

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: OCTOBER 9, 2018 TIME: 6:30 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Benowitz
_____	_____	Deputy Mayor Fuzy
_____	_____	Committeeman Holliday
_____	_____	Committeeman Kostoplis
_____	_____	Committeeman Mason
_____	_____	Michael Theokas, Administrator
_____	_____	Township Clerk Eckert
_____	_____	Attorney Fahey
_____	_____	Chief Financial Officer Elsasser

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 11, 2018, 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 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. 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:

--Environmental Litigation.

--Municipal Court Contract Matter.

--Professional Services Contract Matter: Public Works Expansion Project

--Public Works Expansion Contract Matter: Paving Contract

--Affordable Housing Contract Matter: Team Campus, Phase II

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

6. Mayor's Proclamation "Put the Brakes on Fatalities Day".
7. 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 #2018-282-8 through #2018-282-14.
8. Resolution #2018-282-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 9. Resolution #2018-282-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.
 10. Resolution #2018-282-10 entitled REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS.
 11. Resolution #2018-282-11 entitled AUTHORIZING DISPOSAL OF SURPLUS PROPERTY.
 12. Resolution #2018-282-12 entitled RESOLUTION FOR GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964".
 13. Resolution #2018-282-13 entitled RESOLUTION APPROVING AMENDMENTS TO THE PERSONNEL MANUAL FOR THE TOWNSHIP OF BORDENTOWN, AS REQUIRED BY THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND.
 14. Resolution #2018-282-14 entitled RESOLUTION AUTHORIZING THE MAYOR TO SIGN LETTER TO GOVERNOR MURPHY TO SUPPORT THE ELECTIFICATION OF NEW JERSEY'S TRANSPORTATION SECTOR.
 15. Motion to Defeat Ordinance #2018-25 AMENDING PERSONNEL POLICY MANUAL.
 16. Consideration of Introduction of Ordinance #2018-26 entitled ORDINANCE AMENDING CHAPTER 25 "LAND DEVELOPMENT ORDINANCE", Section 25:519 "LARGE-SCALE REMOVAL OF TOP SOIL".

17. Administrator and Staff Reports.

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. Motion to Adjourn.

ALL PROPOSED LEGISLATION LISTED BELOW IS SUBJECT TO CHANGE AND IS CONSIDERED TO BE A DRAFT UNTIL IT IS OFFICIALLY ADOPTED BY GOVERNING BODY.

RESOLUTION #2018-282-8

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 October 9, 2018, 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.

10/09/18

RESOLUTION #2018-282-9

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 September 24, 2018; the Regular Meeting of September 24, 2018; as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected).

TOWNSHIP OF BORDENTOWN

RESOLUTION NO. 2018-282-10

REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS

WHEREAS, there exists unused balances in the following Planning or Zoning escrow accounts:

<u>Applicant</u>	<u>Project</u>	<u>Account No.</u>	<u>Amount</u>
CellCo Partnership 5175 Campus Drive Plymouth Meeting, PA 19462	Block 137.02 Lot 5.03	#920600	\$1,944.00
CellCo Partnership 5175 Campus Drive Plymouth Meeting, PA 19462	Block 137.02 Lot 5.03	#920601	\$1,120.00

WHEREAS, the Director of Community Development has certified that the applications and projects are complete and that the amounts listed above are nets amounts to be refunded to the Applicant after deducting any outstanding invoices which shall be paid upon closure of the account(s); and

WHEREAS, the Director of Community Development recommends the balances of the funds should be returned to the applicants; 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 balances of the escrow deposits, in the amounts 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 applicants or owners.
3. That the Township Committee directs the Township Clerk to forward a copy of this resolution to each 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 October 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

RESOLUTION #2018-282-11

AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Township of Bordentown is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Committee is desirous of selling said surplus property in an “as is” condition without express or implied warranties;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Township Clerk for the Township of Bordentown.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is:

2008 Dodge Charger VIN# 2BKA43HX8H131007

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Township of Bordentown reserves the right to accept or reject any bid submitted.

