

**WILLINGBORO TOWNSHIP COUNCIL**

**AGENDA**

**JANUARY 15, 2019**

7:00PM  
Call to order  
Flag Salute  
Statement  
Roll Call

**MANAGER'S REPORT**

- Resolution 2019—15                    RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE WILLINGBORO MUNICIPAL UTILITIES AUTHORITY
- Resolution 2019—16                    RESOLUTION AUTHORIZING THE TOWNSHIP TO APPLY FOR THE 2018 RECYCLING TONNAGE GRANT.
- Resolution 2019—17                    RESOLUTION APPOINTING REGISTRAR OF VITAL STATISTICS
- Resolution 2019—18                    RESOLUTION TO IMPLEMENT AN OUTDOOR FITNESS COURT IN MILLCREEK PARK
- Resolution 2019—19                    RESOLUTION AUTHORIZING THE EXECUTION OF SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF CINNAMINSON FOR THE PROVISION OF ANIMAL CONTROL SERVICES
- Resolution 2019—20                    RESOLUTION AUTHORIZING THE CANCELLATION OF AGED OUTSTANDING CHECKS
- Resolution 2019—21                    RESOLUTION AUTHORIZING THE EXECUTION OF PUBLIC DONOR AGREEMENT WITH PROVIDENCE HOUSE FOR THE YEAR 2019
- Resolution 2019—22                    RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTING OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF IRONSIDE COURT (FROM THE BEVERLY RANCOCAS ROAD (C.R.626) TO CUL-DE-SAC) PROJECT

Resolution 2019—23

EXECUTIVE SESSION (IF NEEDED)

Public Comment

Council Comment

Adjournment

ALL BUSINESS ITEMS ARE TENTATIVE PENDING THE REVIEW AND APPROVAL OF  
THE LAW DEPARTMENT

Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

7:00 P.M. meeting  
Flag Salute  
Required Statement  
Roll Call

The Required statement was read.

In compliance with the Open Public Meeting Act, this is to announce that adequate notice of this meeting was provided in the following manner.

On January 1, 2019 advance written notice of this meeting was posted on the bulletin board in the Municipal Complex.

On January 1, 2019, advance written notice of this meeting was mailed to the Burlington County Times, the Trenton Times, the Philadelphia Inquirer and the Courier Post.

On January 1, 2019, advance written notice of this meeting was filed with the Township Clerk.

The Clerk is directed to enter into the minutes of this meeting this public announcement.

Roll Call:	Councilman Anderson	Present
	Councilman Holley	Present
	Councilwoman Jennings	Present
	Deputy Mayor Perrone	Present
	Mayor Nock	Present

Jill Cyrus, Director Recreation; Wendell Bibbs, P.E. Remington & Vernick Engineer; Doug Johnson, Remington & Vernick, Engineer; Cristal Holmes-Bowie, Esq., Firm of Michael Armstrong, Township Solicitor; Walter Howard, IT Department

**MANAGER'S REPORT (See attached)**

Mayor Nock: Any questions for the Township Manager? --Hearing none. I do have one thing I would like to ask you. We get a lot of complaints about the trash collection and you are talking about just so much cheaper to extend it a year? Is that's what you are saying?

Rich Brevogel: We have two one year renewals; so we already know that those costs are going to be for budgeting purposes. I am anticipating that when we go out to bid we tip over 1.2 million dollars of trash this year. That is a lot of trash. We are up about \$120,000 disposal cost. The disposal cost is increasing at 2 percent a year through the current county landfill agreement. We may have to limit the amount of trash that can be put out. Right now it is currently ten items. We could do a survey of the community to find how many items are put out. Most people have two to three bags, but when you have a bulk item it starts to add up. So, the cost is going to go up; but we can put it out for rebid. We have a lot of complaints

with the current vendor. I will give you the information and you can let me know what you would like for me to do relative to putting it out.

Mayor Nock: Just for FYI, Ms. Foster has been appointed to the Census Committee. Is there anything the local town has to do for the Census preparation?

Rich Brevogel: I will let Ms. Foster... once... I will have her come up at the next meeting to talk a little bit about how the process is going to be and what her involvement is going to be.

Mayor Nock: Not so much her involvement, I am glad she was appointed, but what do we have to do as a local town.

Rich Brevogel: I'll have her speak to that at the next meeting.

Councilman Holley: I have a quick question to follow up on the trash issue. How flexible are the options for the contract. Would it be-- maybe reduce the amount of items on a weekly basis and maybe one week of the month you can increase it. Is that an option to cut cost?

Rich Brevogel: Councilman Holley that's a good question. We can look at the first three collections in the month being just limited to non-bulk items and one collection a month on bulk items to keep it below the ten items limited. A lot of our bulk comes from clean outs and things of that nature. We remove it and we do go after them in terms of liens and I think all of the departments are working very well together to identify those as well as the vendors. Vendors know when the cleanout is there. It's just volume. If we could look at a couple different... we could bid it out where there is a couple different alternatives; where you could have a base bid and alternates to that bid that would include that kind of discussion.

**RESOLUTION**

**RESOLUTION 2019-15  
A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
WILLINGBORO PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE  
WILLINGBORO MUNICIPAL UTILITIES AUTHORITY**

**WHEREAS**, the Township Council is authorized to appoint Members and Alternate Members of the WMUA, in accordance with N.J.S.A. 40:14B-4, et seq., and Willingboro Township Code Section 12-15; and



Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**WHEREAS**, it has been determined that a vacancy exists on the Willingboro Municipal Utilities Authority (WMUA) as of 1/31/2019, due to the expiration of the term of member Commissioner Jacqueline Jennings; and

**WHEREAS**, Council intends to appoint Jacqueline Jennings as commissioner for the term of 2/1/19 to 1/31/24.

**WHEREAS**, it has been determined that a vacancy also exists on the WMUA as of 1/31/19 due to the expiration of the term of Alternate #1 Charles Green; and

**WHEREAS**, Council intends to appoint \_\_\_\_\_ as Alternate #1 for the term of 2/1/19 to 1/31/24.

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Willingboro, assembled in open public session on this 15th day of January 2019, that the Township Council makes the following appointment to the Willingboro Municipal Utilities Authority:

1. Jacqueline Jennings is appointed as a Member Commissioner for a five year term effective 2/1/2019-1/31/2024.
2. \_\_\_\_\_ is appointed as an Alternate Member #1 for the term of 2/1/2019 to 1/31/2024.

**BE IT FURTHER RESOLVED** that copies of this resolution shall be provided to the appointees and the Willingboro Municipal Utilities Authority for their information and attention.

On motion to table by Councilman Anderson and seconded by Councilman Holley

**Discussion**

Deputy Mayor Perrone:

I did some research and I looked into how our township governs ourselves under the State of New Jersey. According to 34 ethic codes these are what my findings are: As it reads—"the purpose of this chapter is to provide a method of assuring that standards of ethical conduct and financial disclosure requirements for officers and employee of the Township of Willingboro shall be clear constant uniform in their application enforceable and to provide those officers or employees with advance advice and information concerning possible conflicts of interest which might arise on the conduct of their public duties. It is a further purpose of this chapter to implement the provisions of the local government ethic law LP1991 chapter 29 NJSA 40a-9-22.1." I digress. For the purpose of clarity; and this further reading I will read the definitions that are outlined in this law; however, only pertaining to the ones of the discussion. What is a business organization? A business

organization means any corporation, partnership, firm, enterprise, franchise, association trust, sole partnership, legal or any other legal entity. What are the local government officer? A local government officer means, any person whether compensated or not, part-time or full-time, one elected to an office of a local government agency, serving on a local government agency has the authority to enact ordinances, approve development applications or grant zoning of ordinances. Who is also an independent municipal county or regional authority, and who is a manager, executive or confidential employee of a local government agency as defined in section 3. What is a governing body? Governing body means in the case of municipality the commissioned council, board or body that by whatever name it may be known having charge of finances of the municipal and in the case of accounting (inaudible) freeholders--Under the code... So, now we can continue. Under the code 40A 9-22.5 , Code of ethics for local government officers or employees under the jurisdiction of local finance board. A. No local government officer such; as Councilwoman Jennings should have an interest in the business organization or engage in any business transaction or professional activity, which is substance to conflict with the proper discharge of her duties in the public interests; such as voting for herself to the MUA. Vote to receive 75 percent of a salary, such as sitting on the MUA, and vote for any increases of monies to be paid to the Township and then go back and sit on the Council Board to approve the monies for us to receive. C. Reads—No local government officer such as Councilwoman Jennings, should use or attempt to use her official position to secure unwarranted privileges or advances for herself or others; such as family members. Such as vote for herself on to a business organization; appoint or approve family members onto these organizations. D. No local government officer such as; Councilwoman Jennings, shall act in her official capacity in any manner where she is a member of her or her immediate family or business organization which she has an interest or has a direct or indirect finance personal involvement such as; voting and receiving salary pay that might impair her objectivity or independents of judgement. I. No local government officer such as; Councilwoman Jennings, shall be deemed in conflict with those visions. If by reason of her participation in it, an enactment of ordinance, resolution or other matters required to be voted upon, such as, voting for any issues which pertaining to the WUMA. For that purpose, I am requesting a motion to remove Jackie Jennings as a candidate for the WUMA in this resolution; however, for the simple fact that is unethical.

Mayor Nock:

I will second that



Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

- Councilman Holley: Do we have a legal opinion?
- Deputy Mayor Perrone: That was the legal...
- Councilwoman Jennings: We had a legal opinion by Mr. Armstrong.
- Deputy Mayor Perrone: I have it all here if anybody wants to see it.
- Mayor Nock: Hold on before this gets out of hand. Well, it is not out of hand if she is reading from the State statute. The question comes down to, is, Councilwoman Jennings, I am asking if it is legally eligible to set on the MUA and if she whines up voting for...
- Cristal Holmes-Bowie, Esq.: Really there is two questions. One, is can you vote for yourself if you are on a municipal body and the second question is where as part of this body you can vote for yourself to become a part of the municipal utility authority and the answer to the first question is and I think that you all had the opportunity to see this is that if someone is running for a position and there is an election they can vote for themselves. So there is nothing unethical about that. In terms of how our municipality utility authority is created the Township basically created the utility authority the Township Council appoints the commissioners to the utility authority and as I don't know how far back it goes, but basically the way that it goes; but basically the way it has been designed is that Council members can serve also on the utility authority. Now, I understand the Councilwoman's concern that you not vote on financial issues that you specifically benefit from and that, of course, would be issues with that.
- Deputy Mayor Perrone: I would like for you to identify. I have identified legal status. I would like for you to identify based off what you are stating because what I am reading from is on our website. It is under the code ethics. I also went on the New Jersey State and pretreated the entire local New Jersey local government ethics law which is govern by not just Willingboro but the entire state of New Jersey; so I am Ok if you can identify in your book that it says it is Ok for a sitting Councilwoman to sit on both of these boards because according to what I have read-- now no disrespect to Cristal. Your understanding what I have just read based of your legal opinion what did you hear me just read?
- Cristal Holmes-Bowie, Esq.: I am sorry I am not really...
- Deputy Mayor Perrone: What is your understanding of what I read?

- Cristal Holmes-Bowie, Esq.: You read a portion of the statue. Your read portions of the Township Code...
- Deputy Mayor Perrone: And that's what we are governed by in Willingboro.
- Cristal Holmes-Bowie, Esq.: We are governed by the Township code; however, it is basically both our Township Code and the Statue that you reference. The Section 40, which basically explains how a municipal utility authority is setup and created.
- Deputy Mayor Perrone: And that's how we govern ourselves, right?
- Cristal Holmes-Bowie, Esq.: Yes, that's how we are governing ourselves. And, it is my understanding; and I have had the opportunity to review on more than one occasion that the utilities--that the Township Council does appoint the members of the utilities authority; however, and that is completely up to the Township Council who it appoints to that.
- Deputy Mayor Perrone: Now we have. .. when we do our appointments, just for clarity...
- Councilwoman Jennings: I have something to say too.
- Deputy Mayor Perrone: Just one moment
- Mayor Nock: Hold on, hold on. Ms. Jennings, I will give you an opportunity to talk.
- Councilwoman Jennings: Thank you
- Mayor Nock: I think we need this legal avenue, because it is my understanding also. I am in that as a sitting council member you can be appointed, but you cannot vote for it since you receive compensation over there, be it personal or any member of your family. Let's take you out of the equation. Even if you were appointing a member of your family you could not vote for that member of the family since they will receive...
- Deputy Mayor Perrone: Exactly
- Mayor Nock: Thank you. I appreciate that, but there... so, that's the question I am after. I am not after whether or not we can appoint you. As the governing body--can appoint, but whether or not you can take the position since you are being paid over there to set on their body. That is my issue.
- Councilwoman Jennings: Well, that's a good question. For the last twenty plus years we have been doing it and Council people have been voting. There has always been a



Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

Council liaison. And, quite frankly, I think it is unethical for you to invite somebody to come to the meeting... Pardon me, yes, so all of a sudden, because Deputy Mayor Perrone has someone she would like to put into the place, then all this is coming. Someone who has never come to a MUA meeting and she was told to come to the reorganization meeting that she would be appointed.

Mayor Nock:

What?

Councilwoman Jennings:

Excuse me... told to come tonight, that she would be appointed. Never been to a meeting and was also told that she will listen to what she says when it is time to vote. So, I think that's unethical and I would like to call the question.

Deputy Mayor Perrone:

Actually

Councilwoman Jennings:

I have already called the questions. You have been on the School Board so you know what that means.

Deputy Mayor Perrone:

As I was going to state, applicants of the community are allowed to apply for all of our positions on all of our boards.

Mayor Nock:

Cristal hold on. You want to call the question and she has the right to call the question. The question, so let's call the question.

Councilman Anderson:

Is there a motion on the floor?

Mayor Nock:

There is a motion on the floor, there is a discussion.

Deputy Mayor Perrone:

She is named in the resolution.

Cristal Holmes-Bowie, Esq.:

You can...

Mayor Nock:

Wow, the first one... Again, trying to keep this civilized to some degree. Call the question is a point of order that you have to do it, but we are in the middle of the discussion.

Deputy Mayor Perrone:

Right, I also have the Roberts Rules of Order.

Mayor Nock:

Hold on Ms. Deputy Mayor, I am asking legal here who is supposed to advise you on how to proceed and I also want the ruling that I ask you earlier whether or not she can vote for herself to be on the MUA.

Cristal Holmes-Bowie, Esq.:

We did discuss that, and my position is, that, yes, she can vote for herself

Deputy Mayor Perrone: Based off of...

Cristal Holmes-Bowie, Esq.: Based off--I would say probably based off the not only statues...

Deputy Mayor Perrone: Which one?

Cristal Holmes-Bowie: I don't have the particular...

Deputy Mayor Perrone: I want to hear...

Cristal Holmes-Bowie, Esq.: Ms. Perrone, I do...

Mayor Nock: Members of the public, it is tough enough up here trying to keep control over this; the very first resolution, so, I just ask you to just keep your comment to yourself, because I want a legal ruling from her; then we will call the question and then we will move forward.

Deputy Mayor Perrone: Please make it legal.

Mayor Nock: And, the other piece of this point, there is one, but the second one I have a question about based on stuff you sent me today because there is no name and this has not been discussed.

