

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: MAY 20, 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
_____	_____	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.

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.

4. Mayor’s Proclamation proclaiming May 1-June 14 as National Military Appreciation Month.
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 #2013-140-6 through #2013-140-18.

6. Resolution #2013-140-6 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
7. Resolution #2013-140-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS, FILING OF REPORTS AND CORRESPONDENCE.
8. Resolution #2013-140-8 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.
9. Resolution #2013-140-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
10. Resolution #2013-140-10 entitled REFUND OF ESCROW BALANCE FOR DEVELOPMENT APPLICATION.
11. Resolution #2013-140-11 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
12. Resolution #2013-140-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
13. Resolution #2013-140-13 entitled RESOLUTION TO APPOINT SPECIAL COUNSEL FOR AN EMS DEPARTMENT PERSONNEL MATTER.
14. Resolution #2013-140-14 entitled RESOLUTION TO APPOINT CUSTODIAN IN THE DEPARTMENT OF PUBLIC WORKS.
15. Resolution #2013-140-15 entitled APPROVING RAFFLE LICENSE #RL:385.
16. Resolution #2013-140-16 entitled APPOINTING MEMBER TO THE VETERANS ADVISORY COMMITTEE.
17. Resolution #2013-140-17 entitled APPROVE SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF FLORENCE FOR AN ANIMAL CONTROL OFFICER (ACO).
18. Resolution #2013-140-18 entitled ESTABLISHING SALARIES AND OTHER RATES OF COMPENSATION FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN.
19. Public Hearing on Ordinance #2013-8 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS TO THE PUBLIC WORKS BUILDINGS AND THE ACQUISITION OF POLICE EQUIPMENT AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$1,913,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,821,905 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.
20. Consideration of Adoption of Ordinance #2013-8 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS TO THE PUBLIC WORKS BUILDINGS AND THE ACQUISITION OF POLICE EQUIPMENT AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$1,913,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,821,905 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

21. Public Hearing on Ordinance #2013-9 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE BORDENTOWN TOWNSHIP CODE TO PROVIDE FOR AN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND REPEALING ALL PROVISIONS INCONSISTENT WITH THIS ORDINANCE.
22. Consideration of Adoption of Ordinance #2013-9 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE BORDENTOWN TOWNSHIP CODE TO PROVIDE FOR AN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND REPEALING ALL PROVISIONS INCONSISTENT WITH THIS ORDINANCE.
23. Consideration of Introduction of Ordinance #2013-10 entitled AN ORDINANCE TO AMEND ORDINANCE #2013-7 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.
24. Township Committee discussion regarding Shop Burlington County First Initiative.
25. Township Committee discussion regarding amending the Peddlers and Solicitors Ordinance.
26. Township Committee discussion regarding Wellness Day for October 12, 2013.
27. Township Committee and Staff Reports.
28. Public Participation.

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

29. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
30. Resolution to meet in closed session:

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

RESOLUTION #2013-140-6

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 May 20, 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.

05/20/13

RESOLUTION #2013-140-7

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 May 6, 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 April 2013 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Construction, Community Development, Municipal Court and Finance.

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

- a. Memorandum to Township Committee from Mary Picariello, Tax Collector, dated April 30, 2013, regarding 2012 Uncollectible Taxes.

05/20/13

RESOLUTION#2013-140-8

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 \$2,784.53 to Muppala, Chandra S & Shymala D, for Block 138.06 Lot 128 commonly known as 96 Meadow Run Road; 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 2013 taxes in the amount of \$2,291.92 to PNC%Corelogic, for Block 19.01 Lot 50 commonly known as 101 Honeyflower Drive.

MAP
5/20/13

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

RESOLUTION#2013-140-9

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #12-00011 was redeemed on May 6, 2013, in the amount of \$414.78.

WHEREAS, Josef Hoffmann, paid tax sale premium, in the amount of \$200.00 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 \$200.00 to Josef Hoffman; for Lien 12-00011 Block 63 Lot 11, commonly known as 229 Ward Avenue.

