shale gas development, including risks to public health, property values and the clean air and water upon which all citizens and businesses depend⁵; and

WHEREAS, the shale gas industry has received unprecedented exemptions from our nation's most important environmental and public health laws, including the Safe Drinking Water Act, Clean Air Act, and the Clean Water Act; and

WHEREAS, after exhaustive study, New York has prohibited high-volume hydraulic fracturing and Maryland has prohibited all fracking in their states⁶; and

WHEREAS, shale gas development in the watershed has highly significant cumulative climate impacts.. Natural gas is primarily methane, a greenhouse gas 86 times more efficient at trapping heat than carbon over a 20-year time frame,⁷ and its effects persist for hundreds of years⁸. The well-documented vented and fugitive losses from natural gas systems contribute to atmospheric warming; current technology and practices have not controlled these releases. The emissions are so great that it is projected that their release from the build out of Marcellus shale will prevent the achievement of global warming goals in Pennsylvania, accelerating climate

⁵ For examples of risks not considered, see E.L. Rowan, et al., Radium Content of Oil- and Gas-Field Produced Waters in the Northern Appalachian Basin (USA): Summary and Discussion of Data, United States Geological Survey ("USGS") Scientific Investigations Report 2011-5135 (2011); "NIOSH Field Effort to Assess Chemical Exposure Risks to Gas and Oil Workers," <http://www.cdc.gov/niosh/docs/2010-130/pdfs/2010-130.pdf>; "CDC scientist: tests needed on gas drilling impact," *Wall Street Journal*, January 4, 2012, <http://online.wsj.com/article/AP8338b702930849f49d22a5d96b7d1b2d.html>; OSHA-NIOSH, "Worker Hazard Alert: Worker Exposure to Silica during Hydraulic Fracturing," http://www.osha.gov/dts/hazardalerts/hydraulic_frac_hazard_alert.pdf ("Recent NIOSH field studies identified overexposure to airborne silica as a health hazard to workers."); E.T. Slonecker, et al., Landscape Consequences of Natural Gas Extraction in Bradford and Washington Counties, Pennsylvania, 2004-2010, USGS Open File Report 2012-1154 (2012); E.T. Slonecker, et al., Landscape Consequences of Natural Gas Extraction in Allegheny and Susquehanna Counties, Pennsylvania, 2004-2010; USGS Open File Report 2013-1025 (2012); P.J. Drohan, M. Brittingham, J. Bishop, and K. Yoder, Early Trends in Landcover Change and Forest Fragmentation Due to Shale-Gas Development in Pennsylvania: A Potential Outcome for the Northcentral Appalachians, *Environmental Management*, (2012) at 1, 4-6, 9-13; American Water Works Ass'n, "Water and Hydraulic Fracturing: A White Paper from the American Water Works Association" (2013) at 4 (describing degradation of well casing over time); Michelle Bamberger & Robert E. Oswald, Impacts of Gas Drilling on Human and Animal Health, *New Solutions*, 2012, at 54-61; U.S. Geological Survey Powell Center for Analysis and Synthesis, "Water Quality Studied in Areas of Unconventional Oil and Gas Development, Including Areas Where Hydraulic Fracturing Techniques are Used, in the United States," April 2012, http://pubs.usgs.gov/fs/2012/3049/FS12-3049_508.pdf ("The effects of unconventional oil and gas development and production on regional water quality have not been previously described despite the fact that oil and gas development in the United States began nearly 150 years ago, and more than 4 million oil- and gas-related wells . . . have been drilled with an increasing trend in the use of hydraulic fracturing.")

⁶ http://www.dec.ny.gov/docs/materials_minerals_pdf/findingstatevhf62015.pdf
http://www.health.ny.gov/press/reports/docs/high_volume_hydraulic_fracturing.pdf
<http://thinkprogress.org/climate/2015/05/29/3664098/larry-hogan-maryland-fracking-ban/>
<http://mgaleg.maryland.gov/webmga/frmMain.aspx?pid=narrowsubpage&tab=subject3&id=hydrfrac&stab=01&ys=2017rs>

⁷ Intergovernmental Panel on Climate Change (IPCC). 2013. *Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*.