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 October 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

10/09/18

RESOLUTION #2018-282-12

RESOLUTION FOR GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Bordentown hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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 October 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

10/09/18

RESOLUTION #2018-282-13

RESOLUTION APPROVING AMENDMENTS TO THE PERSONNEL MANUAL FOR THE TOWNSHIP OF BORDENTOWN, AS REQUIRED BY THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, Chapter 2, Section 2.108.020, of the Bordentown Township Municipal Code states the Township Committee, by resolution, shall adopt a Personnel Manual setting forth policies and regulations affecting all personnel employed by the Township of Bordentown; and

WHEREAS, the Burlington County Municipal Joint Insurance Fund, of which the Township of Bordentown is a member, requires all member municipalities to adopt a Personnel Manual; and

WHEREAS, the Township Committee by way of Resolution #2011-178-19, did adopt a Personnel Manual for the employees of the Township of Bordentown on June 27, 2011; and

WHEREAS, the Burlington County Municipal Joint Insurance Fund periodically requires amendments/updates to the Personnel Manual to maintain a lower deductible for the Township's Liability Insurance;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby approve and adopt the amendments/updates to the Personnel Manual as required by the Burlington County Municipal Joint Insurance Fund; and

WHEREAS, these amendments/updates shall be made a part of the official manual for all employees of the Township of Bordentown with the exception of those employees covered under a bargaining unit or Standard Operating Procedures officially adopted by the governing body.

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 October 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

10/09/18

RESOLUTION #2018-282-14

RESOLUTION AUTHORIZING THE MAYOR TO SIGN LETTER TO GOVERNOR MURPHY TO SUPPORT THE ELECTIFICATION OF NEW JERSEY'S TRANSPORTATION SECTOR

WHEREAS, Mayor Benowitz received a request, from a student intern representing Environment New Jersey, to sign a letter to Governor Murphy to support the electrification of New Jersey's Transportation Sector; and

WHEREAS, this request was reviewed by the Environmental Commission and they have made a recommendation for the Mayor to proceed with signing the letter; and

WHEREAS, the letter is attached hereto and made an official part of this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby authorize the Mayor to sign and forward the letter to Governor Murphy.

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 October 9, 2018.

COLLEEN M. ECKERT, RMC, TWP. CLERK

10/09/18

TOWNSHIP OF BORDENTOWN

ORDINANCE #2018-26

ORDINANCE AMENDING CHAPTER 25 "LAND DEVELOPMENT ORDINANCE", SECTION 25:519
"LARGE-SCALE REMOVAL OF TOP SOIL"

BE IT ORDAINED AND ENACTED that Chapter 25, "Land Development Ordinance", Section 25:519 "Large-Scale Removal of Top Soil" of the Code of the Township of Bordentown is hereby amended by adding new language, which shall read as follows: (new language underlined)

Section B. ***Permission Required.*** No developer in a major subdivision, major site plan or planned soil removal operation as defined in the Ordinances of the Township shall excavate, scrape, dig or remove 200 cubic yards (or more) of soil for sale, gift or for use other than on the premises from which the soil is taken, except in connection with construction or alteration of a building on the premises and excavating or grading incidental thereto, without first having procured a permit from the Planning Board.

Section C. ***Application for Permit.*** This section is hereby amended to add Item (k) to the application process to read as follows:

(k) Establishment of an escrow account by applicant in the amount of \$2,500 plus an additional \$100 per acre, to cover review and inspections by professionals.

BE IT FURTHER ORDAINED AND ENACTED that all existing ordinances of the Township of Bordentown which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies; and

BE IT FURTHER ORDAINED AND ENACTED that in the event that any section, paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered; and

BE IT FURTHER ORDAINED AND ENACTED that this ordinance shall take effect immediately upon approval and publication according to law.