

**TOWNSHIP OF WILLINGBORO
RESOLUTION NO. 2013 -152**

**A RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY OWNED
BY THE TOWNSHIP LOCATED AT
603 BEVERLY RANCOCAS ROAD, BLOCK 727, LOT 6**

WHEREAS, the Township of Willingboro presently owns real property located at 603 Beverly Rancocas Road, Willingboro, Block 727, Lot 6 (hereinafter "the Property"); and

WHEREAS, the Township has determined that this is a surplus property not needed for public use; and

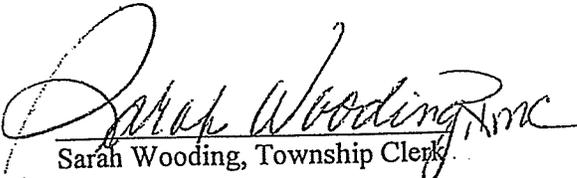
WHEREAS, N.J.S.A. 40A:12-13, et seq. authorizes the Township to sell the Property not needed by the Township for a public purpose, in accordance with the statute; and

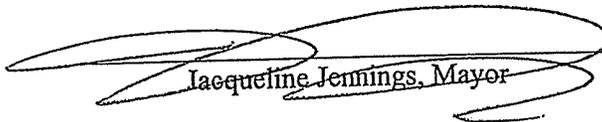
WHEREAS, it is the in the best interest of the Township to offer the property for sale.

NOW, THEREFORE, BE IT RESOLVED by the Township Council, assembled in open public session on this 6th day of November 2013 that the Mayor and the Township Clerk are hereby authorized to execute the necessary documents to sell 603 Beverly Rancocas Road, Willingboro, Block 727, Lot 6, as authorized by N.J.S.A. 40A:12-13, et seq.

Township of Willingboro

Attest:


Sarah Wooding, Township Clerk


Jacqueline Jennings, Mayor

cc: R+V
ARAWAK CO.
FIN.

Resolution No. 2013-153

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
RESCINDING RESOLUTION 2013-111 AND
AUTHORIZING CHANGE ORDER #1 FINAL FOR
2013 ROAD RESURFACING PROGRAM**

WHEREAS, on or about May 7, 2013, the Township Council of the Township of Willingboro entered into a contract with Arawak Paving Company, Inc. of 7503 Weymouth Road, Hammonton, New Jersey 08037 for the 2013 Road Resurfacing Program, pursuant to the Local Public Contracts Law, N.J.S.A. 40:11-1, et seq.; and

WHEREAS, the original contract amount was awarded for \$871,931.53; and

WHEREAS, it has been determined that Resolution No. 2013-111, authorizing Change Order #1 to increase the contract amount to \$879,610.09 was issued in error on August 6, 2013; and

WHEREAS, it has been determined that it is not necessary to increase the contract amount by Change Order No. 1, and as a result, it is the intention of council to rescind Resolution No. 2013-111; and

WHEREAS, it has also been determined that it is actually appropriate to reduce the contract amount for this project; and

WHEREAS, the Township's Engineer has recommended as Change Order No. 1 Final a reduction in the contract amount of \$121,114.24; and

WHEREAS, Township Engineer has found the proposed Change Order No. 1 Final to be acceptable; and

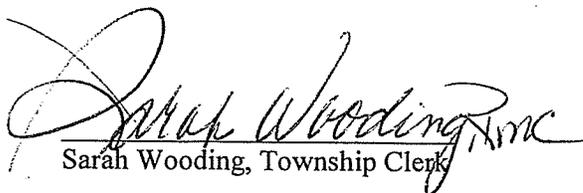
WHEREAS, Township Council has reviewed the Engineer's recommendation for the Change Order #1 Final, and finds that it is the best interest of the Township to approve change order No. 1 Final for Arawak Paving Company, Inc., in the amount of a reduction of \$121,114.24 for an amended contract amount of \$750,817.29.