⁸ <http://www.pnas.org/content/early/2017/01/03/1612066114.full>

change and its impacts on all watershed states.⁹ Climate change impacts on the basin’s water resources include changes in precipitation and runoff that increase flooding and drought, impairment of habitats and water quality (including salt water intrusion to Delaware Estuary water supplies) and sea level rise¹⁰; and

WHEREAS, the Delaware River Basin Commission has in place a moratorium that currently prohibits natural gas development, including drilling, fracking, wastewater processing and discharges from and water withdrawals for drilling and fracking operations, in the Delaware River Basin; and

WHEREAS, the Township supports the continuation of these DRBC prohibitions; and

WHEREAS, the Delaware River Basin Commission is actively considering the possibility of draft regulations that include “prohibitions related to the production of natural gas utilizing horizontal drilling and hydraulic fracturing within the Basin”, but also the allowance for “...storage, treatment, disposal and/or discharge of wastewater within the basin associated with horizontal drilling and hydraulic fracturing for the production of natural gas where permitted” and “...the inter-basin transfer of water and wastewater for purposes of natural gas development where permitted”; and

WHEREAS, the Township considers that the weight of evidence shows that natural gas development and its operations cannot be done safely and/or without degrading the exceptional water quality of the Delaware River and tributary streams;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Township calls upon the Delaware River Basin Commission to enact a complete and permanent ban on natural gas development and fracking and all related activities (including drilling, fracking, wastewater processing and discharges from and water withdrawals for drilling and fracking operations) throughout the Basin.
2. That an official copy of this resolution be filed with the Delaware River Basin Commission, 25 Cosey Road, P.O. Box 7360, West Trenton, NJ 08628-0360

⁹ PSE Healthy Energy, “Lifecycle Greenhouse Gas Emissions Associated with Projected Future Marcellus Development”, 2017.

¹⁰ <https://www.epa.gov/climate-impacts/climate-impacts-water-resources>

RESOLUTION #2018-085-11

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 \$1947.96 to TYLER EVANS. for Block 93.02 Lot 8 commonly known as 26 WYNDHAM COURT.

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 \$2454.19 to Eric P. Teichman for Block 92 Lot 8.02 commonly known as 232 Crosswicks Road.

03/26/18
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 March 26, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-085-12

A RESOLUTION TO CANCEL TAXES

WHEREAS, the United States Department of Veteran Affairs has classified Tyler Evans 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 January 1, 2018.

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 8	2018	\$3895.91
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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.

03/26/18
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 March 26, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-085-13

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #16-00017 was redeemed on MARCH 16, 2018, in the amount of \$2647.64

WHEREAS, TWR AS CUST FOR EDBURY FUND 1NJ, 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 \$1300.00 to TWR AS CUST FOR EDBURY FUND 1NJ, LLC; for Lien 16-00017, Block 68 Lot 18 commonly known as 9 THORNTOWN LANE.

JCE
3/26/18

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 March 26, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-085-14

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #16-00007 was redeemed on MARCH 19, 2018, in the amount of \$7933.04

WHEREAS, US BANK C/F PRO CAP 4 & CRDTS, paid tax sale premium, in the amount of \$1100.00 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 \$1100.00 to US BANK C/F PRO CAP 4 & CRDTS; for Lien 16-00007, Block 27 Lot 11.03 commonly known as 57 HIGHBRIDGE ROAD.

JCE
3/26/18

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 March 26, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-085-15

APPOINTMENT OF MEMBERS TO ZONING BOARD OF ADJUSTMENT

BE IT RESOLVED that the following appointments to the Zoning Board of Adjustment be and are hereby approved:

4 Year Unexpired Term Expiring 12/31/19:	Linda Schiano
2 Year Unexpired Term Expiring 12/31/18 (Alt. #1):	Charles Klosinski
2 Year Unexpired Term Expiring 12/31/19 (Alt. #2):	Amina Anderson

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 March 26, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-085-16

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 March 26, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/26/18

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

THIS SHARED SERVICES AGREEMENT is made this 26th day of March, 2018, 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 in return for payment of the associated costs; 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, 2018. 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. Term. This agreement shall be for the 2018 calendar year. If the City desires to continue the services, it shall notify the Township by providing notice, in writing, at least sixty (60) days before the termination date so that a new agreement may be negotiated and executed.

