

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: APRIL 9, 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:

- Environmental Litigation: Transco Compressor Station
- AFSCME Contract Matter
- Tax Assessor 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. Mayor's Proclamation for Agricultural Month.
7. Mayor's Proclamation for Alcohol Awareness Month.
8. Mayor's Proclamation honoring Mr. George Haas.
9. Presentation by Township Auditor of 2018 Municipal Budget.

10. APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR:

In accordance with N.J.S.A. Appendix A:9-40 I, Stephen Benowitz, as Mayor, do hereby appoint Salvatore Guido as Emergency Management Coordinator for a three year term beginning May 1, 2018 and expiring April 30, 2021.

11. 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 #2018-99-12 through #2018-99-22.
12. Resolution #2018-99-12 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 13. Resolution #2018-99-13 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
 14. Resolution #2018-99-14 entitled RESOLUTION SUPPORTING THE 2018 UDRIVE, UTEXT, UPAY, DISTRACTED DRIVING CRACKDOWN APRIL 1-21, 2018.
 15. Resolution #2018-99-15 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
 16. Resolution #2018-99-16 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.
 17. Resolution #2018-99-17 entitled RESOLUTION ESTABLISHING ANNUAL SALARY OF THE EMERGENCY MANAGEMENT COORDINATOR.
 18. Resolution #2018-99-18 entitled RESOLUTION ACCEPTING PROPOSAL FROM BLACK LAGOON FOR POND MANAGEMENT PROGRAM LOCATED AT NORTHERN COMMUNITY PARK.
 19. Resolution #2018-99-19 entitled A RESOLUTION CONSENTING TO THE PROPOSED TRI-COUNTY WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT.

20. Resolution #2018-99-20 entitled RESOLUTION ACCEPTING THE NON-RENEWAL OF LIQUOR LICENSE #0304-36-001-003, BORDENTOWN HOTELS, INC., T/A THE DAYS INN OF BORDENTOWN.
21. Resolution #2018-99-21 entitled RESOLUTION AWARDED A CONTRACT TO ACCLAIM INVENTORY, LLC, FOR FIXED ASSET VALUATION.
22. Resolution #2018-99-22 entitled RESOLUTION AUTHORIZING THE PURCHASE OF EDITING SOFTWARE THROUGH WATCHGUARD FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT.
23. Public Hearing on 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.
24. Consideration of Adoption 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.
25. Public Hearing on Ordinance #2018-12 entitled AN ORDINANCE AMENDING ORDINANCE #2016-14 TO AMEND CHAPTER 15.16 OF THE MUNICIPAL CODE "HOUSING CODE"
26. Consideration of Adoption of Ordinance #2018-12 entitled AN ORDINANCE AMENDING ORDINANCE #2016-14 TO AMEND CHAPTER 15.16 OF THE MUNICIPAL CODE "HOUSING CODE".
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 #2018-99-12

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated April 9, 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.

04/09/18

RESOLUTION #2018-99-13

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 March 26, 2018 and the Regular Meeting of March 26, 2018; as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected).

04/09/18

RESOLUTION #2018-99-14

Resolution Supporting the 2018 UDrive. UText. UPay. Distracted Driving Crackdown April 1 - 21, 2018

Whereas, distracted driving is a serious, life-threatening practice that is preventable; and

Whereas, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

Whereas, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

Whereas, in 2015 alone distracted driving-related crashes resulted in 3,477 deaths and 391,000 injuries on our nation's roads; and

Whereas, in New Jersey distracted driving was listed as a contributing circumstance in nearly 750,000 crashes between 2011-2015; and

Whereas, the State of New Jersey will participate in the nationwide *Distracted Driving 2018 Crackdown* from April 1 - 21, 2018 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

Whereas, the national slogan for the campaign is UDrive. UText. UPay; and

Whereas, a reduction in distracted driving in New Jersey will save lives on our roadways;

Therefore, be is resolved that Township Committee of the Township of Bordentown declares it's support for the *Distracted Driving 2018 Crackdown* both locally and nationally from April 1 - 21, 2018 and pledges to increase awareness of the dangers of distracted driving.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on April 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-9-15

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 \$1,525.43 to MTAG AS C/F ALTERNA FUNDING 1 LLC. for Block 12 Lot 2 commonly known as 580 route 206.

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 \$313.07 to LEONARD DE GROOT for Block 101 Lot 7 commonly known as 8 ARLINGTON ROAD.

