

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: MARCH 12, 2012 TIME: 7:30 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE:	PRESENT	ABSENT	
	_____	_____	Mayor Feltes
	_____	_____	Deputy Mayor Dauber
	_____	_____	Committeeman Cann
	_____	_____	Committeewoman DiMattia
	_____	_____	Committeewoman Popko
	_____	_____	Township Clerk Eckert
	_____	_____	Attorney Drollas
	_____	_____	Construction Official Carbone
	_____	_____	Chief Financial Officer Kocian
	_____	_____	Public Works Director Buhrer
	_____	_____	Police Chief Nucera
	_____	_____	Engineer Ruddiman

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 9, 2012, 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 REGISTER-NEWS, 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. Mayor’s Proclamation promoting “Screen for Life” Campaign to end Colorectal Cancer.
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 #2012-072-7 through #2012-072-20.
7. Resolution #2012-072-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
  8. Resolution #2012-072-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
  9. Resolution #2012-072-9 entitled A RESOLUTION AUTHORIZING THE COMPUTATION OF THE RESERVE FOR UNCOLLECTED TAXES IN ACCORDANCE WITH N.J.S.A. 40A:4-41.C.2.
  10. Resolution #2012-072-10 entitled INTRODUCTION OF 2012 MUNICIPAL BUDGET.
  11. Resolution #2012-072-11 entitled AUTHORIZING 2012 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:4-59).
  12. Resolution #2012-072-12 entitled AUTHORIZING YEAR 2012 TEMPORARY EMERGENCY APPROPRIATIONS (N.J.S.A. 40A:4-20).
  13. Resolution #2012-072-13 entitled AUTHORIZING ISSUANCE OF BINGO LICENSE #BL:367.
  14. Resolution #2012-072-14 entitled APPROVING RAFFLE LICENSE #RL:368.
  15. Resolution #2012-072-15 entitled APPROVING RAFFLE LICENSE #RL:369.
  16. Resolution #2012-072-16 entitled RESOLUTION REQUESTING GOVERNOR CHRIS CHRISTIE AND MEMBERS OF THE NEW JERSEY LEGISLATURE TO IMMEDIATELY RESTORE IN FULL ALL ENERGY TAX RECEIPT FUNDING TO MUNICIPALITIES.
  17. Resolution #2012-072-17 entitled A RESOLUTION TO AFFIRM THE TOWNSHIP OF BORDENTOWN'S CIVIL RIGHTS POLICY.
  18. Resolution #2012-072-18 entitled RESOLUTION ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE.
  19. Resolution #2012-072-19 entitled ACCEPT AND APPROVE PERFORMANCE GUARANTEE FOR NELLIS CORPORATION (BOTTOM DOLLAR), (BLOCK 127, LOT 3).
  20. Resolution #2012-072-20 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
  21. Township Committee discussion of Draft Redevelopment Plan for Town Center.
  22. Township Committee and Staff Reports.
  23. Public Participation.

Questions, comments or statements from members of the public in attendance.

24. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.

25. Resolution to meet in closed session:

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

RESOLUTION #2012-072-

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 12, 2012, 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.

03/12/12

RESOLUTION #2012-072-

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 February 27, 2012; and March 5, 2012; and the Regular Meeting of February 13, 2012, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as ( \_\_\_\_\_ submitted) ( \_\_\_\_\_ corrected).

03/12/12

RESOLUTION #2012-072-

RESOLUTION ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE

WHEREAS, the Township Committee of the Township of Bordentown strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of Bordentown wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green Team Advisory Committee (GTA); and

WHEREAS, the Township Committee of the Township of Bordentown wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first; and

WHEREAS, the Township Committee of the Township of Bordentown has appropriated “seed money” in their 2012 budget to begin the process of making its operations greener, and more environmentally friendly beginning with energy audits of the Township’s facilities to pinpoint the most effective ways to reduce energy consumption; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, that we do hereby establish a Green Team Advisory Committee which membership shall consist of residents or employees of the Township of Bordentown, appointed annually, but whose initial term of appointment shall be through December 31, 2012; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bordentown that the Mission, Goals and Objectives for the GTA through December 31, 2012, are established as follows:

**MISSION**

The Bordentown Township Green Team Advisory Committee will advise the Township Committee on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound through research and evaluation.

**GOALS**

Submit a report and recommendations to the Township Committee by October 1, 2012, to include:

1. An audit of municipal facilities
2. An evaluation of municipal fleet vehicles
3. A report of suggested best practices for “greener” municipal operations

## OBJECTIVES

1. Collaborate with Township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTA.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

BE IT FUTHER RESOLVED by the Township Committee of the Township of Bordentwon that the following persons are hereby appointed to the GTA for the remainder of 2012:

Chairman of the Environmental Commission  
Vice-Chairman of the Environmental Commission  
Park and Recreation Committee Member  
Zoning Board of Adjustment Member  
Planning Board Member  
Economic Development Advisory Committee Member

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 12, 2012.

