

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: FEBRUARY 11, 2013 TIME: 7:30 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Cann
_____	_____	Deputy Mayor Popko
_____	_____	Committeeman Benowitz
_____	_____	Committeeman Feltes
_____	_____	Committeeman Moynihan
_____	_____	Township Clerk Eckert
_____	_____	Attorney Kearns
_____	_____	Construction Official Carbone
_____	_____	Chief Financial Officer Kocian
_____	_____	Public Works Director Buhrer
_____	_____	Police Chief Nucera

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 7, 2013, 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. Public Hearing on Ordinance #2013-3 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF LAND AND BUILDINGS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$600,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$570,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.
6. Consideration of Adoption of Ordinance #2013-3 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF LAND AND BUILDINGS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$600,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$570,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

7. Presentation with Jason Konek of Lutheran Social Ministries regarding Amendment to Proposed Plans within the Bordentown Waterfront Community Redevelopment Project.
8. 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 #2013-042-9 through #2013-042-14.
9. Resolution #2013-042-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 10. Resolution #2013-042-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
 11. Resolution #2013-042-11 entitled APPROVING RAFFLE LICENSE #RL:378.
 12. Resolution #2013-042-12 entitled RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE CLOSING DOCUMENTS WITH REGARDS TO THE NJ TURNPIKE AUTHORITY LAND DIVERSION.
 13. Resolution #2013-042-13 entitled RESOLUTION AUTHORIZING THE EXTENSION OF EMPLOYMENT FOR TAX ASSESSOR BEYOND RESIGNATION DATE.
 14. Resolution #2013-042-14 entitled AUTHORIZING YEAR 2013 TEMPORARY EMERGENCY APPROPRIATIONS (N.J.S.A. 40A:4-20).
 15. Public Hearing on Ordinance #2013-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO ESTABLISH A RESTRICTED-PARKING ZONE IN FRONT OF A RESIDENCE OCCUPIED BY A HANDICAPPED PERSON.
 16. Consideration of Adoption of Ordinance #2013-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO ESTABLISH A RESTRICTED-PARKING ZONE IN FRONT OF A RESIDENCE OCCUPIED BY A HANDICAPPED PERSON.
 17. Township Committee discussion of County of Burlington Authorization to Conduct Aerial Larval/Adult Mosquito Control Activities.
 18. Township Committee and Staff Reports.
 19. Public Participation.

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

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

21. 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 #2013-042-9

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 February 11, 2013, 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.

02/11/13

RESOLUTION #2013-042-10

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 January 28, 2013, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected).

02/11/13

RESOLUTION #2013-042-11

APPROVING RAFFLE LICENSE #RL:378

WHEREAS, the Bordentown Elks Lodge #2085 has filed an application with the Township of Bordentown to hold Instant Raffle Tickets at the Elks Lodge #2085 located at 11 Amboy Road in the Township of Bordentown from January 1, 2013 through December 31, 2013, and payment of the required fees has been made;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that Raffle License #RL:378 be issued to the Bordentown Elks Lodge #2085 with the stipulation that the proceeds be used for the Bordentown Elks Charities.

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 February 11, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

02/11/13

Resolution #2013-042-12

RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK
TO EXECUTE CLOSING DOCUMENTS WITH REGARDS TO THE
NJ TURNPIKE AUTHORITY LAND DIVERSION

Whereas, the Township of Bordentown has entered into agreements with the New Jersey Turnpike Authority with regards to land diversion, and

Whereas, documents have been prepared to complete the various transfers of property, lease and use agreements, etc,

Now, Therefore, Be It Resolved by the Township Committee of the Township of Bordentown, assembled in public session this 28th day of January, 2013, that the Mayor and the Township Clerk are hereby authorized to execute the necessary documents, subject to the approval of the documents as to form by the Township Attorney

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 February 11, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

02/11/13

RESOLUTION #2013-042-13

RESOLUTION AUTHORIZING THE EXTENSION OF EMPLOYMENT FOR TAX ASSESSOR
BEYOND RESIGNATION DATE

WHEREAS, by correspondence dated January 17, 2013, James Renwick, resigned his position as Tax Assessor with the Township of Bordentown effective January 31, 2013; and

WHEREAS, the Township of Bordentown has advertised for said position, however, until the position is filled, the vacancy may create a hardship for the Township; and

WHEREAS, Mr. Renwick has offered to retain his employment with Bordentown Township until such time as the position has been filled to continue the routine functions of the Assessor's office; and

WHEREAS, in closed session of the Township Committee on January 28, 2013, this matter was discussed and by way of formal resolution this date, both parties mutually agree that Mr. Renwick will retain his employment with the Township of Bordentown until such time as the Assessor's position has been filled and all necessary training has been provided to the new employee to allow for the most proficient transfer of employment; and

WHEREAS, Mr. Renwick will continue to provide seven (7) in-office hours a week and compensation shall remain annually at \$20,000 until such time as the Township Administrator determines the needs of the Assessor's office have been met and provides notice of same to Mr. Renwick that his services are no longer needed.