MAP
05/20/13

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

TOWNSHIP OF BORDENTOWN

RESOLUTION NO. 2013-140-10

REFUND OF ESCROW BALANCE FOR DEVELOPMENT APPLICATION

WHEREAS, there exists an unused balance in the following Planning or Zoning escrow account:

<u>Applicant</u>	<u>Project</u>	<u>Account No.</u>	<u>Amount</u>
James W. Werner 224 Crosswicks Street Bordentown, NJ 08505	James Werner Minor Subdivision Block 92, Lot 7.02	973200	\$565.57

and,

WHEREAS, the Director of Community Development has certified that the project is complete and there are no unpaid invoices for professional services in connection with the project; and,

WHEREAS, the Director of Community Development recommends the balance of the funds should be returned to the applicant; in accordance with N.J.S.A. 40:55D-53.2.

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 directs the release of the unused balance of the escrow deposit, in the amount indicated above, plus applicable interest, if any, in accordance with N.J.S.A. 40:55D-53.1.
2. That the Township Committee directs the Chief Financial Officer to make payment to the aforesaid Applicant.
3. That the Township Committee directs the Township Clerk to forward a copy of this resolution to the Applicant.

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION#2013-140-11

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #10-00003 was redeemed on May 1, 2013, in the amount of \$21,671.31.

WHEREAS, US BANK Cust for CCTS Capital LLC, paid tax sale premium, in the amount of \$2,000.00 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 \$2,000.00 to US BANK Cust for CCTS Capital LLC; for Lien 10-00003 Block 30 Lot 8, commonly known as 67 Amboy Road.

MAP
05/20/13

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

RESOLUTION#2013-140-12

AUTHORIZING REFUND OF TAX SALE PREMIUM

WHEREAS, Tax Sale Certificate #12-00005 was redeemed on May 15, 2013, in the amount of \$10,136.00.

WHEREAS, US BANK Cust for Crestar Capital, paid tax sale premium, in the amount of \$10,000.00 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 \$10,000.00 to US BANK Cust for Crestar Capital; for Lien 12-00005 Block 29 Lot 3, commonly known as 56 route 130.

MAP
05/20/13

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

RESOLUTION #2013-140-13

RESOLUTION TO APPOINT SPECIAL COUNSEL FOR AN EMS DEPARTMENT
PERSONNEL MATTER

WHEREAS, there is a need to appoint special counsel for an EMS personnel matter; and

WHEREAS, Denis C. Germano, Esquire, has provided a proposal for said personnel matter in an amount of \$175.00 per hour, with an amount not to exceed \$17,500;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept the proposal submitted by Denis C. Germano, Esquire, as special counsel for an EMS personnel matter; and

BE IT FURTHER RESOLVED that it does hereby authorize the Township Clerk to prepare a Professional Services Agreement for same.

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

RESOLUTION #2013-140-14

RESOLUTION TO APPOINT CUSTODIAN IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Public Works Director Buhner interviewed Mr. Sam Vail for the Custodian position in the Department of Public Works; and

WHEREAS, Public Works Director Buhner feels that Mr. Vail is qualified to fill the position of Custodian;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint Mr. Sam Vail as Custodian in the Department of Public Works at an hourly rate of \$16.00 in accordance with Bordentown Township Ordinance #2009-33; and

BE IT FURTHER RESOLVED that said appointment shall take effect May 21, 2013; and

BE IT FURTHER RESOLVED that said appointment shall be subject to the rules and regulations of the New Jersey Department of Personnel.

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

RESOLUTION #2013-140-15

APPROVING RAFFLE LICENSE #RL:385

WHEREAS, the Foundation for Bordentown Traditions, Inc., has filed an application with the Township of Bordentown to hold a Raffle at the Joseph Lawrence Park located on Crosswicks Road in the Township of Bordentown on July 7, 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:385 be issued to the Bordentown Little League with the stipulation that the proceeds go to benefit the Foundation's continued commitment to bring back community events, including the 2014 fireworks.