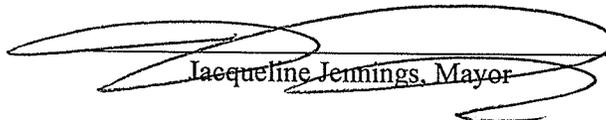
WHEREAS, a Certification of Availability of Funds is attached hereto.

NOW THEREFORE, BE IT RESOLVED that in open public session on this 6th day of November, 2013 that the Township Council of the Township of Willingboro hereby rescinds Resolution No. 2013-111; and accepts Change Order #1 Final for the 2013 Road Resurfacing Program amending the contract amount for this project to \$750,817.29 for Arawak Paving Company, Inc.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Township Engineer, Finance director, and Arawak Paving Company, Inc.

Attest:


Sarah Wooding, Township Clerk


Jacqueline Jennings, Mayor

cc: RUV
FIN.
ARAWAK CO.

RESOLUTION NO. 2013 -154

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
RELEASING THE PERFORMARNCE BOND FOR 2013 ROAD
RESURFACING PROGRAM AND ACCEPTING A TWO YEAR
MAINTENANCE BOND**

WHEREAS, Remington, Vernick & Arango Engineers, and Affiliates, has inspected the 2013 Road Resurfacing program improvements; and

WHEREAS, the Township's Engineer has determined that the condition of the improvements is satisfactory; and

WHEREAS, it is the recommendation of the Township's Engineer that the Township of Willingboro release the Performance Surety Bond # 327014 in the amount of Seven Hundred Fifty Thousand Eight Hundred Seventeen dollars and 29/100 cents (\$750,817.29) and upon a posting of a two year Maintenance Bond #327014325M in the amount of amount of Seven Hundred Fifty Thousand Eight Hundred Seventeen dollars and 29/100 cents (\$750,817.29) provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

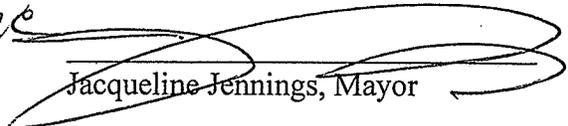
WHEREAS, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the Performance Bond and accept a two year Maintenance Bond for the 2013 Road Resurfacing program in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer's recommendations.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 6th day of November 2013, that the performance bond # 327014 in the amount of Seven Hundred Fifty Thousand Eight Hundred Seventeen Dollars and 29/100 cents (\$750,817.29) will be released for the 2013 Road Resurfacing program and it will accept a two year Maintenance Bond in the amount of Seven Hundred Fifty Thousand Eight Hundred Seventeen dollars and 29/100 cents (\$750,817.29) provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

BE IT FURTHER RESOLVED, that copies of this resolution shall be provided to the Finance Director, the Township Engineer, and Arawak Paving Company, Inc. for their information and attention.

ATTEST:


Sarah Wooding, RMC, Twp Clerk


Jacqueline Jennings, Mayor

cc: R4V
Fin
Arawak Co

Resolution No. 2013-155
A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WILLINGBORO RELEASING
RETAINAGE TO ARAWAK PAVING COMPANY, INC.
FOR 2013 ROAD RESURFACING PROGRAM

WHEREAS, the Township of Willingboro's Engineers Remington, Vernick & Arango Engineers, Inc. has submitted a request for a release of retainage from Arawak Paving Company, Inc., for the 2013 Road Resurfacing Program and authorizing final payment; and

WHEREAS, the Township engineer has determined that no further work is being performed on this project; and

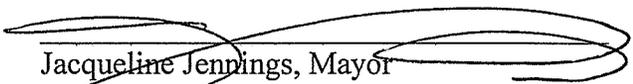
WHEREAS, it is the recommendation of the Township's Engineer that the Township of Willingboro release the retainage for this project in the amount of \$14,462.67, since all outstanding invoices have been satisfied.

