



--Tax Appeal Litigation ó Petro Truck Stop

--Tax Lien Assignments.

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. Public Hearing on New Hotel Liquor License for Sean Enterprises, LLC, T/A Days Inn.
7. Resolution #2018-253-7 entitled AWARDING A NEW PLENARY RETAIL CONSUMPTION HOTEL LIQUOR LICENSE TO SEAN ENTERPRISES, LLC, T/A DAYS INN.
8. Mayor's Proclamation Recognizing Achievements of the Bordentown's 10U Girls Softball Team of 2018.
9. 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 #2018-253-10 through #2018-253-21.
10. Resolution #2018-253-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
  11. Resolution #2018-253-11 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
  12. Resolution #2018-253-12 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
  13. Resolution #2018-253-13 entitled A RESOLUTION TO CANCEL TAXES.
  14. Resolution #2018-253-14 entitled A RESOLUTION TO CANCEL TAXES.
  15. Resolution #2018-253-15 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM GARDEN STATE BOBCAT FOR A WACKER NEUSON RB28 TANDEM ROLLER.
  16. Resolution #2018-253-16 entitled NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT FOR PURCHASE OF TWO (2) JOHN DEERE Z970R ZTRAK MOWERS PURSUANT TO N.J.S.A. 52:34-6.2.

17. Resolution #2018-253-17 entitled RESOLUTION AUTHORIZING ADDITIONAL PAYMENT (BALANCE) TO J. McHALE AND ASSOCIATES, LLC, FOR APPRAISAL SERVICES FOR BLOCK 134.01, LOT 12.02.
18. Resolution #2018-253-18 entitled RESOLUTION OF THE TOWNSHIP OF BORDENTOWN OPPOSING THE APPLICATION OF ELCON RECYCLING SERVICES, LLC, RESUBMITTED TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR A PROPOSED HAZARDOUS WASTE FACILITY TO BE LOCATED IN FALLS TOWNSHIP, PENNSYLVANIA.
19. Resolution #2018-253-19 entitled RESOLUTION SUPPORTING LETTER TO ATTORNEY GENERAL GREWEL REGARDING PIPELINE AND AUTHORIZING THE MAYOR TO SIGN LETTER.
20. Resolution #2018-253-20 entitled RESOLUTION TO APPOINT INTERIM ZONING OFFICER.
21. Resolution #2018-253-21 entitled AUTHORIZING EXECUTION OF REDEVELOPMENT AGREEMENT WITH NISSIM REALTY CO., LLC, FOR THE NISSIM REDEVELOPMENT PROJECT.
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 #2018-253-7

AWARDING A NEW PLENARY RETAIL CONSUMPTION HOTEL LIQUOR LICENSE TO SEAN ENTERPRISES, LLC, T/A DAYS INN, PURSUANT TO N.J.S.A. 33:1-19.1 AND N.J.S.A. 33:1-12.20

WHEREAS, the Township Committee previously determined to issue a new liquor license under the hotel exception of the Alcoholic Beverage Control Act, N.J.S.A. 33:1-12.20 (öhotel liquor licenseö), using the öhistorical methodö authorized by the State of New Jersey, Division of Alcoholic Beverage Control; and

WHEREAS, during a regular meeting on June 11, 2018, the Township Committee adopted Resolution #2018-162-13, authorizing the Township Clerk to advertise notice of its intent to issue a new hotel liquor license using the öhistorical methodö; and

WHEREAS, in response to the Townshipö notice of intent to issue a new hotel liquor license, one (1) application was timely submitted to the Township Clerk by Sean Enterprises, LLC, T/A Days Inn for the premises located at 1073 Route 206 North;

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

1. The Township Committee has determined that the application submitted by Sean Enterprises, LLC, T/A Days Inn (öApplicantö) in response to the Townshipö notice of intent to issue a new hotel liquor license is deemed administratively complete and all application fees have been paid.
2. The Township Committee has determined that the Applicant is qualified to receive the new license under the hotel exception of the Alcoholic Beverage Control Act, N.J.S.A. 33:1-12.20, and the Applicant further meets all required standards under Title 33 of the New Jersey Statutes.
3. As required by the State of New Jersey, Division of Alcoholic Beverage Control, a public hearing was conducted during the Township Committeeö regularly scheduled meeting on September 10, 2018, at which time the Applicantö submission was evaluated in public by the Township Committee. The Township Committee considered factors such as intended use of the liquor license, location of the premises, traffic concerns, aesthetics, proximity to churches and schools, etc.
4. The Township Committee hereby determines that the new hotel liquor license be awarded to Applicant, Sean Enterprises, LLC, T/A Days Inn, for the premises located at 1073 Route 206 North, and following consideration of relevant evaluation criteria, such award is further determined to be in the best public interest.
5. The ultimate issuance of the liquor license to Applicant is subject to payment of any and all state and local licensing fees; the satisfactory outcome of an investigation into the source of funding, criminal background check, and any other investigation deemed appropriate by the Division of Alcoholic Beverage Control and/or the issuing authority (Township Committee of the Township of Bordentown) and full compliance with all regulations concerning the issuance of a liquor license under N.J.A.C. 13:2-2.1, et seq.

