

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE SPECIAL MEETING AGENDA

DATE: MARCH 4, 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 February 28, 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. 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 #2013-063-6 through #2013-063-18.

6. Resolution #2013-063-6 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
7. Resolution #2013-063-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS, FILING OF REPORTS AND CORRESPONDENCE.
8. Resolution #2013-063-8 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
9. Resolution #2013-063-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
10. Resolution #2013-063-10 entitled RESOLUTION OPPOSING A-1196.
11. Resolution #2013-063-11 entitled RESOLUTION TO REFER APPLICATION OF SAAJ, LLC, TO THE TOWNSHIP PLANNING BOARD FOR REVIEW AND RECOMMENDATION.
12. Resolution #2013-063-12 entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT.
13. Resolution #2013-063-13 entitled APPROVING RAFFLE LICENSE #RL:379.
14. Resolution #2013-063-14 entitled RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE CLOSING DOCUMENTS WITH REGARDS TO THE NJ TURNPIKE AUTHORITY LAND DIVERSION.
15. Resolution #2013-063-15 entitled AUTHORIZING YEAR 2013 TEMPORARY EMERGENCY APPROPRIATIONS (N.J.S.A. 40A:4-20).
16. Resolution #2013-063-16 entitled RELEASE OF PERFORMANCE GUARANTEE FOR HARVEY PRIMOST (BARRACKS TRADING POST) ROUTE 130 AT ELIZABETH STREET, BLOCK 62, LOT 1, 2.01, AND 2.02.
17. Resolution #2013-063-17 entitled RELEASE OF PERFORMANCE GUARANTEES FOR D.R. HORTON – THE GRANDE AT CRYSTAL LAKE, PHASE 1, BLOCK 138, LOT 1; PHASE 2, BLOCK 138, LOT 2; AND PHASE 3, BLOCK 138, LOT 3.
18. Resolution #2013-063-18 entitled RESOLUTION AUTHORIZING THE EXTENSION OF PROFESSIONAL SERVICES CONTRACT WITH HARTSOUGH, KENNY, CHASE AND SULLIVAN.
19. Consideration of Introduction of Ordinance #2013-4 entitled CALENDAR YEAR 2013 “CAP” ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).
20. Township Committee discussion regarding the Economic Development Advisory Committee Ordinance.
21. Township Committee discussion regarding the Peddlers and Solicitors Ordinance.
22. Township Committee discussion regarding Authorization to Conduct Aerial Larval/Adult Mosquito Control Activities with the Burlington County Health Department.

23. Township Committee discussion regarding Dog/Cat Licensing Ordinance.

24. Township Committee and Staff Reports.

25. Public Participation.

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

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

27. 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:

**NOTICE**

**TOWNSHIP OF BORDENTOWN**

NOTICE IS HEREBY GIVEN that the Bordentown Township Committee will hold a Special meeting on Monday, March 4, 2013, at 7:30 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 consider items as listed on the attached agenda.

Formal action will be taken.

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Colleen M. Eckert, RMC, Twp. Clerk

NOTICE TO NEWSPAPERS IS REQUIRED BY THE STATE OPEN PUBLIC MEETINGS LAW AND IS NOT TO BE PUBLISHED AS A PAID LEGAL ADVERTISEMENT.

RESOLUTION #2013-063-6

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 4, 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.

03/04/13

RESOLUTION #2013-063-7

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS, FILING OF REPORTS 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 February 11, 2013, and the Regular Meeting of January 14, 2013, and January 28, 2013, 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 January 2013 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Construction, Community Development, Finance; and

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

- a. Letter to Mayor and Committee, from the Burlington County Municipal Joint Insurance Fund, dated February 14, 2013, regarding 2012 Safety Incentive Program Rewards.

03/04/13

**RESOLUTION#2013-063-8**

**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 2013 taxes in the amount of \$2,789.21 to Subramanian Srinivasan for Block 19.03 Lot 12 commonly known as 15 Atrium Drive.

BE IT FURTHER 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 2013 taxes in the amount of \$1,588.44 to Mark and Rebecca Goodman for Block 93.01 Lot 70 commonly known as 17 Oxford Court.

03/04/13

MAP

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 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

**RESOLUTION#2013-063-9**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #12-00027 was redeemed on February 11, 2013, in the amount of \$384.92.

WHEREAS, Josef Hoffmann; paid tax sale premium, in the amount of \$250.00 for said lien.

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 tax sale premium, in the amount of \$250.00 to Josef Hoffmann.; for Lien 12-00027, Block 138.06 Lot 14, commonly known as 41 Tantum Court.

