

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: JULY 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:

--Affordable Housing Contract Matters.

--Public Works Department Personnel Matter.

--Tax Appeal Litigation: Petro.

--Professional Services Contract Matters:      Bonnie Lane Drainage  
PW Expansion Contract Matter  
Master Plan

--Attorney-Client Privilege:

Personnel Policy

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 honoring 63<sup>rd</sup> Army Band.
7. 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 #2018-190-8 through #2018-190-18.
8. Resolution #2018-190-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
  9. Resolution #2018-190-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
  10. Resolution #2018-190-10 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
  11. Resolution #2018-190-11 entitled ACKNOWLEDGING RECEIPT OF REPORT OF AUDIT FOR THE YEAR 2017.
  12. Resolution #2018-190-12 entitled RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE EXTENSION OF TRANSPORT AGREEMENT FOR BORDENTOWN TOWNSHIP EMS.
  13. Resolution #2018-190-13 entitled NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT FOR PURCHASE OF A 2018 GENIE Z62/40 BOOM LIFT PURSUANT TO N.J.S.A. 52:34-6.2.
  14. Resolution #2018-190-14 entitled NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT FOR PURCHASE OF A TRACK STUMP GRINDER-MODEL 2550 PURSUANT TO N.J.S.A. 52:34-6.2.
  15. Resolution #2018-190-15 entitled RESOLUTION ACCEPTING QUOTE FROM U.S. CUTTER FOR THE PURCHASE OF A SIGN TABLE FOR THE PUBLIC WORKS DEPARTMENT.
  16. Resolution #2018-190-16 entitled RESOLUTION TO APPOINT POLICE OFFICER FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT.

17. Resolution #2018-190-17 entitled AUTHORIZING EXECUTION OF THE FY2019 BURLINGTON COUNTY ANNUAL ALLIANCE PLAN AGREEMENT.
18. Resolution #2018-190-18 entitled RESOLUTION EXPRESSING OPPOSITION TO THE RECENTLY AMENDED LEGISLATIVE PROPOSALS REGARDING THE OPEN PUBLIC MEETINGS ACT (S-106) AND OPEN PUBLIC RECORDS ACT (S-107).
19. Public Hearing on Ordinance #2018-20 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO VACATE A PORTION OF DUNNS MILL ROAD ADJACENT TO BLOCK 130, LOT 2 AND BLOCK 131, LOT 6.
20. Consideration of Adoption of Ordinance #2018-20 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO VACATE A PORTION OF DUNNS MILL ROAD ADJACENT TO BLOCK 130, LOT 2 AND BLOCK 131, LOT 6.
21. Consideration of Introduction of Ordinance #2018-22 entitled ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BORDENTOWN, TITLE 10, "VEHICLES AND TRAFFIC", CHAPTER 10.05, "SCHEDULES", SCHEDULE I, "NO PARKING", AND SCHEDULE V, "TRUCKS OVER FOUR TONS EXCLUDED", AND CHAPTER 25, "LAND DEVELOPMENT ORDINANCE", SECTION 500, "GENERAL PROVISIONS AND DESIGN STANDARDS", SUBSECTION 25.514, "SIGNS".
22. Administrator and Staff Reports.
23. Township Committee and Staff Reports.
24. Public Participation.  
  
Questions, comments or statements from members of the public in attendance.
25. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
26. 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 #2018-190-8

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 July 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.

07/09/18

RESOLUTION #2018-190-9

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 June 25, 2018; the Regular Meeting of June 25, 2018; as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as ( \_\_\_\_\_ submitted) ( \_\_\_\_\_ corrected).

07/09/18

**RESOLUTION #2018-190-10**

**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 \$1,422.54 to Coretitle LLC. for Block 24 Lot 5 commonly known as 9 WILSON AVE.

07/09/18

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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 July 9, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

07/09/18

RESOLUTION #2018-190-11

ACKNOWLEDGING RECEIPT OF REPORT OF AUDIT FOR THE YEAR 2017

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Township of Bordentown Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled Schedule of Findings and Recommendations as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject members of the governing body to the penalty provisions of R.S. 52:27BB-52 - to with:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Bordentown hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

07/09/18

RESOLUTION #2018-190-12

RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE EXTENSION OF  
TRANSPORT AGREEMENT FOR BORDENTOWN TOWNSHIP EMS

WHEREAS, on July 28, 2008, the Township Committee adopted Resolution #2008-210-11, authorizing the Mayor and Township Clerk to execute the transport agreement with Virtua Health, Inc., to provide Advanced Life Support Services for Bordentown Township EMS; and

WHEREAS, the agreement has been renewed annually since its inception; and

WHEREAS, the current agreement expires August 31, 2018, and is due to be extended for a one-year term beginning September 1, 2018;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the Mayor and Township Clerk to execute the agreement with Virtua Health, Inc., for a one-year term beginning September 1, 2018 and ending August 31, 2019.

