

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE SPECIAL MEETING AGENDA

DATE: JUNE 20, 2011 TIME: 5:30 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Dauber
_____	_____	Deputy Mayor Feltes
_____	_____	Committeewoman DiMattia
_____	_____	Committeeman Hill
_____	_____	Committeeman Medina
_____	_____	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 June 16, 2011, 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. Presentation by Mr. John Kirkenir of Alliance Homes, LLC, regarding Woolston Site Redevelopment.
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 #2011-171-7 through #2011-171-21.
7. Resolution #2011-171-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 8. Resolution #2011-171-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND CORRESPONDENCE.
 9. Resolution #2011-171-9 entitled A RESOLUTION CANCELING TAXES.
 10. Resolution #2011-171-10 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
 11. Resolution #2011-171-11 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES.
 12. Resolution #2011-171-12 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES WITH SPECIAL CONDITIONS.
 13. Resolution #2011-171-13 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY DISTRIBUTION LICENSE.
 14. Resolution #2011-171-14 entitled RENEWING ALCOHOLIC BEVERAGE CLUB LICENSE.
 15. Resolution #2011-171-15 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE.
 16. Resolution #2011-171-16 entitled RESOLUTION APPOINTING MEMBER TO THE ECONOMIC ADVISORY COMMITTEE.
 17. Resolution #2011-171-17 entitled RESOLUTION URGING THE SWIFT PASSAGE OF S-2762/A-4084.
 18. Resolution #2011-171-18 entitled RESOLUTION AUTHORIZING REFUND FOR ZONING CLEARANCE TO EMILE AND MARY DUBOIS.
 19. Resolution #2011-171-19 entitled RESOLUTION ADOPTING THE AMENDED CASH MANAGEMENT PLAN FOR THE YEAR 2011.
 20. Resolution #2011-171-20 entitled RESOLUTION TO APPOINT CERTIFYING OFFICER AND SUPERVISOR OF CERTIFYING OFFICER FOR NEW JERSEY STATE-ADMINISTERED RETIREMENT SYSTEM.

21. Resolution #2011-171-21 entitled RESOLUTION APPOINTING DEPUTY TAX ASSESSOR FOR THE TOWNSHIP OF BORDENTOWN.
22. Consideration of Introduction of Ordinance #2011-10 entitled AN ORDINANCE TO AMEND ORDINANCE #2010-14 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
23. Consideration of Introduction of Ordinance #2011-11 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN REGULATING REFUSE CONTAINERS/DUMPSTERS.
24. Consideration of Introduction of Ordinance #2011-12 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN REGULATING THE PRIVATE STORM DRAIN INLET RETROFITTING.
25. Consideration of Introduction of Ordinance #2011-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING ORDINANCE NO. 2007-19 OF THE TOWNSHIP, PROVIDING FOR IMPROVEMENTS TO THE NORTHERN COMMUNITY PARK BY THE TOWNSHIP, APPROPRIATING \$742,235 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$565,000 BONDS OR NOTES.
26. Consideration of Introduction of Ordinance #2011-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES IN THE AMOUNT OF \$70,049.58 AND REAPPROPRIATING SAID FUNDS FOR OTHER CAPITAL IMPROVEMENTS AND FOR OTHER PURPOSES.
27. Township Committee discussion of purchasing composter.
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. 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 #2011-171-7

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 June 13, 2011, 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.

06/20/11

RESOLUTION #2011-171-8

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND CORRESPONDENCE

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of May 23, 2011, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected); and

BE IT FURTHER RESOLVED that the following items of correspondence are to be received and/or acted upon:

- a. Letter to Chief Frank Nucera, from Walter J. Corter, Public Safety Director, Township of Burlington, dated May 20, 2011, regarding search for Sarah Townsend.

06/20/11

RESOLUTION #2011-171-16

RESOLUTION APPOINTING MEMBER TO THE ECONOMIC ADVISORY COMMITTEE

WHEREAS, on February 22, 2010, the Township Committee adopted Ordinance #2010-4, establishing an Economic Advisory Committee for the Township of Bordentown; and

WHEREAS, the Economic Advisory Committee shall consist of nine (9) voting members who shall serve a term of two (2) years;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint the following member to the Economic Advisory Committee in accordance with Ordinance #2010-4:

Wayne Baker

BE IT FURTHER RESOLVED that the term of this appointment shall be for two years and shall expire December 31, 2012.