6. Said issuance shall be executed via written Resolution of the Township Committee of the Township of Bordentown at a subsequent public meeting, and said Resolution shall indicate the effective date of the new hotel liquor license.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on September 10, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-253-10

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

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated September 10, 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.

09/10/18

RESOLUTION #2018-253-11

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 August 13, 2018; and the Regular Meeting of August 13, 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 July 2018 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Construction, Municipal Court and Finance.

## **RESOLUTION #2018-253-12**

### **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 \$5443.90 to Lereta LLC. for Block 94 Lot 13 commonly known as 13 North Colonial Drive; and

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2017 and 2018 taxes in the amount of \$6824.16 to CitiMortgage Inc. for Block 89 Lot 11 commonly known as 78 Charles Bossert Drive; and

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 \$1097.89 to Donald Mohr for Block 87 Lot 4 commonly known as 69 Charles Bossert Drive

09/10/18

JCE



**RESOLUTION #2018-253-13**

**A RESOLUTION TO CANCEL TAXES**

WHEREAS, the United States Department of Veteran Affairs has classified Donald Mohr 100% Permanently and Totally Disabled.

WHEREAS, by application to Eileen Carlos, Tax Assessor in the Township of Bordentown, the said exemption is granted from April 24, 2018.

WHEREAS, N.J.S.A.54:4-3.30a ó 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 87 Lot 4	2018	\$4275.71
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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.

09/10/18

JCE

## **RESOLUTION #2018-253-14**

### **A RESOLUTION TO CANCEL TAXES**

WHEREAS, the properties identified below, were purchased by the Township of Bordentown; and

WHEREAS, as a political subdivision of the State of New Jersey, the Township is exempt from local property taxes.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that the following taxes are hereby cancelled for the reason set forth above

Block 92.01 Lot 18	2018	\$847.51
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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.

09/10/18

JCE

RESOLUTION #2018-253-15

RESOLUTION ACCEPTING THE PROPOSAL FROM GARDEN STATE BOBCAT FOR A WACKER NEUSON RB28 TANDEM ROLLER

WHEREAS, Garden State Bobcat has submitted a proposal for a Wacker Neuson RB28 Tandem Roller; and

WHEREAS, Garden State Bobcat is a member of the Middlesex County Regional Education Services Co-Op, ESCNJ #65MCESCCPS; and

WHEREAS, by Resolution #2017-289-19, adopted on October 16, 2017, the Township of Bordentown did enter into a cooperative pricing agreement with Middlesex County Regional Education Services and has met the appropriate noticing requirements for the award of this proposal; and

WHEREAS, it is the desire of the Township Committee to accept the proposal from Garden State Bobcat, in an amount not to exceed \$39,380.00; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept the proposal from Garden State Bobcat, 999 Route 33, Freedhold, NJ 07728, in an amount not to exceed \$39,380.00 for the Wacker Neuson RB28 Tandem Roller.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on September 10, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

09/10/18

**TOWNSHIP OF BORDENTOWN  
COUNTY OF BURLINGTON**

**NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL  
COOPERATIVE PURCHASING AGREEMENT FOR PURCHASE OF TWO (2) JOHN  
DEERE Z970R ZTRAK MOWERS PURSUANT TO N.J.S.A. 52:34-6.2**

RESOLUTION NO. 2018-253-16

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

WHEREAS, the Township of Bordentown intends to purchase two (2) John Deere Z970R ZTrak Mowers pursuant to contract NJPA 062117-DAC; 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 September 10, 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 September 10, 2018, to Deere and Company, 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. Deere and Company 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 evidenced by the attached Certification of Availability of Funds;

NOW, THEREFORE, BE IT RESOLVED that the Township of Bordentown will award the contract for two (2) John Deere Z970R ZTrak to Deere and Company, 2000 John Deere Run, Cary, NC 27513, in the amount of \$23,845.38.