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 July 9, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

07/09/18

**TOWNSHIP OF BORDENTOWN**

**COUNTY OF BURLINGTON**

**NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL  
COOPERATIVE PURCHASING AGREEMENT FOR PURCHASE OF A 2018 GENIE  
Z62/40 BOOM LIFT PURSUANT TO N.J.S.A. 52:34-6.2**

RESOLUTION NO. 2018-190-13

WHEREAS, the Township of Bordentown participates in a National Cooperative Purchasing Agreement with National Joint Powers Alliance; and

WHEREAS, the Township of Bordentown intends to purchase a 2018 Genie Z62/40 Boom Lift pursuant to contract NJPA 042815-TER; and

WHEREAS, information regarding the contract may be found at the Municipal Clerk's Office, located at 1 Municipal Drive, Bordentown, NJ 08505, during regular business hours, as well as on the NJPA's website at: [www.njpacoop.org](http://www.njpacoop.org); and

WHEREAS, the Township of Bordentown anticipates joining the NJPA contract on July 9, 2018; and

WHEREAS, The NJPA contract term matures on May 15, 2019; and

WHEREAS, It is the intent of the Township of Bordentown to make a contract award on July 9, 2018, to Interstate Aerials, the local distributor for Terex USA, LLC, pursuant to the proposal submitted in response to the Bordentown Township NJPA Request for Quotes; and

WHEREAS, pursuant to P.L. 2011, c.139 the following certifications and documentation has been obtained:

1. All cost-savings factors have been evaluated and documented.
2. The national cooperative contract was awarded through a "competitive bidding process" that complies with the laws covering the issuing entity.
3. Interstate Aerials will comply with all applicable New Jersey procurement documentation.
4. All documentation applicable to the contract will be available for audit and subject to disclosure under the Open Public Records Act.
5. This contract is awarded as a subject to the New Jersey Pay-to-Play laws.

WHEREAS, funds are available for this purchase as evidence by the attached Certification of Availability of Funds;

NOW, THEREFORE, BE IT RESOLVED that the Township of Bordentown will award the contract for the 2018 Genie Z62/40 Boom Lift to Interstate Aerials in the amount of \$118,820.75.

**TOWNSHIP OF BORDENTOWN**

**COUNTY OF BURLINGTON**

**NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL  
COOPERATIVE PURCHASING AGREEMENT FOR PURCHASE OF A TRACK  
STUMP GRINDER-MODEL 2550 PURSUANT TO N.J.S.A. 52:34-6.2**

RESOLUTION NO. 2018-190-14

WHEREAS, the Township of Bordentown participates in a National Cooperative Purchasing Agreement with National Joint Powers Alliance; and

WHEREAS, the Township of Bordentown intends to purchase a Track Stump Grinder-Model 2550 pursuant to contract NJPA 062117-BAN; and

WHEREAS, information regarding the contract may be found at the Municipal Clerk's Office, located at 1 Municipal Drive, Bordentown, NJ 08505, during regular business hours, as well as on the NJPA's website at: [www.njpacoop.org](http://www.njpacoop.org); and

WHEREAS, the Township of Bordentown anticipates joining the NJPA contract on July 9, 2018; and

WHEREAS, The NJPA contract term matures on August 18, 2021; and

WHEREAS, It is the intent of the Township of Bordentown to make a contract award on July 9, 2018, to Modern Equipment Sales & Rental Company, the local distributor for Bandit Industries, pursuant to the proposal submitted in response to the Bordentown Township NJPA Request for Quotes; and

WHEREAS, pursuant to P.L. 2011, c.139 the following certifications and documentation has been obtained:

6. All cost-savings factors have been evaluated and documented.
7. The national cooperative contract was awarded through a "competitive bidding process" that complies with the laws covering the issuing entity.
8. Modern Equipment Sales and Rental Company will comply with all applicable New Jersey procurement documentation.
9. All documentation applicable to the contract will be available for audit and subject to disclosure under the Open Public Records Act.
10. This contract is awarded as a subject to the New Jersey Pay-to-Play laws.

WHEREAS, funds are available for this purchase as evidence by the attached Certification of Availability of Funds;

NOW, THEREFORE, BE IT RESOLVED that the Township of Bordentown will award the contract for the Track Stump Grinder-Model 2550 to Modern Equipment Sales & Rental Company in the amount of \$49,727.20.