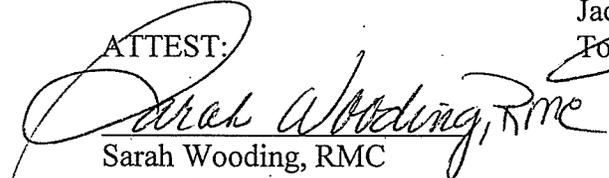
WHEREAS, the Payment Certificate No. 3 Final representing the final payment in the amount of \$27,683.90 has been reviewed and approved by the Township Engineer; and

WHEREAS, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the retainage for this project in the amount of \$14,462.67 to Arawak Paving Company, Inc. and to authorize final payment in the amount of \$27,683.90, in accordance with the Township Engineer's recommendations in Payment Certificate No. 3 Final, for the 2013 Road Resurfacing program.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 6th day of November, 2013, that the Retainage in the amount \$14,462.67, for the 2013 Road Resurfacing Program, shall be released and the final payment of \$27,683.90 issued to Arawak Paving Company, Inc., in accordance with the Payment Certificate No. 3 Final, for a total of \$42,146.57, in accordance with the Township Engineer's recommendations.

BE IT FURTHER RESOLVED, that copies of this resolution shall be provided to the Finance Director, the Township Engineer and Arawak Paving Company, Inc., for their information and attention.


Jacqueline Jennings, Mayor
Township of Willingboro

ATTEST:

Sarah Wooding, RMC
Township Clerk

cc: RUV
FIN
ARAWAK

RESOLUTION NO. 2013 -154

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
RELEASING THE PERFORMARNCE BOND FOR 2013 ROAD
RESURFACING PROGRAM AND ACCEPTING A TWO YEAR
MAINTENANCE BOND**

WHEREAS, Remington, Vernick & Arango Engineers, and Affiliates, has inspected the 2013 Road Resurfacing program improvements; and

WHEREAS, the Township's Engineer has determined that the condition of the improvements is satisfactory; and

WHEREAS, it is the recommendation of the Township's Engineer that the Township of Willingboro release the Performance Surety Bond # 327014 in the amount of Seven Hundred Fifty Thousand Eight Hundred Seventeen dollars and 29/100 cents (\$750,817.29) and upon a posting of a two year Maintenance Bond #327014325M in the amount of amount of Seven Hundred Fifty Thousand Eight Hundred Seventeen dollars and 29/100 cents (\$750,817.29) provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

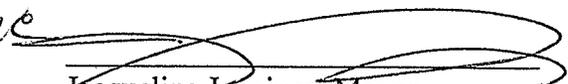
WHEREAS, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the Performance Bond and accept a two year Maintenance Bond for the 2013 Road Resurfacing program in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer's recommendations.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 6th day of November 2013, that the performance bond # 327014 in the amount of Seven Hundred Fifty Thousand Eight Hundred Seventeen Dollars and 29/100 cents (\$750,817.29) will be released for the 2013 Road Resurfacing program and it will accept a two year Maintenance Bond in the amount of Seven Hundred Fifty Thousand Eight Hundred Seventeen dollars and 29/100 cents (\$750,817.29) provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

BE IT FURTHER RESOLVED, that copies of this resolution shall be provided to the Finance Director, the Township Engineer, and Arawak Paving Company, Inc. for their information and attention.

ATTEST:


Sarah Wooding, RMC, Twp Clerk


Jacqueline Jennings, Mayor

cc: Rev
Gen
Command Co

Resolution No. 2013--156

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
AUTHORIZING CHANGE ORDER #2 (FINAL) FOR
MILL CREEK PARK PATHWAY REHABILITATION (PHASE II)**

WHEREAS, on or about April 2, 2013, the Township Council of the Township of Willingboro entered into a contract with Command Co., Inc. of 1318 Antwerp Avenue, Egg Harbor City, N.J. 08215 for the rehabilitation of Mill Creek Park Pathway rehabilitation Phase II, pursuant to the Local Public Contracts Law, N.J.S.A. 40:11-1, et seq.; and