RESOLUTION #2018-253-17

RESOLUTION AUTHORIZING ADDITIONAL PAYMENT (BALANCE) TO J. McHALE & ASSOCIATES, LLC, FOR APPRAISAL SERVICES FOR BLOCK 134.01, LOT 12.02

WHEREAS, on July 9, 2018, the Township Committee adopted Resolution #2018-190-18C, authorizing a contract with J. McHale and Associates for appraisal services for Block 134.01, Lot 12.02, in the amount of \$7,900; and

WHEREAS, additional work was required for these services in preparation for a settlement meeting and additional costs were incurred to complete the services;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the additional payment to J. McHale and Associates for the completion of appraisal services of Block 134.01, Lot 12.02, in the amount of \$3,782.00.

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 September 10, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

09/10/18

RESOLUTION #2018-253-18

RESOLUTION OF THE TOWNSHIP OF BORDENTOWN OPPOSING THE APPLICATION OF  
ELCON RECYCLING SERVICES, LLC, RESUBMITTED TO THE PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR A PROPOSED  
HAZARDOUS WASTE FACILITY TO BE LOCATED IN FALLS TOWNSHIP, PENNSYLVANIA

WHEREAS, Elcon Recycling Services, LLC, has resubmitted an application to the Pennsylvania Department of Environmental Protection Agency, which would allow for the construction of a thermal oxidizer facility in Falls Township, Bucks County, Pennsylvania; and

WHEREAS, according to the Clean Air Council, Elcon has applied to receive 596 different kinds of waste, producing 800 tons of hazardous sludge per year and 5,000 tons of hazardous salts; and

WHEREAS, given the prevailing winds out of the west, the location of this facility will undoubtedly have a direct impact on the residents of the Township of Bordentown and other surrounding communities; and

WHEREAS, the proposed proximity of this facility to the Delaware River will also have a direct impact on the water supply of over 8 million residents; and

WHEREAS, it is the duty of the Township Committee of the Township of Bordentown to represent and protect the interests, health and quality of life of the residents of the Township of Bordentown;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that it does hereby oppose the construction of this facility and further urges the Pennsylvania Department of Environmental Protection Agency to consider the negative impact that the proposed hazardous thermal oxidizer facility would have on the residents of Burlington County; and

BE IT FURTHER RESOLVED that the Township Clerk is hereby directed to forward a certified copy of this resolution to the Pennsylvania Department of Environmental Protection Agency; Burlington County Municipal Clerks; and the Burlington County Board of Chosen Freeholders.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on September 10, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

09/10/18

RESOLUTION #2018-253-19

RESOLUTION SUPPORTING LETTER TO ATTORNEY GENERAL GREWEL REGARDING PIPELINE AND AUTHORIZING THE MAYOR TO SIGN LETTER

WHEREAS, the People Over Pipelines, along with other organizations such as Chesterfield Township's Environmental Commission and the Compressor Station and Pipeline Task Force Committee, are submitting a letter to Attorney General Grewel regarding his proactive action with respect to denouncing FERC with their failure to comply with regulations relating to pipelines; and

WHEREAS, the Township Committee of the Township of Bordentown wishes to join the various organizations in showing their support of the recent actions of Attorney General Grewel;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby support the letter written by R. William Potter, the attorney for People Over Pipelines, and further wishes to join the support efforts of these organizations by authorizing the Mayor of the Township of Bordentown to be an additional signer to the letter.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on September 10, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

09/10/18

RESOLUTION #2018-253-20

RESOLUTION TO APPOINT INTERIM ZONING OFFICER

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint Michael Theokas, Township Administrator, as Interim Zoning Officer, effective September 10, 2018, and until such time as it is deemed the appointment is no longer needed; and

BE IT FURTHER RESOLVED that said appointment shall be at no additional compensation.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on September 10, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

09/10/18



RESOLUTION #2018-253-21

AUTHORIZING EXECUTION OF REDEVELOPMENT AGREEMENT WITH NISSIM REALTY CO., LLC, FOR THE NISSIM REDEVELOPMENT PROJECT

WHEREAS, Nissim Redevelopment Co., LLC, is the designated Redeveloper for the Nissim Redevelopment Project at Block 1.01, Lots 3, 4, 5, 6, 7 and 8; and

WHEREAS, the Township Committee of the Township of Bordentown (öTownshipö) previously declared the above properties as an area in need of redevelopment and adopted a Redevelopment Plan and amendments thereto under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, pursuant to the continued negotiations between the parties, the Township desires to enter into a Redevelopment Agreement (a copy of which is attached hereto and incorporated herein by reference) to govern certain aspects of the project;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, as Redevelopment Authority, that the Mayor and Township Clerk, as may be necessary, are hereby authorized and directed to execute the Redevelopment Agreement in a form substantially similar to the form attached hereto.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on September 10, 2018.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

09/10/18