Cristal Holmes-Bowie, Esq.: Right

Mayor Nock: So, let's deal with one first and deal with the second one... So, we move the question on the resolution. Do we also move too, where there is no name in here for the alternate?

Deputy Mayor Perrone: Absolutely not.

Cristal Holmes-Bowie, Esq.: I am going to answer the question with regards to the draft resolution, which is what I submitted to the Clerk and she... well what she provides is what she provides. But, what you have before you in terms of that resolution is that the... I believe, the alternate No. 1 position is going to be vacant as of February, and Council, to my knowledge, I am not aware of whether Council has made any decisions at all and certainly Council can indicate who that person might be and I don't think there is a problem with that.

Mayor Nock: So, at some point... what I am trying to find out, we moved the resolution... do we move both of these with a blank name; which I clearly do not want to do. So, can I separate the two? But, then have the resolution with Ms. Jennings on it to move forward, without two which is a blank name and that I don't want to do.

Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

Councilman Holley: Can I add to the conversation, because I feel like we are going to go down the rabbit hole in a second.

Mayor Nock: Right

Deputy Mayor Perrone: Not before I response, because for clarity...

Councilman Holley: I have the floor. I have the floor.

Deputy Mayor Perrone: Well, Martin, I wanted to response to Jackie and you said not to.

Councilman Holley: I am not trying to stop the discussion. I want to have my opportunity to have the floor though, thank you.

Deputy Mayor Perrone: (Inaudible)

Councilman Holley: So, I was in the middle to talking, right.

Deputy Mayor Perrone: No, I was in the middle of talking and then...

Councilman Holley: Oh, no.

Mayor Nock: Hold on, hold on, this is going...

Councilman Holley: I had the floor. I had the floor.

Mayor Nock: Ms. Perrone, can we let Mr. Holley speak and then you can speak again, because I ...

Deputy Mayor Perrone: Thank you.

Mayor Nock: I did say to her... Mr. Holley please move forward. Council...

Councilman Holley: So, I feel like, at this time legal was put on a spot and I don't want to put us in a liable situation. So, if need be, if we can't figure this out in a professional manner that maybe we need to get a legal opinion in writing from legal and then we can revisit this at a different time, because if it is going to turn into a whole bunch of crap... it is going to put us in a liable situation, then I don't want to be a part of it.

Mayor Nock: Hold on.

Councilman Holley: You need to have both names on the...



- Mayor Nock: I agree, but Council say that was going to be her suggestion; so if that is her suggestion it gives us a time to figure...
- Deputy Mayor Perrone: Figure the law and come with law...
- Mayor Nock: Figure it out, Ms. Perrone.
- Deputy Mayor Perrone: Because now I would like to speak, because you said...
- Mayor Nock: Excuse me, excuse me, excuse me, at the end of the day I am running the meeting, OK, at the end of the day. Whether it is legal or not I am running the meeting. This is the very first resolution, very first, nothing else has passed here; so it is clearly a controversial contentious item, so that's why I am leaning on Council here to figure out what is your best legal advice to give us to handle this resolution that has a blank name and there is questions about Mrs. Jennings being able to sit in. So what is your legal advice?
- Cristal Holmes-Bowie, Esq.: I think that I did give some indication, but what I was about to say was that given the difficult nature; and I certainly would want the opportunity to sit down and review everything that Deputy Mayor Perrone has presented, because I don't propose to know each and every statute off the top of my head, and I wouldn't try to say that. I would certainly want to look at that and want to present all the information to each and every Council member here. That said, it is true that this issue has been revisited on a number of occasions, but that was with different Council. Quite frankly, and I don't... I think that the best way to move forward is for Council to have a written legal opinion and in that case they can ask me any further questions. I cannot only provide the statute because sometimes you are reading the statute you are reading the code, but that is not all there is to the law. There are cases that may interpret maybe... there are cases; maybe there aren't cases but those are the kinds of things that I certainly would want to review, and it's never just one simple question as you have seen here. One question has turned into five or six different questions and that's what I would want to answer, because I think that's what I would want to know if I were in either Councilwoman Jennings position or Deputy Mayor Perrone position.
- Mayor Nock: Ms. Perrone it has to be short, because we are...
- Deputy Mayor Perrone: I would like to speak
- Mayor Nock: Make it very short on this...



Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

- Deputy Mayor Perrone: Ok. With regards to our process and procedures, the positions that we appoint are open up to the community. The community members apply for their positions; several people applied to the MUA; however, only one person was not allowed to vote for themselves, Councilman Jennings—unethical. I don't care if we use to do this, it is 2019, it is time to do things the right way, Ok. And, as far as our Council, ok, this is a paid position. You are sitting here to be paid. And, therefore, when I am coming to you with statutes I am expecting to see the same. And I do appreciate your last comment, that you want to go back and revisit; however, when you say yes she can vote, but you don't have a resolution and you don't have a statute to back up what you are saying that is unacceptable.
- Mayor Nock: Ok, can we move to table this solicitor?
- Cristal Holmes-Bowie, Esq.: Yes
- Mayor Nock: Can I entertain a motion that we move to table this.
- Councilman Anderson: The motion has to be rescinded because there was a motion and second that's on.
- Clerk: I need to know first of all if we are going to table this we have to rescind the initial motion which was given by Deputy Mayor Perrone.
- Deputy Mayor Perrone: Since the floor is on me. Should I rescind this motion for the purpose of we are going to have the law the next time we speak on this?
- Mayor Nock: Table, table...
- Deputy Mayor Perrone: It is up to me to rescind, so I have the floor. I want to make sure the next time we come to this meeting to discuss this very topic that we have this book that you have here with the law and that's what we speak on. Is that what's going to happen?
- Councilman Anderson: I second the motion to rescind.
- Mayor Nock: Hold on, hold on Ms. Perrone.
- Deputy Mayor Perrone: I called it first...

Mayor Nock: Excuse me, excuse me, Ms. Perrone let's just try...

Deputy Mayor Perrone: Make sure we do things the right way this year.

Mayor Nock: Ok, hold up.

Deputy Mayor Perrone: I rescind

Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Abstain
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

**Motion approved to rescind motion on Resolution 2019-15**

On motion to table Resolution 2019-15 done by Councilman Anderson and seconded by Councilman Holley.

Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Abstain
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

**Motion approved to table Resolution 2019-15**

#### **RESOLUTION NO. 2019 - 16**

#### **RESOLUTION AUTHORIZING THE TOWNSHIP TO APPLY FOR THE 2018 RECYCLING TONNAGE GRANT**

**WHEREAS**, Recycling Enhancement Act, N.J.S.A. 13:1E-96 et seq., Mandatory Source Separation and Recycling Act P.L. 1987, c.102, as amended, and N.J.S.A. 13:1E-99.16, et seq., as amended, (collectively cited hereinafter as "Recycling Act") have established a recycling fund from which tonnage grants may be made to municipalities, in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and spirit of the Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Recycling Act; and

Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, the Township Council has determined that it is in the best interest of the Township to apply for the tonnage grants; and

**WHEREAS**, a resolution authorizing the Township to apply for the 2018 Recycling Tonnage Grant will memorialize the commitment of the Township to recycling and indicate the assent of the Township Council to efforts undertaken by the Township and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, this resolution acknowledges Patti Conrad, Brian Wood, and Lawrence Hardy are *Certified Recycling Professionals* to ensure that the application is properly completed and timely filed under the law.

**NOW THEREFORE BE IT** resolved on this 15<sup>th</sup> day of January 2019 in open public session that that the Township Council hereby authorizes and endorses the Tonnage Grant Application to the New Jersey Department of Environmental Protection; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant shall be deposited into a dedicated recycling trust fund to be used solely for the purposes of recycling.