---

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/12/12

RESOLUTION #2012-072-

RESOLUTION REQUESTING GOVERNOR CHRIS CHRISTIE AND MEMBERS OF THE NEW JERSEY LEGISLATURE TO IMMEDIATELY RESTORE IN FULL ALL ENERGY TAX RECEIPT FUNDING TO MUNICIPALITIES

WHEREAS, the Energy Tax Receipts Property Tax Relief program is the direct descendant of the Public Utility Gross Receipts and Franchise Tax (PU-GRAFT), which was a tax on regulated public utilities originally assessed and collected at the municipal level; and

WHEREAS, in the early 1980's, when at the request and for the convenience of the taxpaying utilities, the State of New Jersey became the collection agent for this assessment, the law that effected this change promised that the proceeds would be distributed back to the municipalities which provide services to utility facilities and are the source of the utility profits; and

WHEREAS, the State of New Jersey never honored that commitment, immediately diverting large and growing portions of the proceeds to its own general fund; and

WHEREAS, modernization and deregulation led to a major State "reform" of utility taxes in the mid-1990's, which legislation validated and, supposedly capped the State's annual skim, and which included a "poison pill", requiring the State to annually increase the municipal distribution of Energy Tax proceeds or to risk the forfeiture of the State's authority to collect the tax; and

WHEREAS, in the late 1990's, a State law was passed requiring the Energy Tax distributions to be annually increased by the rate of inflation; and

WHEREAS, as State budget-makers viewed this situation, the problem was not how to comply with this requirement, but rather how State officials might evade compliance; and

WHEREAS, in order for the State to increase Energy Tax distributions by the rate of inflation for five straight years without providing municipalities with one new dollar in property tax relief, State officials reduced the CMPTRA distribution by the same amount that it increased the Energy Tax distribution; and

WHEREAS, in CY2012, the increase of the Energy Tax Receipts of \$31,087 was offset by a decrease of CMPTRA aid of \$31,087 resulting in no change in State Aid to the Township of Bordentown; and

WHEREAS, in CY2011, the increase of the Energy Tax Receipts of \$17,314 was offset by a decrease of CMPTRA aid of \$17,314 resulting in no change in State Aid to the Township of Bordentown;

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

1. The Governor, State Legislative leadership and all members of the State Senate and Assembly should immediately restore in full all Energy Tax Receipt funding; thereby, respecting and affirming the historic and fiduciary obligation as collector of former municipal revenues.



2. The Municipal Clerk is hereby authorized and directed to provide a certified copy of this Resolution to the following: Governor Chris Christie, New Jersey Senate President Stephen Sweeney, New Jersey Senate Minority Leader Thomas Kean, Jr., New Jersey Assembly Speaker Sheila Oliver, New Jersey Assembly Minority Leader, New Jersey State Legislators of the 7<sup>th</sup> District, Mayors located in the surrounding communities, the New Jersey Conference of Mayors and the New Jersey State League of Municipalities.

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 12, 2012.

---

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/12/12

RESOLUTION #2012-072-

AUTHORIZING YEAR 2012 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 2012 budget and no adequate provision has been made in the 2012 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 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,216,757.00;

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 \$27,500.00 as follows:

**TEMPORARY BUDGET**

**Temporary Appropriations .03.12.12 NJSA 40A:4-20**

	<b>PRIOR</b>	<b>2,189,257.00</b>
Admin - O/E	Other Expenses	5,000.00
Municipal Clerk - O/E	Other Expenses	500.00
Finance - O/E	Other Expenses	4,000.00
Tax Assessor - O/E	Other Expenses	2,500.00
Municipal Court - O/E	Other Expenses	3,000.00
Municipal Prosecutor - O/E	Other Expenses	1,500.00
Certificate of Compliance - O/E	Other Expenses	2,500.00
Recycling Tax - O/E	Other Expenses	3,000.00
Electricity - O/E	Other Expenses	2,500.00
EMS - O/E	Other Expenses	3,000.00
	<b>Total Including this resolution</b>	<b>2,216,757.00</b>

2. Said emergency temporary appropriations will be provided for in the 2012 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

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 12, 2012.

---

COLLEEN M. ECKERT, RMC, TWP. CLERK

03/12/12

RESOLUTION #2012-072-

AUTHORIZING 2012 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:4-59)

WHEREAS, various 2011 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2011 budget in the last two months of 2011; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, in the County of Burlington, State of New Jersey, that the transfers in the amount \$21,500.00 be made between the 2011 Budget Appropriation Reserves as follows:

Appropriation Reserve Transfers 03.12.2012

	From	To
Admin - O/E		2,500.00
Zoning - O/E	1,000.00	
UCC - S&W	600.00	
Police - S&W	4,000.00	
Police - O/E		2,000.00
Emergency Mgmt - S&W	900.00	
Streets/Roads - O/E	5,000.00	
Natural Gas - O/E	10,000.00	
Settlements/Judgements -O/E		17,000.00
	<hr/>	<hr/>
	21,500.00	21,500.00

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 March 12, 2012.

---

COLLEEN M. ECKERT, RMC, TWP. CLERK