MAP  
03/04/13

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 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

**RESOLUTION #2013-063-10**

**RESOLUTION OPPOSING A-1196**

WHEREAS, Public safety employees and volunteers should be adequately compensated for on-duty accidents and illnesses; and

WHEREAS, New Jersey's current Workers' Compensation law is already one of the broadest in the country; and

WHEREAS, A-1196, as currently drafted, will make it almost impossible to contest claims from injuries and illnesses caused off-the-job; and

WHEREAS, this bill places the burden of proof on governmental employers to establish that an injury or illness, such as cancer, heart attack or hyper tension did not occur on the job; and

WHEREAS, the actuary for the Municipal Excess Liability Joint Insurance Fund (MEL) has estimated that A-1196 could easily double municipal Workers' Compensation expense of \$400 million per year; and

WHEREAS, the MEL and the League of Municipalities have offered to sit down with the supporters of this legislation to develop less expensive ways of improving the compensation to first responders;

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Township of Bordentown urge the legislature to reject A-1196 and urges the supporters of this legislation to work with the MEL and the League of Municipalities to develop less expensive ways to improve compensation to first responders; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to send certified copies of this resolution to Senate President Sweeney, Assembly Speaker Oliver, their Assembly representatives and Senator, Governor Christie and the 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 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

RESOLUTION #2013-063-11

RESOLUTION TO REFER APPLICATION OF SAAJ, LLC TO THE TOWNSHIP PLANNING BOARD FOR REVIEW AND RECOMMENDATION

WHEREAS, the Township Committee acts as the Redevelopment Authority for the Redevelopment Projects within the Township of Bordentown; and

WHEREAS, SAAJ, LLC, the designated Redeveloper for the Redevelopment Project commonly known as the Edgewood Motel –SAAJ property, has received preliminary and final site plan approval from the Planning Board and the Redevelopment Authority, as indicated in Committee Resolution No. 2010-130-18, adopted on May 10, 2010; and,

WHEREAS, SAAJ, LLC, desires to amend the prior Preliminary and Final Approval and to seek an additional Final Approval for the second phase of the project.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Bordentown that the Township Committee, as Redevelopment Authority, hereby refers the application to the Township Planning Board for review and recommendation, consistent with the adopted Redevelopment Plan for the project area, in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

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 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

RESOLUTION #2013-063-12

RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT

WHEREAS, the Township Committee of the Township of Bordentown has determined the need to appoint an additional part-time (per diem) EMT;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint the following part-time EMT effective February 25, 2013:

Audrey Raney

BE IT FURTHER RESOLVED that compensation shall be set at \$12.00 per hour in accordance with Ordinance #2012-7.

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 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

RESOLUTION #2013-063-13

APPROVING RAFFLE LICENSE #RL:379

WHEREAS, the Bordentown Elks Lodge #2085 has filed an application with the Township of Bordentown to hold a Raffle at the Elks Lodge #2085 located at 11 Amboy Road in the Township of Bordentown on April 4 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:379 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 March 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

Resolution #2013-063-14

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 4<sup>th</sup> day of March, 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 March 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

RESOLUTION #2013-063-15

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 \$2,288,162.00;

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 \$25,400.00 as follows:

**TEMPORARY BUDGET**

**Temporary Appropriations .03.04.13 NJSA 40A:4-20**

	<b>PRIOR</b>	<b>2,262,762.00</b>
Community Development	Salary & Wages	3,100.00
Planning Board	Other Expenses	500.00
Zoning Board	Other Expenses	500.00
Employee Health Insurance	Other Expenses	10,000.00
Public Safety – EMS	Salary & Wages	11,300.00
	<b>Total Including this resolution</b>	<b>2,288,162.00</b>

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.

03/04/13

**TOWNSHIP OF BORDENTOWN**

**RELEASE OF PERFORMANCE GUARANTEE FOR**

**Harvey Primost (Barracks Trading Post)  
Route 130 at Elizabeth Street  
BLOCK: 62 LOT: 1, 2.01 and 2.02**

RESOLUTION NO. 2013-063-16

WHEREAS, Harvey Primost is the owner of a certain property within the Township of Bordentown and has been granted preliminary approval and final approval of development plans for the above captioned block and lot, known as Barracks trading Post, subject to certain terms and conditions, including, but not limited to, the filing of Third Party Performance Guarantees guaranteeing the satisfactory installation of certain site improvements; and

WHEREAS, Harvey Primost has originally provided a performance guarantee in the amount of a \$163,175.40, and

WHEREAS, Harvey Primost has notified the Township in writing and in accordance with the procedures set forth in N.J.S.A. 40:55D-53.d that the required improvements have been completed which are the subject matter of the aforementioned guarantee, and has requested a release of said performance guarantee; and

WHEREAS, the Township's Engineer Consultant, Frederick J. Turek, P.E., has inspected all the improvements of which notice has been given and has filed a report dated January 8, 2013 with the Director of Community Development and has recommended that the Township Committee approve the release of the performance guarantee, subject to the posting of a 2-year Maintenance Guarantee in the amount of \$20,396.93, which may be in the form of a 90% LOC and 10% Cash, and

WHEREAS, the Township Committee has reviewed said request and report and desires to act favorably with respect to the Engineer's recommendations in accordance with N.J.S.A. 40:55D-53.d.

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

1. That the Township Committee, for the aforementioned reasons, hereby approves release of the performance guarantee for Harvey Primost (Barracks Trading Post), with the conditions set forth below.
2. The Township shall release the current guarantee upon receipt of a 2-year Maintenance Guarantee in the amount of \$20,396.93, which may be in the form of a 90% LOC and 10% Cash, subject to acceptance of the Township Attorney.