On motion by Councilman Anderson

Seconded by Councilman Holley

Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Yes
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

**Motion carried. Resolution 2019-16 Approved**

#### **RESOLUTION NO. 2019-17**

#### **RESOLUTION APPOINTING REGISTRAR OF VITAL STATISTICS**

**WHEREAS**, the Township of Willingboro has a need for a Registrar of Vital Statistics; and

**WHEREAS**, Vanessa Clouden is qualified to provide such service, and has been serving as the deputy registrar since December 31, 2018; and

**WHEREAS**, it is the intention of Council to appoint Vanessa Clouden to be the current Registrar of Vital Statistics, effective January 1, 2019.

**NOW THEREFORE, BE IT RESOLVED**, on this 15<sup>th</sup> day of January, 2019, in open public session, by the Township Council of the Township of Willingboro that Vanessa Clouden be and is hereby appointed as Registrar of Vital Statistics, for a term of three years, from January 1, 2019 to expire on December 31, 2021.

On motion by Councilman Anderson  
Seconded by Councilwoman Jennings

Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Yes
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

**Motion carried. Resolution 2019-17 Approved**

## **RESOLUTION NO. 2019-18**

### **RESOLUTION TO IMPLEMENT AN OUTDOOR FITNESS COURT IN MILLCREEK PARK**

At a meeting of the Township Council of the Township of Willingboro held on January 15, 2019 wherein the following action was taken:

**WHEREAS**, the Township of Willingboro has submitted a Grant Application to National Fitness Campaign for the construction of an outdoor Fitness Court®, which is free for public use, and;

**WHEREAS**, the Township of Willingboro will accept a \$30,000 National Grant from National Fitness Campaign to promote and implement an outdoor Fitness Court®, and;

**WHEREAS**, the Township of Willingboro will secure funding, which will be available and committed to this program [including partnerships between the Township of Willingboro, National Fitness Campaign, and community sponsors] to construct and maintain the outdoor Fitness Court®, and;



Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers, One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**WHEREAS**, the Township of Willingboro will commit to construction and launch of the outdoor Fitness Court® by the end of the 2019 calendar year, and;

**WHEREAS**, the Township Council believes the outdoor Fitness Court® is an important recreation facility to support the health of the community by making "world-class" fitness free on Millcreek Park, to fund an outdoor bodyweight circuit training Fitness Court®, and to earn local and national recognition as a leader in providing affordable health and wellness.

**NOW THEREFORE, BE IT RESOLVED**, on this 15<sup>th</sup> day of January, 2019, in open public session, that the Township Council of the Township of Willingboro will collaborate with National Fitness Campaign to implement the construction of an outdoor Fitness Court® and make fitness free to community residents and visitors.

**Discussion:**

Councilman Holley: May I ask a question real fast? What exactly is that going to look like and include?

Rich Brevogel: You should have copies of...

Clerk: They are in your mailboxes.

Mayor Nock: Can we have... Anyone knows a three minute, two minute verbal?

Jill Cyrus: The National Fitness Campaign... there is a concrete slab that will go into the park and part of it (Pass this down so you can take a look at it) that has these pieces to it that you can do fitness. It's open, and it's for anyone, all ages, anyone can do it. It's a wonderful piece. They have this National Campaign that started back in the 80s. They help you with every step of this. We were able to get the \$30,000 grant, and they are going to help us to get the rest of the money to put this thing together. In 2018, they had a goal of getting a hundred cities, in 2019, their goal, in 200 cities. We are on the leading edge. There is no other one like it in this area. So, it will be a nice step and a nice piece that I think will help with our whole wellness and fitness initiatives.

Councilman Anderson: Exactly where will it be located in the Park?

Jill Cyrus: Specifically by Area D. So, in between Area D and where the Country Club Plaza starts. There's this big open area, it will go there. That would allow people to walk the Park and stop off and workout if they like.

Mayor Nock: Any other questions? Ok, thank you.

On motion by Councilman Anderson

Seconded by Councilwoman Jennings

Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Yes
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

Motion carried. Resolution 2019—18 Approved

**TOWNSHIP OF WILLINGBORO  
RESOLUTION 2019 -19**

**A RESOLUTION AUTHORIZING THE EXECUTION OF SHARED SERVICES  
AGREEMENT WITH THE TOWNSHIP OF CINNAMINSON FOR THE PROVISION  
OF ANIMAL CONTROL SERVICES.**

**WHEREAS**, N.J.S.A. 40A:65-1, et seq., known as the "Uniform Shared Services and Consolidation Act," authorizes two or more local units to enter into an agreement for interlocal services known as a Shared Services Agreement for the provision of municipal services ("Agreement"); and

**WHEREAS**, the purpose of Shared Services Agreements is to reduce local expenses funded by property taxpayers; and

**WHEREAS**, the Township Council of the Township of Willingboro and the Township of Cinnaminson desires to enter into a Shared Services Agreement for the provision of Animal Control Services to the Township of Cinnaminson for a fee of \$18,000.00 per year and a fee for emergency services, in accordance with the agreement attached, beginning January 1, 2019 and expiring December 31, 2019; and

**WHEREAS**, the Township Council has reviewed the proposed Agreement, a copy of which is attached hereto; and

**WHEREAS**, the sharing of these services is in the public interest and will benefit the Township of Willingboro and the Township of Cinnaminson.

Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council, assembled in open public session on this 15<sup>th</sup> day of January 2019 that the Mayor and the Township Clerk are hereby authorized to execute the Shared Services Agreement, as attached hereto, between the Township of Willingboro and the Township of Cinnaminson for the provision of Animal Control Services.

**BE IT FURTHER RESOLVED**, that copies of this resolution shall be provided to the Township of Cinnaminson, the Finance Office, and the Police Department for their information and attention.

On motion by Councilman Anderson

Seconded by Councilwoman Jennings

Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Yes
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

Motion carried. Resolution 2019—19 Approved

#### **RESOLUTION NO. 2019-20**

#### **RESOLUTION AUTHORIZING THE CANCELLATION OF AGED OUTSTANDING CHECKS**

**WHEREAS**, there exist certain prior years outstanding checks on the bank reconciliations of the Township of Willingboro; and

**WHEREAS**, it has been determined that these checks are more than one year old and should be cancelled; and

**WHEREAS**, Township Council has determined that it is in the best interest of the Township to cancel outstanding checks that are more than one year old.

**NOW, THEREFORE, BE IT RESOLVED**, on this 15<sup>th</sup> day of January 2019, in open public session by the Township Council of the Township of Willingboro, in the County of Burlington, State of New Jersey that the outstanding checks identified in the memorandum of the Willingboro Municipal Court Administrator Carolyn Campbell to the Finance Department dated December 12, 2018, that is attached hereto, shall be cancelled.



On motion by Councilman Anderson  
Seconded by Councilwoman Jennings  
Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Yes
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

Motion carried. Resolution 2019—20 Approved

**TOWNSHIP OF WILLINGBORO**

**RESOLUTION NO. 2019-21**

**RESOLUTION AUTHORIZING THE EXECUTION OF PUBLIC DONOR AGREEMENT WITH PROVIDENCE HOUSE FOR THE YEAR 2019**

**WHEREAS**, shelter for victims of domestic violence in Willingboro has been operated by Providence House/Willingboro Shelter; and

**WHEREAS**, the Providence House/Willingboro Shelter property is owned by the Township of Willingboro; and

**WHEREAS**, it is proper to formally authorize the execution of this Public Donor Agreement attached hereto which authorizes the donation of monetary and in-kind donations totaling \$28,000.00.

**NOW THEREFORE BE IT RESOLVED** on this 15<sup>th</sup> day of January 2019 in open public session that the Township Council of the Township of Willingboro hereby authorizes the Mayor to execute the attached Donor Agreement with Providence House on behalf of the Township.