RESOLUTION #2018-190-15

RESOLUTION ACCEPTING QUOTE FROM U.S. CUTTER FOR THE PURCHASE OF A SIGN TABLE FOR THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Department of Public Works did request quotes for the purchase of a Sign Table; and

WHEREAS, U.S. Cutter did submit the lowest quote in the amount of \$9,255.00; and

WHEREAS, funds are available to purchase the Sign Table 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 quote and authorize the purchase of a Sign Table through U.S. Cutter, 17945 NE 65<sup>th</sup> Street, Suite 200, Redmond, VA, 98052, in the amount of \$9,255.00.

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 July 9, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

07/09/18

RESOLUTION #2018-190-16

RESOLUTION TO APPOINT POLICE OFFICER FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT

BE IT RESOLVED by the Township Committee of the Township of Bordentown that as recommended by the Chief of Police, the following candidate for Police Officer, as listed by the Civil Service Commission Certification #OL180301, dated April 2, 2018, is hereby appointed as Police Officer in the Police Department of the Township of Bordentown:

Taylor Zackman

BE IT FURTHER RESOLVED that said appointment shall be effective July 16, 2018; and

BE IT FURTHER RESOLVED that compensation for said appointment shall be at the position of Police Recruit, or \$40,000/year, in accordance with the contract with the Bordentown Township Police Officer's Association; and

BE IT FINALLY RESOLVED that the appointment shall be subject to the Rules and Regulations of the New Jersey Civil Service Commission.

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

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COLLEEN M. ECKERT, RMC, TWP. CLERK

07/09/18

**TOWNSHIP OF BORDENTOWN**

**RESOLUTION #2018-190-17**

**AUTHORIZING EXECUTION OF THE  
FY2019 BURLINGTON COUNTY  
ANNUAL ALLIANCE PLAN AGREEMENT**

**WHEREAS**, the New Jersey Governor’s Council on Alcoholism and Drug Abuse has notified the Board of Chosen Freeholders of Burlington County that the Council will award grants to Municipal Alliance Committees in Burlington County in accordance with the Burlington County Municipal Alliance Plan for FY2019 which was approved by the Board of Chosen Freeholders; and

**WHEREAS**, the grant funds will be paid to the Board of Chosen Freeholders of Burlington County for disbursement to municipalities in Burlington County which have formed Municipal Alliance Committees whose Requests for Proposal have been approved by the Governor’s Council; and

**WHEREAS**, the Governor’s Council required that a Letter of Agreement be made between the Governor’s Council and the Board of Chosen Freeholders of Burlington County for the administration of the grant funds before the first disbursement of funds by the Governor’s Council; and

**WHEREAS**, the following grant has been approved to the Bordentown Alliance known as Bordentown Residents Against Drugs (“B.R.A.D.”) established in accordance with Ordinance #1989-18 in the following amount:

<b>Alliance DEDR Allocation</b>	<b>\$ 14,804.00</b>
<b>City/Twp. Cash Match (25%)</b>	<b>\$ 3,701.00</b>
<b>In-Kind Match</b>	<b>\$ 11,103.00</b>

**WHEREAS**, the Board of Chosen Freeholders prepared agreements with the municipalities which have been awarded said grants which must be fully executed before any monies can be disbursed to the municipalities for the grant period from July 1, 2018 through June 30, 2019; and

**WHEREAS**, an Agreement amongst the Burlington County Board of Chosen Freeholders, the Township of Bordentown and the City of Bordentown has been forwarded.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bordentown that it hereby authorizes the Mayor and Clerk to execute this Agreement on behalf of the Township of Bordentown.

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**I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Township Committee of the Township of Bordentown conducted on the 9<sup>th</sup> day of July, 2018.**

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**Colleen M. Eckert, RMC  
Township Clerk**

07/09/18

**RESOLUTION NO. 2018-190-18**

**RESOLUTION EXPRESSING OPPOSITION TO THE RECENTLY AMENDED LEGISLATIVE PROPOSALS REGARDING THE OPEN PUBLIC MEETINGS ACT (S-106) AND OPEN PUBLIC RECORDS ACT (S-107)**

**WHEREAS**, on June 14, 2018, by a vote of 4-0, the Senate State Government Committee amended and released S-106, which revises the Open Public Meetings Act and S-107, which revises the Open Public Records Act; and

**WHEREAS**, the New Jersey State League of Municipalities, along with the New Jersey Association of Counties and the School Boards Association, testified in opposition of these recently amended bills for various reasons which include the defining of subcommittees, the expanding of the definition of a government record, prevailing attorney fees and the exemption of the legislature; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bordentown, that it does support the New Jersey League of Municipalities, the New Jersey Association of Counties and the School Boards Association, opposition to the recently amended OPMA and OPRA laws; and

**BE IT FURTHER RESOLVED** that these bills have now been referred to the Senate Budget and Appropriations Committee and the Township Committee of the Township of Bordentown further urges Senator Loretta Weinberg to honor her commitment to continue to work towards a resolution to address the remaining issues; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be filed with Senator Weinberg, the New Jersey State League of Municipalities, the New Jersey Association of Counties and the School Boards Association.