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

James Lynch, Mayor

Dated:

Dated:

ATTEST: (Affix Seal)

TOWNSHIP OF BORDENTOWN

Colleen M. Eckert, Twp. Clerk

Stephen Benowitz, Mayor

Dated:

Dated:

RESOLUTION #2018-085-17

AUTHORIZING YEAR 2018 TEMPORARY EMERGENCY APPROPRIATIONS (N.J.S.A. 40A:4-20)

WHEREAS, an emergent condition has arisen in that the Township of Bordentown is expected to enter in contracts, commitments or payments prior to the 2018 budget and no adequate provision has been made in the 2018 Temporary Budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$3,485,140.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, Burlington County, State of New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$741,750.00 as follows:

TOWNSHIP OF BORDENTOWN
Temporary Appropriations 03.26.18 40A:4-20

		2018
	PRIOR	\$ 2,743,390.00
ADMINISTRATION	S&W	13,250.00
ADMINISTRATION	O/E	5,000.00
MAYOR / COMMITTEE	S&W	7,500.00
Municipal Clerk	S&W	15,000.00
Finance	S&W	10,500.00
Finance	O/E	2,500.00
Tax Collection	S&W	10,000.00
Tax Collection	O/E	2,500.00
Tax Assessor	S&W	5,000.00
Tax Assessor	O/E	1,500.00
Legal	O/E	15,000.00

Engineering	O/E	25,000.00
Community Development	S&W	13,000.00
UCC	S&W	25,000.00
Employee Group Insurance	O/E	85,000.00
POLICE	S&W	250,000.00
Emergency Mgmt	S&W	3,000.00
Municipal Prosecutor	S&W	2,500.00
P/W - Streets Roads	S & W	75,000.00
P/W - Vehicle Maintenance	S&W	4,000.00
Landfill/Solid Waste	O / E	35,000.00
MACCS	O/E	20,000.00
Natural Gas	O/E	3,500.00
Telecommunications	O/E	7,000.00
Landfill/Solid Waste	O/E	20,000.00
FICA- Social Security	O / E	30,000.00
EMS - AMBULATORY	S & W	30,000.00
Municipal Court	S&W	25,000.00
Public Defender	O/E	1,000.00
		741,750.00
TOTAL INCLUDING THIS RESOLUTION		\$ 3,485,140.00

2. Said emergency temporary appropriations will be provided for in the 2018 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

TOWNSHIP OF BORDENTOWN

RESOLUTION #2018-085-18

**A RESOLUTION AMENDING AND REPLACING
RESOLUTION #2009-257-12, ESTABLISHING A
VETERANS' ADVISORY COMMITTEE**

WHEREAS, the Township Committee of the Township of Bordentown has the deepest respect and gratitude for the service of the veterans, especially for those residing in the Township; and

WHEREAS, the Township Committee has previously provided for the establishment of a Veterans' Advisory Committee through Resolution 2001-85-12, together with various amendments thereto (Resolutions #2006-072-13, #2008-161-13 and #2009-257-12); and

WHEREAS, the Township Committee reaffirms its commitment to recognition of veterans and to providing services to veterans,

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

1. The Township of Bordentown hereby reaffirms the establishment of the Veterans' Advisory Committee of the Township of Bordentown, to be structured and established as provided in this Resolution, which is intended to amend and replace the existing Resolutions on the Veterans' Advisory Committee.
2. The Veterans' Advisory Committee shall consist of nine (9) regular members appointed by the Township Committee. The regular (full) members shall be appointed from residents or employees of the Township of Bordentown.
3. The members of the Veterans' Advisory Committee shall serve terms of three (3) years, appointed so as to have at least three of the members appointed each year. Appointments to fill vacancies shall be for the unexpired term.
4. In addition, there shall be two (2) alternate members appointed by the Township Committee for staggered two (2) year terms with the designation of Alternate #1 and Alternate #2. The alternate members shall have the right to participate in all discussions, but may vote only in the absence of a regular member. In the absence of one (1) regular member, Alternate #1 member will vote. In the absence of more than one regular member, both Alternate members will vote. In the absence of a regular member and Alternate #1, Alternate #2 will vote. The alternate members may be appointed from residents, employees or abutting municipalities. The Township Committee reserves the right to expand the amount of alternate members who reside outside the Township.
5. The Chairman of the Veterans' Advisory Committee shall be appointed by the Township Committee based on the recommendation of the Veterans' Advisory Committee; the appointment (or reappointment) of the Chairman will be on an annual basis by the Township Committee.

6. Veterans' Advisory Committee shall have the following goals and purposes:
- a. To maintain and promote understanding of the missions and issues that affect Veterans of the State of New Jersey, Bordentown Township and surrounding municipalities.
 - b. To maintain a Veterans Outreach in the Community and provide needed guidance to help Veterans attain available services to them.
 - c. Formulate recommendations to the Township Committee concerning the needs of veterans and the programs that may be appropriate to meet those needs, including the social services that may be appropriate to assist veterans, whether those services are available through the Federal, State, County or Township levels of government.
 - d. Propose and, if approved by the Township Committee, implement programs designated to assist Veterans in receiving any and all benefits to which they are entitled under state and/or Federal Law.
8. The Veterans' Advisory Committee may adopt By-Laws, provided that they are consistent with this Resolution.
9. The Township Committee may appoint, on the recommendation of the Veterans' Advisory Committee, Emeritus and Honorary members in recognition of contributions or service to the Veterans' Advisory Committee.