WHEREAS, the original contract amount was awarded for \$249,551.50; and

WHEREAS, by Resolution No. 2013-56 the original bid unit cost was reduced by \$7,965.00 in change Order No. 1; and

WHEREAS, the original contract costs for this change order No. 2 Final, resulting in a further reduction of \$4,568.46.00, to the total amended and final contract amount of \$237,018.04; and

WHEREAS, Township Engineer has found the proposed change order costs to be acceptable; and

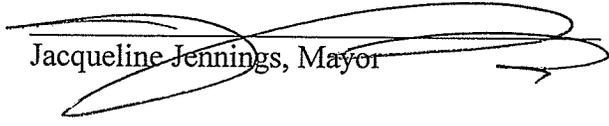
WHEREAS, Township Council has reviewed the Engineer's recommendation for the Change Order #2, amending the final contract amount to \$237,018.04.

NOW THEREFORE, BE IT RESOLVED that in open public session on this 6th day of November 2013 that the Township Council of the Township of Willingboro hereby accepts Change Order #2-Final for the Mill Creek Park Pathway Rehabilitation Phase II, and amends the contract amount for this project to \$237,018.04 to Command Co., Inc.

BE IT FURTHER RESOLVED, THAT a copy of this Resolution shall be provided to the Township Engineer, Finance director, and Command Co., Inc.

Attest:


Sarah Wooding, RMC
Township Clerk


Jacqueline Jennings, Mayor

cc: Fin
Rev
Command Co.

Resolution No. 2013-157
A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WILLINGBORO RELEASING
RETAINAGE TO COMMAND CO., INC.
FOR THE MILLCREEK PARK PATHWAY REHABILITATION PHASE II

WHEREAS, the Township of Willingboro's Engineers Remington, Vernick & Arango Engineers, Inc. has submitted a request for a release of retainage from Command Co., Inc., for the Millcreek Park Pathway Rehabilitation Phase II and authorizing final payment; and

WHEREAS, the Township engineer has determined that no further work is being performed on this project; and

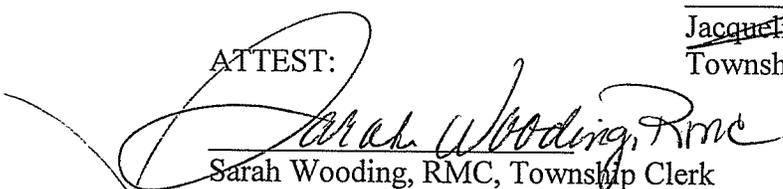
WHEREAS, it is the recommendation of the Township's Engineer that the Township of Willingboro release the retainage for this project in the amount of \$4,687.92, since all outstanding invoices have been satisfied.

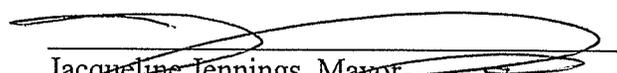
WHEREAS, the Payment Certificate No. 2 Final representing the final payment in the amount of \$2,622.00 has been reviewed and approved by the Township Engineer; and

WHEREAS, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the retainage for this project in the amount of \$4,687.92 to Command Co., Inc. and to authorize final payment in the amount of \$2,622.00, in accordance with the Township Engineer's recommendations in Payment Certificate No. 2 Final, for the Millcreek Park Pathway Rehabilitation Phase II.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 6th day of November, 2013, that the Retainage in the amount \$4,687.92, for the Millcreek Park Pathway Rehabilitation Phase II, shall be released and the final payment of \$2,622.00 issued to Command Co., Inc., in accordance with the Payment Certificate No. 2 Final, for a total of \$7,309.92, in accordance with the Township Engineer's recommendations.

BE IT FURTHER RESOLVED, that copies of this resolution shall be provided to the Finance Director, the Township Engineer and Command Co., Inc., for their information and attention.