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

RESOLUTION #2013-140-16

APPOINTING MEMBER TO THE VETERANS ADVISORY COMMITTEE

BE IT RESOLVED this 20th day of May, 2013, by the Township Committee of the Township of Bordentown, in the County of Burlington, New Jersey, that the following person is hereby appointed to serve as a member of the Bordentown Township Veterans Advisory Committee:

3 Year Unexpired Term Expiring 12/31/14:

Lorry Mendez

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

RESOLUTION NO. 2013-140-17

**APPROVE SHARED SERVICES AGREEMENT WITH
THE TOWNSHIP OF FLORENCE
FOR AN ANIMAL CONTROL OFFICER (ACO)**

WHEREAS, the Townships of Bordentown and Florence have determined the need to enter into a Shared Services Agreement for a certified Animal Control Officer; and

WHEREAS, the Township of Bordentown does have an employee who holds the necessary certification as a Certified Animal Control Officer;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey that it hereby authorize a shared services agreement with the Township of Florence for the purpose of providing a Certified Animal Control Officer; and

BE IT FURTHER RESOLVED that the term of the agreement shall be for a two year period effective June 1, 2013 and expiring May 31, 2015.

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 May 20, 2013.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/20/13

SHARED SERVICES AGREEMENT

for

ANIMAL CONTROL SERVICES

between

TOWNSHIP of BORDENTOWN and TOWNSHIP of FLORENCE

This Agreement is made this _____ day of May, 2013, by and between the Township of Florence, a Municipal Corporation with its principal office at 711 Broad Street, Florence, Burlington, New Jersey, hereinafter called "Florence Township", and the Township of Bordentown, a Municipal Corporation with its principal office at 1 Municipal Drive, Bordentown, Burlington County, New Jersey, hereinafter called "Bordentown Township", for animal control services.

It is hereby agreed between Bordentown Township and Florence Township as follows:

- (1) Bordentown Township has an employee who is a certified Animal Control Officer (ACO). That employee shall be utilized to provide Animal Control Services to both Townships. Bordentown Township and Florence Township shall share Animal Control Officer services on an as needed basis.
- (2) Bordentown Township shall enable the Animal Control Officer to maintain his state certification in good standing and a copy of the current certification shall be provided to Florence Township.
- (3) For the purpose of this Agreement, an animal is defined as a domestic dog or cat, or, in the case of a request to remove a dead animal from either public right-of-way or private property, an animal shall be defined as domestic dog or cat. A call is defined as a request by the municipality to pick-up a roaming dog or cat on public or private property, or to remove a dead animal. A call is also defined as a request to include animal cruelty investigations, transportation of birds or domestic animals for testing of West Nile Virus, as well as transportation of quarantined animals in cases involving bites
- (4) Florence Township has a vehicle for picking up and transporting animals. Florence Township will share the vehicle with Bordentown Township at no cost. Bordentown Township will provide the fuel for the vehicle. Florence Township shall be responsible for maintenance of and repairs to the vehicle. The vehicle can be driven to Bordentown each day. The truck will be re-lettered to list both communities.
- (5) Florence Township shall appoint the Animal Control Officer as its Animal Control Officer for the purpose of enforcing laws and ordinances. The Animal Control Officer will issue summonses and testify in court for alleged violations of the Florence Township ordinances, and will assist in Animal Cruelty cases when requested
- (6) Animals picked up shall be delivered to the Burlington County Animal Shelter. Each municipality shall be responsible for any and all fees associated with the services of the Burlington County Animal Shelter for animals picked up in the respective municipalities. In like manner, when a sick or injured animal is picked up within either municipality, the cost of required veterinarian care shall be the responsibility of that municipality.
- (7) Insurance. It is acknowledged that both municipalities are insured through the Burlington County Municipal Joint Insurance Fund. The Animal Control Officer is employed full time by Bordentown Township, so that Workers Compensation coverage shall be through Bordentown Township. Since the vehicle is owned by Florence Township, vehicle damage related to an

accident shall be under Florence Township's policy. If the employee is involved in an accident while performing Animal Control Officer duties, then liability shall fall to the township he is working on behalf of at the time of the incident.