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 July 9, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

07/09/18

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE NO. 2018-20**

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO VACATE A PORTION OF DUNNS MILL ROAD ADJACENT TO BLOCK 130, LOT 2 AND BLOCK 131, LOT 6**

**WHEREAS**, there exists in the Township of Bordentown a portion of an unimproved, paper street known as Dunns Mill Road, located between the New Jersey Turnpike and Old York Road (between Tax Blocks 130 and 131) as shown on the Official Tax Map of Bordentown; and

**WHEREAS**, Block 130, Lot 2 was the subject of a Planning Board Application PB2017-0036 seeking preliminary and final major site plan approval, which approval was granted pursuant to Resolution P-2017-15; and

**WHEREAS**, the Planning Board required the vacation of that portion of Dunns Mill Road adjoining Block 130, Lot 2 and Block 131, Lot 6, as a condition of approval pursuant to Resolution P-2017-15; and

**WHEREAS**, N.J.S.A 40:67-1 *et. seq.* empowers the governing body of a municipality to make, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any public street, and to vacate any street, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any part, has been actually opened or improved; and

**WHEREAS**, the Township Committee of the Township of Bordentown has considered evidence that the portion of Dunns Mill Road to be vacated is not needed by the general public as a public thoroughfare and lends itself to higher and better use as part of the development of Block 130, Lot 2, and that the public interest will best be served by vacating and extinguishing any and all public rights which the Township may have in the affected lands; and

**WHEREAS**, the portion of Dunns Mill Road to be vacated is more particularly described by metes and bounds descriptions entitled "R.O.W. Vacation, Dunns Mill Road, Block 130, Lot 2" dated September 8, 2017 and attached hereto as **Exhibit A**; and "R.O.W. Vacation, Dunns Mill Road, Block 131, Lot 6" dated September 8, 2017 and attached hereto as **Exhibit B**; and as delineated on a map entitled "Right of Way Vacation Plan for Matrix Development Group, Dunns Mill Road dated September 8, 2017, and attached hereto as **Exhibit C**; which description and map were prepared by Maser Consultants, P.A; and

**WHEREAS**, for the reasons referenced above, among others, it appears to the Township Committee that the public interest will be better served by releasing the affected lands from any and all public rights therein and thereto pursuant to N.J.S.A. 40:67-19.

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

1. Subject to the conditions set forth herein, the public rights in that portion of Dunns Mill Road described in the attached exhibits, are hereby released and extinguished.
2. Those portions of Dunns Mill Road being vacated, as described in attached Exhibits A and B, shall revert to the owners of, and shall merge, consolidate with, and become a part of the adjacent

properties identified as Block 130, Lot 2 and Block 131, Lot 6 on the Official Tax Map of the Township of Bordentown.

3. Pursuant to N.J.S.A. 40:67-1, all public easements, right and interests to the portions of Dunns Mill Road described in the attached exhibits, are hereby vacated, released and extinguished except for said easements and rights specifically reserved therein and except for, (i) all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any Cable Television Company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated, and (ii) rights in favor of any wireless telephone company owning improvements on property adjacent to the portion of the street to be vacated to access such improvements during the term of any leasehold interest held by such wireless telephone company with respect to such adjacent property, subject to the conditions described herein.
4. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be considered for final passage, shall be mailed by the Township Clerk to the owners of all real property whose property may be affected by the ordinance or any assessment which may be made in pursuance thereof, provided, however, that, pursuant N.J.S.A. 40:49-6, the failure to mail such notice shall not invalidate this Ordinance.
5. This ordinance shall be published at least once in an official newspaper of the Township of Bordentown at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.
6. Pursuant to N.J.S.A. 40:67-21, the Township Clerk within sixty (60) days after the Ordinance becomes effective, shall submit a certified copy of this ordinance, together with proof of publication, to the Burlington County Clerk's Office for recording in the Book of Vacations.
7. The Mayor and Township Clerk of the Township of Bordentown are authorized and directed to sign and execute Quitclaim Deeds in the form approved by the Township Attorney, transferring ownership of the vacated portions of the Unimproved Street to the adjacent property owners, only should the property owners request such a quitclaim deed.
8. This Ordinance shall take effect upon final passage, adoption and publication according to law.
9. All costs, including publication and recording fees, incident to the vacation of the aforementioned street, shall be paid by Matrix Realty, Inc. or its designated affiliate, the developer of Block 130, Lot 2.
10. All ordinances of the Township of Bordentown that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.
11. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**TOWNSHIP OF BORDENTOWN**