ATTEST:

Sarah Wooding, RMC, Township Clerk


Jacqueline Jennings, Mayor
Township of Willingboro

cc: for
Rev.
Command Co

RESOLUTION NO. 2013 - 158

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING
THE PERFORMANCE BOND FOR THE MILLCREEK PARK
PATHWAY REHABILITATION PHASE II AND ACCEPTING A TWO
YEAR MAINTENANCE BOND**

WHEREAS, Remington, Vernick & Arango Engineers, and Affiliates, has inspected the Millcreek Park Pathway Rehabilitation Phase II improvements; and

WHEREAS, the Township's Engineer has determined that the condition of the improvements is satisfactory; and

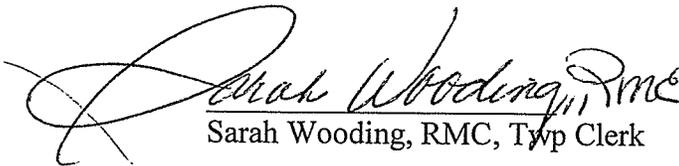
WHEREAS, it is the recommendation of the Township's Engineer that the Township of Willingboro release the Performance Surety Bond #HGNE-NE-10-239-0252 in the amount of Two Hundred Forty Nine Thousand Five Hundred Fifty One dollars and 50/100 cents (\$249,551.50) and upon a posting of a two year Maintenance Bond #HGNE-NE-10-239-0252M in the amount of amount of Two Hundred Thirty seven Thousand Eighteen dollars and 04/100 cents (\$237,018.04) provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

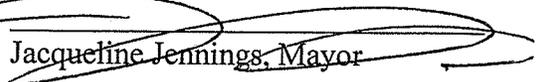
WHEREAS, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the Performance Bond and accept a two year Maintenance Bond for the 2013 Road Resurfacing program in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer's recommendations.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 6th day of November 2013, that the performance bond # HGNE-NE-10-239-0252 in the amount of Two Hundred Forty Nine Thousand Five Hundred Fifty One dollars and 50/100 (\$249,551.50) will be released for the Millcreek Park Pathway Rehabilitation Phase II and it will accept a two year Maintenance Bond in the amount of Two Hundred Thirty Seven Thousand eighteen and 04/100 Dollars (\$237,018.04) provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

BE IT FURTHER RESOLVED, that copies of this resolution shall be provided to the Finance Director, the Township Engineer, and Command Co., Inc. for their information and attention.

ATTEST:


Sarah Wooding, RMC, Twp Clerk


Jacqueline Jennings, Mayor

cc: Faw

RESOLUTION NO. 2013--159

Authorizing the Approval of Vouchers for Payment & Ratification

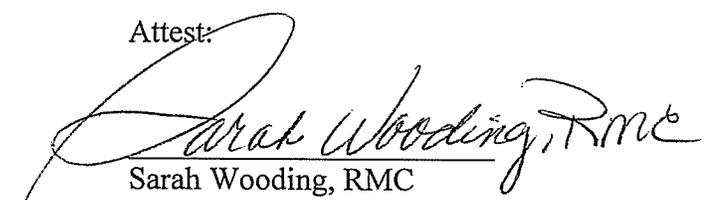
Whereas, Willingboro Township Council received the October 2013, Bill List and had an opportunity to review said Bill List; and

Now, Therefore, Be It Resolved by the Township Council of the Township of Willingboro, assembled in public session this 6th day of November 2013, that the Council hereby authorizes the Approval of Vouchers for Payment and Ratification including those items purchased under state contract and identified as such and all Trust Other Accounts (Recreation Trust, Tax Redemption, Escrow, and Dedicated by Rider Accounts).

Be It Further Resolved that a copy of this resolution shall be forwarded to the Director of Finance for her information and attention.