04/9/18
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It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on April 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-99-16

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 6th 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

		DEBIT	CREDIT
8-01-20-165-000	ENGINEERING SERVICES & COSTS	7,500.00	
8-01-26-315-200	VEHICLE MAINTENANCE O/E		7,500.00
Total Amendment		7,500.00	7,500.00

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on April 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-99-17

RESOLUTION ESTABLISHING ANNUAL SALARY OF THE EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, in accordance with NJSA A:9-40, the Mayor shall appoint an Emergency Management Coordinator for the Township of Bordentown; and

WHEREAS, this date, the Mayor did appoint Mr. Salvatore Guido as Emergency Management Coordinator with an effective term of May 1, 2018 through April 30, 2021; and

WHEREAS, the Township Committee, by resolution, must establish the annual salary of the Emergency Management Coordinator;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby establish the annual salary of the Emergency Management Coordinator to be \$10,000 in accordance with Bordentown Township 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 April 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/09/18

RESOLUTION #2018-99-18

RESOLUTION ACCEPTING PROPOSAL FROM BLACK LAGOON FOR POND MANAGEMENT PROGRAM LOCATED AT NORTHERN COMMUNITY PARK

WHEREAS, Black Lagoon has submitted a proposal to provide pond management services for the Northern Community Park pond; and

WHEREAS, the Township Committee wishes to accept a proposal from Black Lagoon for pond management services in the amount of \$3,750; and

WHEREAS, there is a permit fee required in the amount of \$250.00; and

WHEREAS, funds are available for said project 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 Black Lagoon in the amount of \$3,750 with an additional \$250.00 to acquire the necessary permit to cover the pond management services for the pond at Northern Community Park.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on April 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/09/18

RESOLUTION #2018-99-19

A RESOLUTION CONSENTING TO THE PROPOSED TRI-COUNTY WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the Bordentown Township, Burlington County, NJ desires to provide for the orderly development of wastewater facilities to service Lots 36 & 37, Block 25, within the Bordentown Township, Burlington County, NJ; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at NJAC 7:15-3.5, as the method of incorporating unplanned facilities into a WQ< plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register on March 19, 2018, for Amendment to the Bordentown Sewerage Authority Wastewater Management Plant and the Tri-County Water Quality Management Plan has been prepared by New Jersey Department of Environmental Protection as Program Interest No. 435433, Activity No. AMD170001;

NOW, THEREFORE, BE IT RESOLVED on this 9th day of April, 2018, by the Township Committee of the Township of Bordentown, Burlington County, NJ that:

1. The Township of Bordentown hereby consents to the Proposed Amendment to the Tri-County Water Quality Management Plan, and publicly noticed on March 19, 2018, prepared by NJDEP as Program Interest No. 435433, Activity AMD 170001, for the purpose of its incorporation into the applicable WQM plans.
2. This consent shall be submitted to the NJDEP pursuant to NJAC 7:15-3.5(g)6.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on April 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/09/18

RESOLUTION #2018-99-20

RESOLUTION ACCEPTING THE NON-RENEWAL OF LIQUOR LICENSE #0304-36-001-003,
BORDENTOWN HOTELS, INC. T/A THE DAYS INN BORDENTOWN

WHEREAS, liquor licenses are due to be renewed prior to July 1 each year; and

WHEREAS, by correspondence from the State of New Jersey, Division of Alcoholic Beverage Control, dated March 22, 2018, Bordentown Hotels, Inc., has failed to renew their liquor license since 2016; and

WHEREAS, such action shall cause this license to cease to exist;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept the non-renewal of Liquor License #0304-36-001-003 and thereby causes Liquor License #0304-36-001-003 to cease to exist; and

BE IT FURTHER RESOLVED that the Township Clerk shall forward a certified copy of this resolution to the State of New Jersey, Division of Alcoholic Beverage Control and to the Bordentown Township Police Department.

It is hereby certified that the foregoing is a true and correct copy
of a resolution adopted by the Township Committee of the Township
of Bordentown at a meeting held on April 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/09/18

RESOLUTION #2018-99-21

RESOLUTION AWARDDING A CONTRACT TO ACCLAIM INVENTORY, LLC, FOR FIXED ASSET VALUATION

WHEREAS, Technical Accounting Directive 85-2 requires municipalities to establish an asset inventory system and the record of fixed assets be updated on an annual basis; and

WHEREAS, Acclaim Inventory, LLC, has submitted a proposal and is qualified to perform said inventory of fixed assets; and

WHEREAS, the proposal submitted by Acclaim Inventory, LLC, in the amount of \$2,300 is below the quote requirement;

NOW, THEREFORE, BE IT RESOLVED by the Township of the Township of Bordentown that it does hereby authorize a contract with Acclaim Inventory, LLC, 8 Hamilton Avenue, Edison, NJ 08820 in an amount not to exceed \$2,300 for the purpose of conducting a Fixed Asset Valuation.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township of the Township of Bordentown at a meeting held on April 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

04/09/18

RESOLUTION #2018-99-22

RESOLUTION AUTHORIZING THE PURCHASE OF EDITING SOFTWARE THROUGH WATCHGUARD FOR THE BORDENTOWN TOWNSHIP POLICE 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 editing software for the Bordentown Township Police Department; and

WHEREAS, this software can be purchased through State Contract #A-81300-21817-82; 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 Watchguard, 415 Century Parkway, Allen, TX 75013, for the purchase of editing software, in the amount of \$3,918.75.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on April 9, 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.