**ORDINANCE NO. 2018-22**

**ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BORDENTOWN, TITLE 10, "VEHICLES AND TRAFFIC," CHAPTER 10.05, "SCHEDULES," SCHEDULE I, "NO PARKING," AND SCHEDULE V, "TRUCKS OVER FOUR TONS EXCLUDED," AND CHAPTER 25, "LAND DEVELOPMENT ORDINANCE," SECTION 500, "GENERAL PROVISIONS AND DESIGN STANDARDS," SUBSECTION 25.514, "SIGNS"**

**WHEREAS**, the Township Committee of the Township of Bordentown (the "Township") has received a copy of Resolution No. P-2017-17 from the Township Planning Board (the "Board") requesting that, as a condition of its approval of a Wawa convenience store and fueling station on Block 121, Lot 5, as so designated on the official Tax Map of the Township, the Township adopt an ordinance prohibiting parking on Municipal Drive and limiting the weight of vehicles permitted on Municipal Drive; and

**WHEREAS**, the Township has determined, in accordance with the Board's findings, that the safety of the public requires the implementation of the foregoing traffic regulations with respect to Municipal Drive.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that Title 10, "Vehicles and Traffic," Chapter 10.05, "Schedules," Schedule I, "No Parking" of the Code of the Township of Bordentown is hereby amended by adding the following language to the existing three-column chart:

<b>Name of Street</b>	<b>Sides</b>	<b>Location</b>
Municipal Drive exit	Both	a. On the north side of Municipal Drive extending from the end of Route 206 ramp to Farnsworth Avenue  b. On the south side of Municipal Drive from the beginning of the Route 206 entrance ramp to a point 190' west therefrom

**BE IT FURTHER ORDAINED AND ENACTED** by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that Title 10, "Vehicles and Traffic," Chapter 10.05, "Schedules," Schedule V, "Trucks Over Four Tons Excluded," of

the Code of the Township of Bordentown is hereby amended by adding the following language to the existing two-column chart:

<b>Name of Street</b>	<b>Location</b>
Municipal Drive	Entire Length

**BE IT FURTHER ORDAINED AND ENACTED** that Chapter 25, “Land Development Ordinance,” Section 500, “General Provisions and Design Standards,” Subsection 25.514, “Signs,” of the Code of the Township of Bordentown is hereby amended by adding new paragraph “G.,” which shall read as follows:

No Parking Signs. Installation of signs indicating “No Parking” shall be permitted on those streets, or portions thereof, as set forth for in Title 10, “Vehicles and Traffic,” Chapter 10.05, “Schedules,” Schedule I, “No Parking.” Such signs shall be of the type, design and standard previously installed within the Township. The location of “No Parking” signs shall be determined by the Township. All signs shall be installed free of visual obstruction. Signs installed in conformance with this provision shall not require a permit.

**BE IT FURTHER ORDAINED AND ENACTED** that Chapter 25, “Land Development Ordinance,” Section 500, “General Provisions and Design Standards,” Subsection 25.514, “Signs,” of the Code of the Township of Bordentown is hereby amended by adding new paragraph “H.,” which shall read as follows:

Trucks Over Four Tons Excluded Signs. Installation of signs indicating “Trucks Over Four Tons Excluded” shall be permitted on those streets, or portions thereof, as set forth for in Title 10, “Vehicles and Traffic,” Chapter 10.05, “Schedules,” Schedule V, “Trucks Over Four Tons Excluded.” Such signs shall be of the type, design and standard previously installed within the Township. The location of “Trucks Over Four Tons Excluded” signs shall be determined by the Township. All signs shall be installed free of visual obstruction. Signs installed in conformance with this provision shall not require a permit.

**BE IT FURTHER ORDAINED AND ENACTED** that all existing ordinances of the Township of Bordentown which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies.

**BE IT FURTHER ORDAINED AND ENACTED** that in the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid 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.

**BE IT FURTHER ORDAINED AND ENACTED** that this Ordinance shall take effect immediately upon approval and publication according to law.