- (8) Services After Normal Hours. If there is service to Florence Township after normal working hours, then the Animal Control Officer shall be paid a minimum of 2 hours of overtime for the call by Bordentown Township. If another call or service is needed during the 2 hour window, then it shall be covered under the call out. Once the 2 hour window expires, then the service and payment schedule begins again. Florence Township shall reimburse Bordentown Township monthly for all overtime incurred while the ACO is working in Florence Township.
- (9) Services during normal working hours. If a service call is needed in Florence Township during the normal working hours that the Animal Control Officer is working for Bordentown Township, it is understood that the Animal Control Officer shall respond. If the call is deemed an emergency by Central Dispatch, the Florence Township Police Department or the Florence Township Administrator, then the Animal Control Officer shall respond to the call as promptly as reasonably possible. Florence Township will make its determination based upon public safety and any threat to public safety. If a call is minor in nature, then the parties agree that the Animal Control Officer can respond after normal work hours. A call during normal work hours will involve a flat \$40.00 payment to Bordentown Township. If the Animal Control Officer has to return more than once on the same day during normal working hours, there will be no additional fee. Florence Township acknowledges and understands the need to make reasonable use of the Animal Control Officer and both Bordentown Township and Florence Township acknowledge the need to work together in the interest of both municipalities..
- (10) Effective Date: The Shared Services Agreement will take effect on June 1, 2013 and shall be for a period of two (2) years, expiring on May 31, 2015. This Agreement may be renewed. In the event that either municipality decides not to renew the Agreement, it shall give written notice to the other municipality by March 1, 2015. Notice shall be sufficient if given by certified mail to the respective Township Clerks.
- (11) Modification of Agreement to Add Other Municipalities. The parties agree that any modification of the Agreement to Add Other Municipalities as part of the Shared Service Agreement shall require agreement of all participating municipalities.
- (12) Resolution of Issues. If issues arise during the life of the Agreement, then each side will endeavor to resolve the matter in a timely manner. It is recognized that this Shared Service Agreement is the first such effort for Florence Township and Bordentown Township and both municipalities acknowledge that they can agree to mutually amend or refine the Shared Services Agreement during its term.
- (13) Termination of Agreement. Should logistical or service issues make the Agreement unsustainable, then either party may terminate the Shared Service Agreement with sixty (60) days written notice to the other.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by their Mayor and Clerk.

Witnesses:

TOWNSHIP OF BORDENTOWN

Colleen M. Eckert, RMC, Township Clerk

By: _____
JIM CANN, Mayor

Witness:

TOWNSHIP OF EDGEWATER PARK

Joy M. Weiler, RMC, MMC Township Clerk

By: _____
CRAIG WILKIE, Mayor

ORDINANCE NO. 2013-8

AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS TO THE PUBLIC WORKS BUILDINGS AND THE ACQUISITION OF POLICE EQUIPMENT AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$1,913,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,821,905 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 several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Bordentown, in the County of Burlington, New Jersey (the "Township") as general improvements or purposes. For the several improvements or purposes described in Section 3 hereof, there is hereby appropriated the sum of \$1,913,000, including the aggregate sum of \$91,095 as the several down payments 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 \$1,821,905, 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 improvements hereby authorized and the purposes for which the bonds or notes are to be issued are as follows:

I. Purpose. Improvements to the Public Works Buildings, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$1,857,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$1,768,572
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$88,428

II. Purpose. Acquisition of Police Equipment, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$56,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$53,333
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$2,667

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

(c) The estimated cost of the improvements or purposes 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 several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, 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 9.85 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 \$1,821,905, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 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 improvements or purposes 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.

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2013-9

**An Ordinance of the Township of Bordentown Amending the
Bordentown Township Code to Provide for an Economic
Development Advisory Committee and Repealing All Provisions
Inconsistent with this Ordinance**

Whereas, the Township Committee has determined that it is appropriate to provide for an Economic Development Advisory Committee to provide advice to the Township Committee with regard to the economic development and marketing of the Township,

Now, Therefore, Be It Ordained by the Township Committee of the Township of Bordentown that:

Section 1. The Code of the Township of Bordentown is hereby amended adding a new provision, as follows:

ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

§ 1 Economic Development Advisory Committee Established.