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 June 20, 2011.

COLLEEN M. ECKERT, RMC, TWP. CLERK

06/20/11

RESOLUTION #2011-171-17

Resolution Urging the Swift Passage of S-2762/A-4084

WHEREAS, Senator Buono and Assemblyman Coutinho have introduced S-2762 and A-4084, respectively, which permits a municipality to pay commercial and industrial property tax refunds for tax year 2010 and 2011 over subsequent three local budget years; and

WHEREAS, municipalities do rely and encourage business development in their community for economic growth; and

WHEREAS, unlike a residential tax appeals, commercial and industrial property owners must submit an income statement when filing their appeal as net income generated by property has a direct bearing on the ability to market the property and therefore it is value; and

WHEREAS, successful tax appeals shifts the burden of the appeal to the rest of the taxpayers within the community; and

WHEREAS, S-2762 and A-4084 will provide municipalities with a temporary tool to assist in planning and controlling their financial budgets during this influx of appeals; and

WHEREAS, the Township Committee of the Township of Bordentown supports the need for the legislation to address property tax refunds for commercial and industrial properties and firmly believes that by allowing phased refunds on successful commercial and industrial property appeals, these bills will provide substantial relief for many residential taxpayers; and

WHEREAS, the League of Municipalities recently conducted a survey that measured the extent to which property owners filed and won tax appeals in 2010, in which 150 municipalities, representing a cross section of the state, participated; and

WHEREAS, those participating in the survey reported property value declines of more than \$87,900,000, which resulted from 19,788 tax appeals filed in 2010; and

WHEREAS, those responding to the survey indicated that 13,760 appeals were filed in 2009, compared to 19,788 in 2010, representing an increase of 43.7%; and

WHEREAS, while a municipality will often experience an increase in tax appeals because they have conducted a revaluation, only 5 of the 150 municipalities, which participated in our survey, indicated that their 2010 appeals resulted from revaluations compared to the 23 of the participating municipalities conducted revaluations in 2009, when fewer tax appeals were presented to the County Tax Boards; and

WHEREAS, the 2010 spike in appeals should be attributed to the economic down-turn, which lowered property values and placed increased stress on the income of property owners, all around our Garden State; and

WHEREAS, although the survey was a snapshot picture in time, it can be used to project what might follow in 2011 and beyond, since the reductions, which were granted by the County Tax Boards will have a multiplier effect; and

WHEREAS, while New Jersey and this nation struggle to recover from one of the worst economic crisis since the Great Depression, municipalities must be given the tools to prevent increasing property taxes on already strained tax payers; and

WHEREAS, successful tax appeals impact fund balances and place additional pressures on the local budget;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Bordentown hereby urges for the swift passage of S-2762 and A-4084 to provide municipalities with an additional tool to prevent increasing property taxes on already strained taxpayers; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

DISTRIBUTION LIST

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| <p>1. The Hon. Chris Christie,
Governor, State of New Jersey
PO Box 001
Trenton, NJ 08625
Phone (609) 292-6000
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222 West State Street
Trenton, NJ 08608
Phone (609) 695-3481
Fax (609) 695-0151
NJLeague@njslom.com</p> | <p>5. Your State Legislators (State Senator
and Assembly Representatives)</p> |
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RESOLUTION #2011-171-18

RESOLUTION AUTHORIZING REFUND FOR ZONING CLEARANCE TO EMILE AND MARY DUBOIS

WHEREAS, on March 4, 2011, Emile and Mary DuBois applied for a zoning clearance and paid the appropriate fee of \$35.00 for said clearance; and

WHEREAS, upon review by the Zoning Officer, the application was deemed denied; and

WHEREAS, due to improper procedures established by the Community Development Office under the prior administration, incorrect information was, in fact, relayed to Mr. and Mrs. DuBois wherein they would receive a full refund if their application was denied by the Zoning Officer; and

WHEREAS, the Township does not have an ordinance that allows for refunds of application fees paid to the Community Development Office; and

WHEREAS, it is the Committee's intention to honor a full refund to Mr. and Mrs. DuBois, as a one-time "good deal", because of the misinformation provided to them when applying for the zoning clearance;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize a refund in the amount of \$35.00 for the zoning clearance application to Emile and Mary DuBois, 62 Eaton Road, Bordentown, NJ 08505.