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 March 26, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-085-19

AUTHORIZING PURCHASE OF CUSHION TIRE FORKLIFT, UNDER STATE CONTRACT, FOR THE BORDENTOWN TOWNSHIP PUBLIC WORKS DEPARTMENT

WHEREAS, the Township of Bordentown, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, there is a need to purchase a cushion tire forklift for the Bordentown Township Public Works Department; and

WHEREAS, this forklift can be purchased through State Contract #GS-07F-0382Y; and

WHEREAS, funds are available 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 as follows:

1. The Township Administrator is hereby authorized to approve and forward a purchase order to CFE Equipment Corporation, 818 Widgeon Road, Norfolk, VA, 23513 for the purchase of cushion tire forklift, in the amount of \$29,430.81.

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 March 26, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

ORDINANCE NO. 2018-11

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING CERTAIN APPROPRIATION BALANCES IN THE AGGREGATE AMOUNT OF \$643,322.24 AND RE-APPROPRIATING SAID FUNDS FOR OTHER CAPITAL IMPROVEMENTS AND THE PURCHASE OF EQUIPMENT.

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 appropriations set forth in the table below, which represent a portion of the amounts authorized for the specific projects referenced below pursuant to the Bond Ordinances specified below and which remain as balances in said Bond Ordinances, are hereby cancelled in order to be re-appropriated as further described herein.

	<u>Ordinance Number</u>	<u>Amount of Appropriation to be Cancelled</u>	<u>Short Description</u>
(a)	2007-19	\$11,176.25	NCP Green Acres Program
(b)	2007-33	\$11.75	General road improvements
(c)	2009-17	\$46,706.00	Roadway re-striping
(d)	2012-06	\$7,834.50	Public Works building generator installation/wiring
(e)	2012-06	\$3,601.77	Public Works machine shop equipment
(f)	2012-06	\$63,717.41	Public Works heavy equipment and vehicles
(g)	2012-06	\$2,311.32	Underground storage tank removal/remediation
(h)	2012-06	\$4,293.84	Multiuse video/audio recording equipment
(i)	2012-11	\$67,616.89	NJ DOT Hedding Road Project
(j)	2013-03	\$87,288.88	Land and buildings
(k)	2014-06	\$19,261.07	Public Works equipment
(l)	2016-06	\$180,322.16	Road and street improvements
(m)	2016-06	<u>\$149,180.40</u>	Public Works vehicles and equipment
		<u>\$643,322.24</u>	

Section 2. From the Bond Ordinances set forth above, (a) \$426,322.24 is hereby re-appropriated to be used for the acquisition of equipment for the Department of Public Works, as set forth in a list on file in the office of the Township Clerk (as such list may be supplemented and revised), together with general Department of Public Works capital improvements, and (b) \$217,000.00 is hereby re-appropriated to be used for the acquisition of vehicles and equipment for the Police Department, as set forth in a list on file in the office of the Township Clerk (as such list may be supplemented and revised).

Section 3. 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 2 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of the bonds or notes authorized by the Bond Ordinances 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 Ordinances described in Section 1 hereof, in an aggregate amount not to exceed the amount of bonds or notes authorized by the Bond Ordinances described in Section 1 hereof.

Section 4. The equipment authorized to be purchased and 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 equipment or the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 5. The average useful life of the equipment and improvements authorized hereby is estimated, in accordance with the Local Bond Law, to be at least 12.4 years.

Section 6. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 7. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

ORDINANCE #2018-12

AN ORDINANCE AMENDING ORDINANCE #2016-14 TO AMEND CHAPTER 15.16 OF THE MUNICIPAL CODE "HOUSING CODE"

Chapter 15.16: Housing Code

Sections:

15.16.040 Enforcement

15.16.040 Enforcement. *(New Text is Underlined)*

The enforcement procedure for the New Jersey State Housing Code shall be as provided in Sections 15.20.040, 15.20.060 and 15.20.070, as the same shall apply to violations of said code. Penalties shall be as set forth in Chapter 1.08. Enforcement responsibilities for all residential dwellings shall be as established and approved by resolution and agreement between the Township of Bordentown and Fire District 1 and Fire District 2.

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.

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.

Effective Date. This ordinance shall take effect May 1, 2018.