There is hereby established an Economic Development Advisory Committee to consist of nine (9) members appointed as provided herein, together with a member of the Township Committee appointed by the Township Committee

§ 2 Appointment of the Economic Development Advisory Committee

The nine (9) citizen members of the Economic Development Advisory Committee shall be appointed to three (3) year terms staggered so that three appointments are made each year. All terms shall begin on January 1st and shall end on December 31st. The terms of those first appointed shall be adjusted in the manner determined by the Township Committee so that the terms shall end on December 31st of the appropriate year. Vacancies shall be filled by

appointment in the same manner as the original appointment for the unexpired term of the member whose vacancy is being filled.

The Economic Development Advisory Committee shall include a member of the Township Committee appointed by the Township Committee. The Nine (9) citizen members shall be appointed by the Mayor with the approval of the Township Committee. Each of the citizen members shall be either a resident of the Township of Bordentown or the owner/principal/manager of a business located within the Township of Bordentown.

§ 3 The member of the Township Committee and the Community Development Officer, or other administrative official appointed by the Township Committee, the Chairman, or designee of the Chairman of the Planning Board and the Chairman, or designee of the Chairman of the Zoning Board of Adjustment shall serve as *ex officio* members of the Economic Development Advisory Committee.

§ 4 Administrative Support for the Economic Development Advisory Committee: The Economic Development Advisory Committee may expend funds only within appropriations approved by the Township Committee and as authorized by the Mayor or the Township Administrator. Administrative support shall be provided through the Township Administrator and, with the authorization of the Mayor may include assistance from the Township's professionals.

§ 5 Duties of the Economic Development Advisory Committee: The Economic Development Advisory Committee shall have the duty to advise the Township Committee with regard to the following:

- a. To conduct research into potential economic development of the Township, in areas appropriate for such development;

- b. Develop and recommend to the Township Committee a marketing plan for the Township of Bordentown;
- c. Within the limits of appropriations and subject to the approval of the Township Committee, to advertise, prepare, print and distribute materials to support the economic development of the Township;
- d. To perform such other acts as are reasonably related to and designed to carry out the purposes and objectives of the committee as authorized by the Township Committee;
- e. To keep records of the meetings and activities of the committee and to make an quarterly reports to the Township Committee.
- f. To perform such other duties as may be delegated and authorized by the Township Committee, including meeting with and coordinating economic development activities with the City of Bordentown.

§ 6 Organization of the Economic Development Advisory Committee: At it's first meeting each year, the Economic Development Advisory Committee shall select from among its members a Chairperson, a Vice Chairperson and a Secretary. The Secretary shall maintain the minutes and records of the Economic Development Advisory Committee.

Section 2. If a court of competent jurisdiction shall declare any section, paragraph, subsection, clause or provision of this Ordinance invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 3. All ordinances or parts of ordinances of the Township of Bordentown heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency. It is the specific intent that this ordinance shall replace and repeal Ordinance 2010-4.

Section 4. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

ORDINANCE #2013-10

AN ORDINANCE TO AMEND ORDINANCE #2013-7 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

BE IT ORDAINED an enacted Ordinance by the Township Committee of the Township of Bordentown, County of Burlington and State of New Jersey, as follows:

SECTION 2. Section 2 of Ordinance #2013-7 is hereby amended as follows:

ANNUAL SALARIES

KEYBOARDING CLERK 1 (Community Development Office) STIPEND	\$1,000.00 - 10,000.00
TACO (Community Development Office) STIPEND	\$1,000.00 - \$10,000.00

SECTION 24. Effective date/effective duration. This ordinance shall take effect immediately upon final passage and publication according to law, and the provisions thereof shall be effective as of May 13, 2013, and shall remain in effect until such time as amendments are required. No rights are created beyond the effective period of this ordinance.

SECTION 7. Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. Severability. In the event that any portion of this ordinance is determined to be invalid, such determination shall not affect the remaining portions of the ordinance, which are hereby declared to be severable.