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 June 20, 2011.

COLLEEN M. ECKERT, RMC, TWP. CLERK

06/20/11

RESOLUTION #2011-171-19

RESOLUTION ADOPTING THE AMENDED CASH MANAGEMENT PLAN FOR THE YEAR 2011

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby adopt the Cash Management Plan, as amended, for the year 2011.

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 June 20, 2011.

COLLEEN M. ECKERT, RMC, TWP. CLERK

06/20/11

RESOLUTION #2011-171-20

RESOLUTION TO APPOINT CERTIFYING OFFICER AND SUPERVISOR OF CERTIFYING OFFICER FOR NEW JERSEY STATE-ADMINISTERED RETIREMENT SYSTEM

WHEREAS, on December 30, 2011, the Township Committee adopted Resolution #2010-364-6 entitled RESOLUTION AUTHORIZING THE ASSIGNMENT OF ADMINISTRATOR'S DUTIES TO CERTAIN DEPARTMENT HEADS, wherein Frank M. Nucera, Jr., was appointed as the Certifying Officer for the New Jersey State-Administered Retirement System; and

WHEREAS, on June 19, 2011, the provisions of Chapter 52, P.L. 2011 (N.J.S.A. 43:3C-15) went into effect, wherein a municipality must appoint a Certifying Officer and Supervisor of the Certifying Officer for the New Jersey State-Administered Retirement System; and

WHEREAS, the "Certifying Officer" is defined in the law to mean an officer or employee of the State or of an employer other than the State who is responsible for submitting information to and performing the duties relating to matters concerning the retirement system with respect to each of the employees of the employing location, as required by law, the board of trustees or commission, and the Division of Pensions and Benefits; and

WHEREAS, the "Supervisor of the Certifying Officer" is defined as the employee designated by the employing location and is required to be the immediate supervisor of the Certifying Officer as defined above;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that in accordance with the new provisions of N.J.S.A. 43:3C-15, it does hereby appoint, effective immediately, David Kocian as the Certifying Officer and Frank M. Nucera, Jr., as the Supervisor of the Certifying Officer for the New Jersey State-Administered Retirement System.

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 June 20, 2011.

COLLEEN M. ECKERT, RMC, TWP. CLERK

06/20/11

RESOLUTION #2011-171-21

RESOLUTION APPOINTING DEPUTY TAX ASSESSOR FOR THE TOWNSHIP OF BORDENTOWN

WHEREAS, there is a need to appoint a Deputy Tax Assessor for the Township of Bordentown to allow for continuity within the Tax Assessor's office pending the upcoming retirement of William Tantum, Tax Assessor; and

WHEREAS, N.J.S.A. 40A:-146 provides for the appointment of a Deputy Tax Assessor; and

WHEREAS, the Township Committee has determined that Mr. James Renwick holds the necessary qualifications and Tax Assessor Certification to best fill the Deputy Tax Assessor position;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint Mr. James Renwick to the position of Deputy Tax Assessor for the Township of Bordentown for a four (4) year term commencing June 16, 2011 and expiring June 30, 2015; and

BE IT FURTHER RESOLVED that the annual compensation for the Deputy Tax Assessor shall be set at \$11,774 in accordance with Bordentown Township Ordinance #2010-14; and

BE IT FURTHER RESOLVED that Mr. James Renwick shall provide a minimum of five (5) in-office hours to the Township of Bordentown during the term of his appointment.

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 June 20, 2011.

COLLEEN M. ECKERT, RMC, TWP. CLERK

06/20/11

NOTICE

TOWNSHIP OF BORDENTOWN

NOTICE IS HEREBY GIVEN that the Township Committee of the Township of Bordentown will hold a special meeting on June 20, 2011, at 5:30 p.m. to be held in the Main Meeting Room of the Municipal Building, 1 Municipal Drive, Bordentown, NJ 08505. The purpose of this meeting will be to consider and/or act upon the items listed on the open and closed session agendas attached hereto. Further action may be taken by the Township Committee, once the closed session meeting is adjourned and reconvened to the special meeting, more specifically dealing with the approving an emergency appropriation for the financing of tax appeals; appointing an assistant zoning officer and amending the redevelopment agreement for the Kevin Johnson Team 85 Redevelopment Area.

Formal action will be taken.

Colleen M. Eckert, RMC, Twp. Clerk

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