Jacqueline Jennings
Mayor

Attest:


Sarah Wooding, RMC
Township Clerk

cc: Jim

RESOLUTION NO. 2013--160

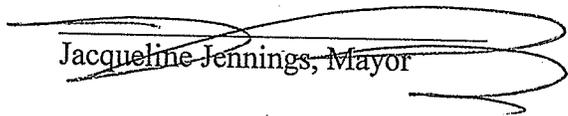
**A RESOLUTION AUTHORIZING REFUNDS FOR
OVERPAYMENTS OF TAXES**

WHEREAS, the records of the Tax Collector of the Township of Willingboro indicate overpayments of taxes due and overpayments; and

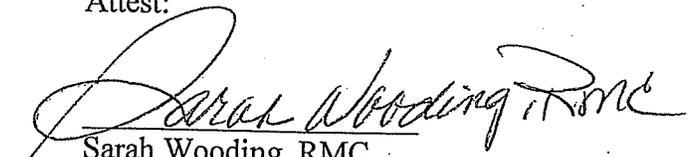
WHEREAS, refunds are due for these overpayments as listed on the attached schedule and made a part hereto;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 6th day of November 2013, that refunds be made as per the attached schedule; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Finance Director for her information, attention and compliance.


Jacqueline Jennings, Mayor

Attest:


Sarah Wooding, RMC
Township Clerk

RESOLUTION NO. 2013--161
A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING
AN EXECUTIVE SESSION OF THE TOWNSHIP COUNCIL

WHEREAS, the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits a public body to exclude the public from portions of a meeting at which specific matters set forth in N.J.S.A. 10:4-12b are discussed; and

WHEREAS, a request has been made of the Township Council assembled in public session on this 6th day of November 2013 to convene a closed Executive session consistent with the provisions of N.J.S.A. 10:4-12b; and

NOW, THEREFORE, upon motion duly made and seconded and passed by a vote of 5 in favor and 0 opposed, **BE IT RESOLVED** by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey that an Executive Session of the Township Council meeting shall be convened to discuss one or more of the following categories as noted:

1. Any matter which, by express provision of federal law, state statute or rule of court is rendered confidential or excluded from the public portion of the meeting.
2. Any matter in which the release of information would impair the right to receive funds from the United States Government.
3. Any material the disclosure of which constitutes and unwarranted invasion of privacy as set forth in N.J.S.A. 10:4-12b(3).
4. Any Collective Bargaining Agreement or the terms and conditions which are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees.
5. Any matter involving the purchase, lease or acquisition of real estate with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussions of such matters were disclosed.
6. Any tactics and techniques utilized in protecting the safety and property of the public and any investigations of violations or possible violations of law.
7. Any pending or anticipated litigation or contract negotiations in which Township Council is or may become a party.
8. Any matters falling within the attorney/client privilege to the extent that confidentiality is required for the attorney to exercise his/her ethical duties as a lawyer.

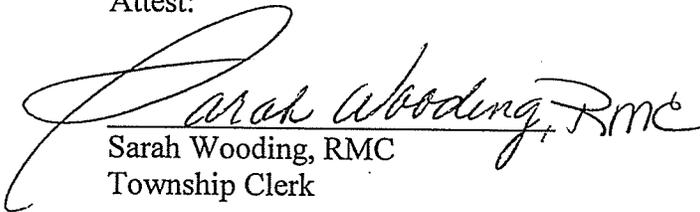
- _____ 9. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment and other categories set forth in N.J.S.A. 10:4-12b(8).
- _____ 10. Any deliberations occurring after a public hearing that may result in the imposition of specific civil penalty or the suspension or loss of a license or permit as set forth in N.J.S.A. 10:9-12b(9).

BE IT FURTHER RESOLVED that the general nature of the subject to be discussed relates to: *Contract issue - Cathedral of Love.*

BE IT FURTHER RESOLVED that the time when and the circumstances under which the discussion conducted in closed session will be disclosed to the public, in accordance with N.J.S.A. 10:4-14, and to the extent that it is not inconsistent with N.J.S.A. 10:4-12.


Jacqueline Jennings
Mayor

Attest:


Sarah Wooding, RMC
Township Clerk