On motion by Councilman Anderson  
Seconded by Councilwoman Jennings  
Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Yes
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

Motion carried. Resolution 2019—21 Approved



Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

**RESOLUTION NO. 2019-22**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING SUBMISSION  
OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE  
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF  
IRONSIDE COURT (FROM BEVERLY RANCOCAS ROAD (C.R. 626) TO CUL-DE-SAC)  
PROJECT**

**WHEREAS**, the Township has a need for the reconstruction of Ironside Court (from Beverly Rancocas Road (C.R. 626) to Cul-De-Sac); and

**WHEREAS**, the Township Council has found that it is in the best interest of the Township to submit a grant application and to execute a grant agreement with the New Jersey Department of Transportation to fund the Reconstruction of Ironside Court (from Beverly Rancocas Road (C.R. 626) to Cul-De-Sac) Project.

**NOW, THEREFORE, BE IT RESOLVED** on this 15th day of January 2019, in open public session by the Township Council of Willingboro Township, Burlington County, New Jersey that the Township Council formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2019-FY 2019 NJDOT Local Freight Recons-00014 to the New Jersey Department of Transportation on behalf of Willingboro Township; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Willingboro Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

On motion by Councilwoman Jennings

Seconded by Councilman Anderson

Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Yes
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

Motion carried. Resolution 2019—22 Approved

RESOLUTION NO. 2019--23

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 15th day of January, 2019 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 in favor and 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.

Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

- \_\_\_XX\_\_\_ 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 of 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:

**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.

On motion by Councilman Anderson

Seconded by Councilman Holley

Roll Call:

Councilman Anderson	Yes
Councilman Holley	Yes
Councilwoman Jennings	Yes
Deputy Mayor Perrone	Yes
Mayor Nock	Yes

Motion carried. Resolution 2019—23 Approved

Mayor Nock:

Before we move forward, I just want to make an announcement, if possible. I would like to announce the reappointment of Dennis Tunstall to the Class II of the Planning Board. The Class II appointment has to be a Township employee; the appointment of Deputy Mayor Rebecca Perrone to the Class III appointment. The Class III appointment is normally the Deputy Mayor. I would like to... I would like to make the announcement-- that upon request of a resident, that heard of a possible expansion plans. I made contact with Trader Joe's Supermarkets, and informing them that we had space along our corridor. I asked them to give us a good look; that's going to be passed on to Mr. Brevogel. I did speak with someone and they took all the information down. They looked us up and everything else; so possibly... and then, I would ask the support of my Council colleagues for an ordinance to limit the number of stand-alone dollar types stores to our current limit of five (5). Is that something-- I don't know if we have to discuss this in Executive Session. We do or we don't--If Council colleagues have to give a consensus on it.



- Cristal Holmes-Bowie: We can provide a draft ordinance. I understand that is an action that some municipalities are taking for physical reasons.
- Mayor Nock: And finally, I would also like to discuss with my Council colleagues how we can get support for a referendum to change the liquor license, to allow liquor products to be sold only in supermarkets; outside of this current configuration. If we are going to get a supermarket, then, they are going to want some kind of wine or liquor to be sold in the stores and right now our liquor licenses doesn't allow that; it only allows a restaurant for 150 people to sit down, but it won't allow a store to sale it, and most of the new stores want to as well; as I think, there may be a condition for us to do anything. Is that to be discussed in Executive Session too? Or is that just a discussion?
- Cristal Holmes-Bowie: That can be a public discussion.
- Mayor Nock: That can be a public discussion? So, can I ask my Council colleagues... any...I don't drink, so this is foreign to me.
- Councilwoman Jennings: We have discussed that several times.
- Mayor Nock: We will need a referendum.
- Councilwoman Jennings: We have discussed that also, and I thought our Council was looking into it with the liquor board.
- Cristal Holmes-Bowie: Yes. So, the next step is, we will provide exactly what kind of referendum necessary, and what kind of numbers are needed to present the referendum to the public, and how many signatures.
- Mayor Nock: And the cost.
- Cristal Holmes-Bowie: Well, I will find out what the cost is as well.
- Mayor Nock: The cost, and how we go about doing it; whether or not we need petitions or not. We may not need petitions. Some towns-- others have not necessarily need petitions. So, that's it. If anyone else-- what I basically called new business. To me that is new business. Hearing none, can we move forward with public comments

Willingboro Township Council Meeting of January 15, 2019 was held in Council's Chambers,  
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Mayor Nock: Is there any way can we have a line item for new business on the agenda?

Clerk Wooding: You certainty can.

Mayor Nock: We have a statement we make for public comment. I don't have that statement  
for public comments. Just call for comments. Sorry guys my first meeting.

Clerk: Please give your name and address when you come to the mic.

Mayor Nock: You have four (4) minutes to speak. Try to keep it limited to that please.

- William Weston: Okay, I will keep it short. William Weston, 44 Bosworth Lane. You know, I was just thinking, that just because something is legal doesn't mean that you should do it. You know, I think through all the years we can try to just have things look proper. Just because something has continued, and why are we fighting so much for something that is suspect; and I am referring to the first resolution. It just looks shady from the outside, so maybe we can just try to get the best person for that position. That is all I have to say.
- Mayor Nock: Anyone else would like to say anything? Also you are supposed to state your name and your address please.
- Sarah Holley: Absolutely. My name is Sarah Holley, I reside at 9 Tioga Lane. And, I am specifically talking to Martin Nock and Rebecca Perrone. Both of you left the Willingboro School Board with our Robert's Rules training. When a question is called, you both know that all debate is ceased. You are not supposed to discuss, it doesn't matter if you are the Mayor the Board President or whatever, once the question is called that's it. Nobody else is allowed to say anything, and if you asked your attorney for legal advice she would have told you that. So, it doesn't matter, Mr. Mayor, if you are Mayor, once the question is called according Robert's Rules of Order, you are not allowed to talk, and none of the other council people are allowed to talk. Thank you.
- Steven Craig: Steven Craig, 65 Belmont Lane. Been away for a minute but I see not much has changed. Happy New Year to everybody. Glad to see you are all still here. So, let's talk about a couple of things. Okay. The trash problem has to do with a lot of contractors. There is a lot of guys working in Willingboro, okay, and there is a lot of trash because, those guys actually put trash out as opposed to having them in dumpsters. Okay, so that falls back on the Inspections Department, because they should be keeping up with that stuff. That is number one. I'd like to thank the police department for the job that they have been doing, we had no murders last year so that is a good thing. So, kudos to the Police Department. Then also let me say this, it is 2019, what was done in the past if it is not right it doesn't matter that it was done in the past. Okay? I'm a little leery of our attorney here who says probably, we need to know what the law says; and if we start following the law, okay, then things will go the way that they are



supposed to go, and so that's that. Now, I could go a lot further, but I am just going to wait to see which way this goes. Okay? But if you have any type of ethics violations from campaign violations to whatever, then, you should not be heading towards looking at elections that are anything to anybody and I am talking about everybody, I am not just talking to one person. Okay, so it is 2019, let's clean it up, let's work for this town, because everybody sitting out here pays taxes and you guys are supposed to be working for us, okay? Not for yourselves, not for people that are in a clique, you are supposed to be working for the town. Okay? And everybody was appointed to be there for the betterment of the town and let's not forget that. That is all I got to say.

Mayor Nock:

Anyone else that would like to speak?