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 February 11, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

02/11/13

RESOLUTION #2013-042-14

AUTHORIZING YEAR 2013 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 2013 budget and no adequate provision has been made in the 2013 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 2013 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,262,762.00;

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 \$176,500.00 as follows:

TEMPORARY BUDGET

Temporary Appropriations .02.11.13 NJSA 40A:4-20

	PRIOR	2,086,262.00
Finance	Other Expenses	10,000.00
Revenue Collection	Other Expenses	500.00
Employee Group Health	Other Expenses	145,000.00
P/W - Buildings / Grounds	Other Expenses	1,500.00
Maint Open Space Land & Cons	Salary & Wages	2,500.00
Telecommunications	Other Expenses	5,000.00
Water	Other Expenses	1,500.00
Sewerage	Other Expenses	500.00
Social Security	Other Expenses	10,000.00
	Total Including this resolution	2,262,762.00

2. Said emergency temporary appropriations will be provided for in the 2013 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 February 11, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

02/11/13

TOWNSHIP OF BORDENTOWN

**AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO
ESTABLISH A RESTRICTED-PARKING ZONE IN FRONT OF A
RESIDENCE OCCUPIED BY A HANDICAPPED PERSON**

ORDINANCE #2013-2

WHEREAS, the Township Committee of the Township of Bordentown has received and reviewed a petition by Mr. Bruce Hill for a restricted-parking zone for handicapped persons in front of his residence in the Township of Bordentown; and

WHEREAS, the Township committee of the Township of Bordentown believes that the establishment of a restricted-parking zone is in conformity with the requirements of N.J.S.A. 39:4-197.6.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown that the following is established:

1. One restricted-parking zone is hereby established in front of 757 Mission Road, Bordentown, New Jersey, the residence of Bruce Hill. This restricted-parking zone will be established in conformity with Section 2B of the Manual on Uniform Traffic Control Devices (as amended).
2. This restricted-parking zone has been designated solely for the use by Bruce Hill and cannot be transferred or utilized by anyone other than said individual. Upon individual permanently vacating residence due to permanent relocation or in the event of death, designated handicapped parking spot shall not be transferred and this ordinance shall be repealed.

ORDINANCE NO. 2013-3

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN,
IN THE COUNTY OF BURLINGTON, NEW JERSEY,
PROVIDING FOR THE ACQUISITION OF LAND AND
BUILDINGS AND RELATED EXPENSES IN AND FOR THE
TOWNSHIP, APPROPRIATING \$600,000 THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$570,000 IN GENERAL
IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE THE SAME.

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 all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Bordentown, in the County of Burlington, New Jersey (the "Township") as a general improvement or purpose. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$600,000, including \$30,000 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$570,000, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the acquisition of certain land consisting of approximately

3.60 acres and the improvements thereon located at 266 Crosswicks Road in the Township, including all work and related materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent

of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$570,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Township reasonably expects to commence with the acquisition of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse itself from proceeds of the obligations authorized by this bond ordinance for capital expenditures with respect to the improvement initially paid for from current or other available funds of the Township. This constitutes a declaration of "official intent" within the meaning of Treasury Regulations §1.150-2. The Township hereby certifies that this declaration is reasonable on the date hereof in that (i) it is consistent with the budgetary and financial circumstances of the Township, (ii) no funds (other than the proceeds of the obligations authorized by this bond ordinance) are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Township pursuant to its budget or financial policies with respect to the capital expenditures to be reimbursed, and (iii) the Township does not have a pattern of failing to reimburse itself for capital expenditures actually paid and for which an official intent was declared, other than due to unforeseeable extraordinary circumstances beyond the Township's control. Proceeds of the obligations authorized by this bond ordinance shall be allocated to expenditures not later than 18 months after the later of (i) the date on which the original expenditure is paid, or (ii) the date the improvement is placed in service or abandoned, but in no event more than 3 years after the original expenditure is paid.

Section 7. Any grant moneys received for the improvement or purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or purpose or to payment of the bonds or notes issued pursuant to this bond ordinance. The amount

of bonds or notes authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Committee hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