3. The release of the guarantee is also conditioned upon payment of any outstanding negative balance in the inspection escrow account, plus an additional deposit of \$500.00 to cover the costs of any inspections during the life of the Maintenance Guarantee.
4. The 2-year duration of the Maintenance Guarantee shall retroactively commence on January 8, 2012, and shall end on January 8, 2014.
5. The Township Clerk shall forward a certified copy of this resolution to Harvey Primost.

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 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

**TOWNSHIP OF BORDENTOWN**

**RELEASE OF PERFORMANCE GUARANTEES FOR**

**D.R. Horton – The Grande at Crystal Lake**

**Phase 1 – Block 138, Lot 1**

**Phase 2 – Block 138, Lot 2**

**Phase 3 – Block 138, Lot 3**

RESOLUTION NO. 2013-063-17

WHEREAS, D.R. Horton is the owner of a certain property within the Township of Bordentown and has been granted preliminary approval and final approval of development plans for the above captioned block and lots, known as The Grande at Crystal Lake, subject to certain terms and conditions, including, but not limited to, the filing of Third Party Performance Guarantees guaranteeing the satisfactory installation of certain site improvements; and

WHEREAS, D.R. Horton had originally provided performance guarantees, consisting of 90% Surety Bonds, and 10% cash guarantees, which were subsequently reduced by the Township Committee, as follows:

<u>Phase</u>	<u>Original Performance Guarantee Amount</u>		<u>Current Reduced Performance Guarantee Amount</u>	
1	\$3,792,144.06	Surety Bond;	\$1,185,045.02	Surety Bond;
	\$421,349.34	Cash Guarantee	\$131,671.67	Cash Guarantee
			(Resolution 2004-257-15 – 2 <sup>nd</sup> Reduction)	
2	\$1,226,911.32	Surety Bond;	\$368,073.40	Surety Bond;
	\$136,323.48	Cash Guarantee	\$40,897.04	Cash Guarantee
			(Resolution 2004-257-16)	
3	\$1,711,419.84	Surety Bond;	\$513,425.95	Surety Bond;
	\$190,157.76	Cash Guarantee	\$57,047.33	Cash Guarantee
			(Resolution 2004-257-17)	

AND, WHEREAS, D.R. Horton has notified the Township in writing and in accordance with the procedures set forth in N.J.S.A. 40:55D-53.d that the required improvements have been completed which are the subject matter of the aforementioned guarantee, and has requested a release of said performance guarantee; and

WHEREAS, the Township’s Engineer Consultant, Frederick J. Turek, P.E., has inspected all the improvements of which notice has been given and has filed a report dated February 13, 2013 with the

Director of Community Development and has recommended that the Township Committee approve the release of the performance guarantees, subject to the payment of any outstanding escrow balances or inspection fees, and the submittal of as-built storm sewer plans, and

WHEREAS, the Township's Engineering Consultant has also recommended in his correspondence dated February 13, 2013 that no maintenance guarantee be required due to the age and completion date of the improvements; and

WHEREAS, the Township Committee has reviewed said request and report and desires to act favorably with respect to the Engineer's recommendations in accordance with N.J.S.A. 40:55D-53.d.

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

1. That the Township Committee, for the aforementioned reasons, hereby approves release of the performance guarantees for Phases 1, 2 and 3 of The Grande at Crystal Lake, D.R. Horton, with the conditions set forth below.
2. The release of the guarantees is also conditioned upon payment of any outstanding negative balance in the inspection escrow account or any outstanding inspection fees, and the submission of as-built storm sewer plans.
3. The Township Clerk shall forward a certified copy of this resolution to D.R. Horton.

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 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

RESOLUTION #2013-063-18

RESOLUTION AUTHORIZING THE EXTENSION OF PROFESSIONAL SERVICES CONTRACT WITH HARTSOUGH, KENNY, CHASE AND SULLIVAN

WHEREAS, Hartsough, Kenny, Chase and Sullivan has served as Special Counsel for Tax Appeals for the Township of Bordentown for the past several years; and

WHEREAS, on January 1, 2013, after solicitation of RFP's for said position, the law firm of Eileen Fahey was awarded the contract to serve as Special Counsel for Tax Appeals for the year 2013; and

WHEREAS, certain pending State Tax Appeals matters were continuing to be handled by Hartsough, Kenny, Chase and Sullivan during the transition period through February 28, 2013; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby agree to extend the Professional Services Contract with Hartsough, Kenny, Chase and Sullivan to February 28, 2013, to allow for the transition and transfer of the tax appeals to the law firm of Eileen Fahey; and

BE IT FURTHER RESOLVED that compensation to Hartsough, Kenny, Chase and Sullivan shall be set at \$150/hour.

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 4, 2013.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

03/04/13

TOWNSHIP OF BORDENTOWN

ORDINANCE #2013-4

CALENDAR YEAR 2013 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq. provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5 % over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Bordentown, in the County of Burlington, finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 1.5% percent increase in the budget for said year, amounting to \$108,717.08, in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Township of Bordentown shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by one and a half percent, amounting to \$108,717.08, and that the CY 2013 Municipal Budget for the Township of Bordentown be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.