Shirley Dilworth:

My name is Shirley Dilworth and I live at 36 Newport Lane. First I would like to congratulate the Council on your reorganization. Congratulations Mayor Nock and Deputy Mayor Perrone. I have a couple of questions. One question is, some time ago we used to have OTC that picked up trash along some of the parkways and I would like to know what happened to them. In the past they did a good job. I'd like, if it is possible, I would like to see them brought back. Because the trash on one of the main thoroughfares, Van Sciver Parkway is just atrocious. My next question is about code enforcement. Again, in the past we used to see code enforcement officers throughout the community. I rarely see code enforcement people now and we have a lot of abandoned houses, empty houses and we have a lot of houses that are being restored. I believe that code enforcement was a little bit more visible. Perhaps some of the trash that is being left at restored residences or restored properties could be taken care of; and maybe the code enforcement officer would see some of the things that citizens see. I have a concern about the property at 307 Northampton Drive. The property looks...the number of cars parked at that property make it look like it is an apartment complex. Cars are parked all on the grass, there are a lot of cars that are parked there with out of state license, so I think it really needs to be investigated. There is another property, 31 Newport Lane, similar situation. A lot of activity at that residence, a lot of cars that are parked there with out of state tags. So thank you.

- Clerk: Excuse me Ms. Dilworth. Did you have something that you wanted Council to see? Thank you. Do you want to speak about this for a second? You've got one minute and thirteen seconds.
- Shirley Dilworth: Well, the flyer that I just gave to the Clerk it is about the upcoming Martin Luther King celebration and commemoration at our church. It is Monday the 21<sup>st</sup>; the day of the celebration and all Council members, as well as the entire community is invited to attend. We would like to see you there. Thank you. I'm sorry, the name of the church is Parkway Baptist Church. It is down the street on the left hand side at 1:00 P.M. Thank you.
- Mayor Nock: Okay, anyone else would like to speak this evening? Please state your name and your address please.
- Terrence Night: Good evening, my name is Terrence Night, I stay at 64 Eastern Lane. I just got appointed to Vice President of the Willingboro Panthers and everything else. I know our old board, we came up here a while back and were trying to figure out what we were going to do about the field. I mean pretty much last year, you all went out and watered the field pretty much all year. And, we were under the understanding that you all were going to come out and re-till it and pretty much level everything out. Yes, we appreciate watering the field and everything like that but it was still many of the holes out there and everything else and it became a safety hazard for the majority of our kids out there. We had a couple broken ankles and stuff like that that went on during the football season and all that. We really need to look at helping out with these kids on the field and everything like that. I know Mayor Nock, you put out there that you were going to try to put something in place to try to hire management for the field and whatnot by July. I actually got a post right here on my phone that says that Mayor Nock was going to go ahead and do something for the recreational fields and everything like that. So look confused if you want to but...
- Mayor Nock: I am confused.
- Terrence Night: Yeah man, it's fine, but if you can man...I know that Ray Showers has come to many, many meetings and everything else and put his best foot forward and everything else. We want to continue that and try to get something for these kids to be able to play football safely on the field.

Mayor Nock: Anyone else? No one is getting up so we will move into Council Comment. I guess we start with former Mayor Holley?

Council Comments 1/15/19

Councilman Holley: Once again, good evening to everyone. Thank you for coming out. First time seeing everyone since reorg. I hope everyone had a happy holiday. Looking forward to the New Year and all that it holds for this Council; and let me just say it, because the meeting got off the...contentious. Everybody is not going to agree on everything. To some of the residents out there, you are not going to agree with everything, we are not going to agree with you on everything. You know, we are tasked with making difficult decisions at times and that is fine. That is what we signed up for. So, that is why for me it's we will get the legal opinion, we will get the information we need to make a truly informed decision and then we will move on from there. I heard people mention qualifications and you know, I would like to think that anybody who signs up for our boards and commissions is qualified. We have a lot of great volunteers in our community that participate on all of our boards and commissions. So, eventually we will settle that matter and we will move forward and keep working for the community. Have a good night, thank you.

Councilwoman Jennings: So I also want to thank everyone for coming out and say, we welcome your opinion and your input and to once again wish you a Happy New Year.

Councilman Anderson: You can keep it running. Happy New Year to everyone, good to see a full house tonight. You know, I, on behalf of Council, do apologize for the way the meeting was ran. It is Mayor Nock's first meeting, but once again, we are going to have these hiccups, but it doesn't look good to the public. So once again there are some things we as Council need to work on, it is our first meeting together. Going forward, we look to put a better image on for the people, because some things are acceptable, other things aren't. The message might be there, but how you communicate it distracts it all. So, that is one thing. The second thing, is I would like to congratulate Mr. David Andrade, he did 42 years with the



Willingboro Firefighters Department as a volunteer and he just retired. So, I wanted to say congratulations to that; and once again I just want to thank everybody for coming out and see you at the next meeting.

Mayor Nock:

Deputy Mayor.

Deputy Mayor Perrone:

Oh, thank you. Okay, so, good evening everyone. Thank you all for coming out this evening. And with regards to Roberts Rules of Order, I do have that here today, as well. And, as far as call to question, I will give you a copy of this. So, this way at our next meeting we can discuss that. I just want to point out a few things for clarity. For me, I am very passionate about people who we employ for our municipality; and I am going to speak to our solicitor, because we do hold you in very high regard. So, I am going to hold you in high regard as well; and as you saw when I read, I quoted statute. Now I am not an attorney, but, I reviewed our legal documents about how we govern ourselves. So, if you want to counter what I am stating, you must counter it with the law. Opinion and feelings goes by the wayside. So, if you say-- when Councilman Holley asked you is this the legal...is this what we are supposed to do and you said, "well I don't have the statute, but yes, go ahead", that is unacceptable. That is not going to continue. It cannot. I cannot sit here and allow; and I will not allow it. I will always speak and I will always interrupt when I am hearing something that is not happening ethically. Because that is my duty as a Councilwoman, as a Deputy Mayor here in this town; and maybe, perhaps, the community some may frown upon it. I do have a few minutes here. Yes, so as I stated, and let's also notice who called the question, okay? We don't have to call the names because we were all here. What happens is they want the meetings to take place in executive session, because then, where's the public, out here. Where is the discussion? Back there. And, then they come out and we just vote. Because what they don't want you to hear, is when I quote the law and when I am back there and speaking out the same things I am speaking here. We can hide behind the door and just fold. Okay? Well, that I am not going to allow either, okay and that is why I called the motion so moved. This way, I knew I had the floor so it didn't matter that she called the question, because I was already going to speak to it regardless. Okay? So yes, if you are not used to the way I sit on a board come to more of the meetings, okay? Because this is the way I operate.

And again, we are not going to all agree just as Councilman Holley stated and that is not our job to all agree. We are independent thinkers, we all have different backgrounds and we should all respect one another when we are all speaking. Talking over each other is unacceptable, okay, and allowing our Mayor to facilitate the meeting, and not insulting him at the end if something happened inappropriately. So, with that said, again, I look forward to seeing you all at our next meeting. Have a good evening.

Mayor Nock:

First of all, I want to say to everybody thank you for coming out. It is our very first meeting and the first resolution and it is nothing like just jumping into things and making it happen. You know, whether it is run right or not I am going to run it the way I feel that I should run it and I am going to do what I think is right whether it is in agreement with everybody or not. So I want that very clear. Because it will be a long, long twelve months if we have all this and we really should try to keep it down for the public. Secondly, to the gentleman that came up, Terrence, I mentioned that I had talked to the Congressman about trying to get a grant or something to help with the fields and we will try to do it within, that is all I recall, the first six months. Don't mean we are going to get it. Don't mean what's what, but I did speak to our newly elected Congressman about giving us a grant or helping us find one if Mr. Trump doesn't take everything from every department to help with recreation and the rest. So that is what I recall saying. If I said something else and you can show it, then I either misspoke or I just don't remember at this point. Secondly, I would like to thank everyone that called me and saw me and said good wishes and hopefully it is a great year. I appreciate it and that is all I have to say this evening. So we are going into executive session right now. Like I said...I'm being told there may be nothing to vote on at this point. Sticking around, you know, it is just informative for us. Thank you all for coming. If you want to stay around then you are welcome.

Executive Session began at 8:05.

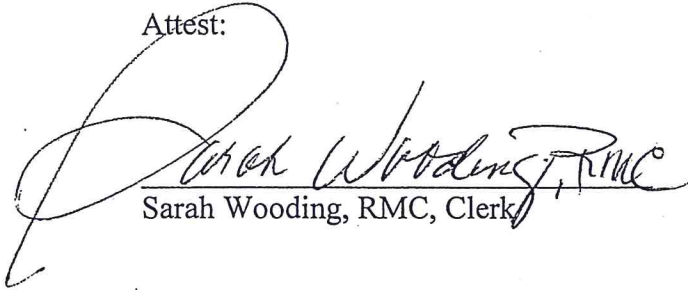
Motion to return to public session was done by Councilman Anderson and seconded by Deputy Mayor Perrone. All in favor and none opposed.


Motion to adjourn was done by Councilman Holley and seconded by Councilwoman Jennings. All in favor and none opposed.

There being no further discussion the meeting was adjourned at 8:44PM

The meeting adjourned at 8:44 P.M.

Attest:

  
Sarah Wooding, RMC, Clerk

  
Martin Nock, Mayor  
Township of Willingboro



# Township of Willingboro

To: The Honorable Martin Nock, Mayor  
The Honorable Rebecca Perrone, Deputy Mayor  
The Honorable Jacqueline Jennings, Councilwoman  
The Honorable Nathaniel Anderson, Councilman  
The Honorable Darvis K. Holley, Councilman

From: Richard A. Brevogel,  
Interim Township Manager

Date: Jan 15, 2019

Re: Agenda

## MANAGER'S REPORT

- A Last Call for Leaf collection was made prior to the holidays. The department is collecting until the 18<sup>th</sup>. In April residents can drop off bagged leafs in clear bags at the DPW yard on Saturdays from 7am until 2:30pm.
- The current meeting schedule has dates in Feb and March for "Budget" meetings. Both of these are on a Friday evening. I would request the council revise this schedule to reflect meetings on the Wednesdays Feb 13<sup>th</sup> and March 13<sup>th</sup> which are the 2<sup>nd</sup> Wednesdays of each month.
- The Department of Community Affairs has specially adopted, and is concurrently proposing, new regulations on Joint Insurance Fund (JIF) investments. These regulations authorize JIFs to invest in certain State and Federal long-term debt obligations, as well as adopt joint cash management plans upon approval of DLGS and the Department of Banking and Insurance. The Notice of Special Adoption and Concurrent Proposal is on the DLGS Rules and Regulations webpage at [https://www.nj.gov/dca/divisions/dlgs/resources/rules\\_reg.html](https://www.nj.gov/dca/divisions/dlgs/resources/rules_reg.html)  
*That information is contained in your packet*
- The Library will celebrate Black History Month in February. The library flyer for the schedule of events is attached.
- There is an attached 2019 Township Holiday schedule attached for your approval.
- Ms. Reva Foster of the Community Affairs Department has been appointed by the Governor to serve on a commission regarding the upcoming Census.
- The office of Emergency Management was tentatively scheduling an Emergency Preparedness Outreach Meeting on Jan 19<sup>th</sup>. However, due to some scheduling issues with the invited agencies the meeting will need to be rescheduled. The OEM department will try to reschedule for April.
- The township received a letter from Emergent America. They are pursuing a cannabis cultivation license from the state of New Jersey and are inquiring about potential sites. The letter is attached. Please let me know what your direction would be regarding this inquiry after reviewing the letter.
- There will be a Burlington County Veterans' Dinner held on Jan 21<sup>st</sup> at 2:30 pm at the VFW 28 Creekview Road.
- The Municipal Trash Collection Contract is up for rebid. The 3 year contract ends May 2019.

## AGENDA ITEMS

### RESIDENT QUESTIONS:

- Mr. Gary Johnson 54 Gramercy
  - Mr. Johnson requested more information on the security camera systems to be installed in the township. I have asked the PD to reach out to him.

### EXECUTIVE SESSION : Personnel

# Memo

**To:** Township Employees  
**From:** Rich Brevogel, Interim Township Manager  
**Re:** 2019 Tentative Holiday Schedule

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Tuesday, January 1	New Year's Day
Monday, January 21	Martin Luther King, Jr. Day
Monday, February 18	Presidents' Day
Friday, April 19	Good Friday
Monday, May 27	Memorial Day
Thursday, July 4	Independence Day
Monday, September 2	Labor Day
Monday, October 14	Columbus Day
Monday, November 11	Veterans Day
Thursday, November 28	Thanksgiving Day
Friday, November 29	Thanksgiving Holiday
Wednesday, December 25	Christmas Day



# SPECIAL ADOPTION

## COMMUNITY AFFAIRS

(a)

### DIVISION OF LOCAL GOVERNMENT SERVICES

#### Joint Insurance Funds Investments

#### Special Adopted New Rules and Concurrent Proposed Readoption of Special Adopted New Rules: N.J.A.C. 5:38

Special New Rules Adopted and Concurrent Proposed Readoption of  
Special Adopted New Rules Authorized: December 7, 2018, by  
the Lieutenant Governor Sheila Y. Oliver, Commissioner.  
Filed: December 10, 2018, as R.2019 d.005.

Authority: P.L. 2018, c. 40.

Calendar Reference: See Summary below for explanation of  
exception to calendar requirement.

Concurrent Proposal Number: PRN 2019-014.

Effective Date: December 10, 2018.

Expiration Date: December 9, 2019.

Please submit written comments on the notice of proposal by March  
8, 2019, via e-mail to [dlgs@dca.nj.gov](mailto:dlgs@dca.nj.gov) or by regular mail to:

Jason R. Martucci, Esq.  
Administrative Practice Officer  
Division of Local Government Services  
Department of Community Affairs  
PO Box 803  
Trenton, NJ 08625-0803

For comments submitted via e-mail, please name the subject heading  
"NJAC 5:38-1: Joint Insurance Fund Investments"

The agency special adopted new rules and concurrent proposed  
readoption of special adopted new rules follows:

#### Summary

In addition to the investments authorized under N.J.S.A. 40A:5-15.1  
and 18A:20-37, P.L. 2018, c. 40 also permits a joint insurance fund (JIF)  
to invest its monies in

"bonds, notes or other obligations issued by an agency or  
corporation of the federal government or a governmental  
agency established under the laws of this State, provided that  
the [issuer] is not in default as to the payment of principal or  
interest upon any of its outstanding obligations, and provided  
further that the bonds, notes, or other obligations are purchased  
at fair market value, guaranteed as to interest and principal,  
and have a credit rating of A3 or higher by Moody's Investor  
Services, Inc., A- or higher by Standard & Poor's Corporation,  
and A- or higher by Fitch Ratings, except that two of the three  
ratings is sufficient...If a rating for the bonds, notes, or other  
obligations has not been obtained from two of the credit rating  
agencies, the bonds, notes, or other obligations may be  
purchased if the [issuer] meets the minimum rating criteria  
specified by the previous sentence and if the bond offering has  
the unconditional guarantee of the [issuer]."

P.L. 2018, c. 40 requires the Commissioner of the Department of  
Community Affairs, in consultation with the Commissioner of the  
Department of Banking and Insurance, to promulgate rules limiting the  
permissible duration of long-term investments authorized for JIF  
investment under the law, as well as the percentage of long-term  
investments that a JIF may hold in its investment portfolio. Once adopted,  
such rules shall be effective immediately upon filing with the Office of  
Administrative Law and shall be effective until December 9, 2019 (360  
days following December 14, 2018 (the effective date of P.L. 2018, c.  
40)); the rules may thereafter be amended, adopted, or readopted in

accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et  
seq.

Further, the law permits two or more JIFs to participate in a joint cash  
management and investment program (JCMI program) subject to a single  
cash management plan, which must be approved on an annual basis by the  
Commissioners of the Departments of Community Affairs and Banking  
and Insurance, respectively.

In consultation with the Commissioner of the Department of Banking  
and Insurance, the Commissioner of the Department of Community  
Affairs has promulgated the following rules implementing P.L. 2018, c.  
40.

N.J.A.C. 5:38-1.1 contains definitions for the new subchapter.

N.J.A.C. 5:38-1.2 sets forth limitations on the maximum duration of a  
JIF's or JCMI program's long-term investments, defined as "bonds, notes,  
or other obligations" issued by a Federal, State, or local government entity  
that are not expressly permitted for investment under N.J.S.A. 18A:20-37  
and 40A:5-15.1, limiting the term to no more than 20 years, unless prior  
approval is obtained from the Departments of Community Affairs and  
Banking and Insurance, respectively. No JIF or JCMI cash management  
plan shall authorize long-term investments to make up more than 50  
percent of a JIF's or JCMI program's investment portfolio. N.J.A.C. 5:38-  
1.2 also includes requirements to be followed by a JIF or JCMI program  
if the percentage of long-term investments held exceed 50 percent due to  
the maturity of other investments.

N.J.A.C. 5:38-1.3 sets forth requirements for JIFs and JCMI programs  
to report the status of their investments.

As the Board has provided a 60-day comment period on this notice of  
new rules proposed for readoption of special adopted new rules, this  
notice is excepted from the rulemaking calendar requirement pursuant to  
N.J.A.C. 1:30-3.3(a)5.

#### Social Impact

The new rules proposed for readoption of special adopted new rules  
will have a positive social impact by allowing JIFs to broaden their risk  
pools to stabilize insurance rates and save on insurance costs. The rules  
will also enable JIFs to responsibly participate in New Jersey's local long-  
term debt market, which has the potential to significantly and sustainably  
increase the resources available for local infrastructure and other capital  
projects.

#### Economic Impact

The new rules proposed for readoption of special adopted new rules  
will facilitate insurance premium and debt service savings for New Jersey  
local governments and school districts. Allowing JIFs to both singly and  
jointly invest in highly-rated New Jersey State and local government debt  
will increase investment returns, as well as promote competition in the  
bond market. Increasing competition for State and local government debt  
will place downward pressure on interest rates in a time when interest  
rates are rising, and recent Federal tax law changes are impacting the  
attractiveness of municipal bonds to investors.

#### Federal Standards Statement

A Federal standards analysis is not required because the new rules  
proposed for readoption of special adopted new rules are not being  
proposed in order to implement, comply with, or participate in any  
program established under Federal law or under a State law that  
incorporates or refers to Federal law, standards, or requirements.

#### Jobs Impact

The Department does not anticipate that the new rules proposed for  
readoption of special adopted new rules will have a direct impact on the  
creation or loss of jobs.

#### Agriculture Industry Impact

The Department does not anticipate that the new rules proposed for  
readoption of special adopted new rules would have an impact on the  
agriculture industry.



**Regulatory Flexibility Statement**

The new rules proposed for re-adoption of special adopted new rules will not impose any reporting, recordkeeping, or compliance requirements on "small businesses," as defined by the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq.

**Housing Affordability Impact Analysis**

There is an extreme unlikelihood that the new rules proposed for re-adoption of special adopted new rules would evoke a change in the average costs associated with housing, as it pertains to permissible investments by joint insurance funds.

**Smart Growth Development Impact Analysis**

There is an extreme unlikelihood that the new rules proposed for re-adoption of special adopted new rules would evoke a change in the housing production within Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan.

**Racial and Ethnic Community Criminal Justice and Public Safety Impact**

The new rules proposed for re-adoption of special adopted new rules will have no impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State because the proposed new rules address permissible investments for joint insurance funds.

Full text of the special adopted new rules and the proposed re-adoption of the special adopted new rules follows:

**CHAPTER 38  
JOINT INSURANCE FUNDS**

**SUBCHAPTER 1. INVESTMENTS**

**5:38-1.1 Definitions**

The following words and terms, as used in this subchapter, shall have the following meanings:

"Cash management plan" means a plan, pursuant to which a joint insurance fund shall deposit and/or invest its funds.

"Joint cash management and investment program" or "JCMI program" means a joint investment pool in which two or more joint insurance funds participate, with the pooled funds being invested pursuant to a joint cash management plan.

"Joint cash management plan" means a cash management plan approved by the Commissioner of Banking and Insurance and the Commissioner of Community Affairs, pursuant to which a joint cash management and investment program shall deposit and/or invest its funds.

"Joint insurance fund" or "JIF" means a joint insurance fund created pursuant to P.L. 1983, c. 372 (N.J.S.A. 40A:10-36 et seq.) or P.L. 1983, c. 108 (N.J.S.A. 18A:18B-1 et seq.).

"Long-term investments" means bonds, notes, or other obligations that are issued by an agency or corporation of the Federal government or a governmental entity established under the laws of the State of New Jersey. This term shall not include those types of securities already authorized for investment by a joint insurance fund pursuant to N.J.S.A. 18A:20-37 and 40A:5-15.1.

**5:38-1.2 Long-term investments**

(a) A joint insurance fund or a joint cash management and investment program may only purchase long-term investments that meet each of the following criteria:

1. The governmental entity responsible for the issuance of the long-term investment is not in default as to the payment of principal or interest upon any of its outstanding obligations;

2. The long-term investment is:

i. Purchased at fair market value;

ii. Guaranteed, as to interest and principal; and

iii. Has a credit rating of A3 or higher by Moody's Investor Services, Inc.; A- or higher by Standard & Poor's Corporation, and A- or higher by Fitch Ratings, except that ratings from two of the three aforementioned credit ratings agencies shall be sufficient. If a rating for the long-term investment has not been obtained from at least two of the three credit ratings agencies, the long-term investment may be purchased if the agency, corporation, or governmental entity responsible for the issuance meets the above-referenced minimum rating criteria and if the long-term investment offering has the unconditional guarantee of the agency, corporation, or governmental entity responsible for the issuance.

(b) A joint insurance fund or a joint cash management and investment program shall not invest in long-term investments with a maturity of greater than 20 years from the date of purchase, unless the fund or program seeks prior approval from the Department of Banking and Insurance and the Division of Local Government Services in the Department of Community Affairs to enter into a long-term investment of longer duration.

(c) A cash management plan or joint cash management plan shall not authorize long-term investments to make up more than 50 percent of a joint insurance fund's or JCMI program's investment portfolio.

1. In the event that the percentage exceeds 50 percent due to the maturity of other investments not meeting the definition of a "long-term investment" pursuant to this section, the JCMI program shall:

i. Not purchase any long-term investments until a ratio of 50 percent or below is achieved; and

ii. Submit a corrective action plan for approval by the Division of Local Government Services and the Department of Banking and Insurance.

2. If the Division of Local Government Services or the Department of Banking and Insurance does not approve the corrective action plan offered by a joint insurance fund or a JCMI program, either agency may order appropriate remedies, up to and including divestment of one or more long-term investments, to reduce the share of long-term investments to 50 percent or less of an investment portfolio.

**5:38-1.3 Cash management plans and joint cash management plans; reporting**

(a) The status of a JIF or JCMI program's investments shall be reported at each meeting of a joint insurance fund, or in the case of a joint cash management and investment program, any entity that administers the same. The report shall be spread upon the minutes or attached to the minutes, and include, at a minimum:

1. All investments made or redeemed over the past month;

2. Each organization holding JIF or JCMI program funds;

3. The amount of securities purchased or sold, class or type of securities purchased, book value, earned income, fees incurred, and market value of all investments to date;

4. The duration of all investments, and the percentage of long-term investments, in the JIF or JCMI program investment portfolio; and

5. Such other information as may be required by the governing body.



CELEBRATE  
BLACK HISTORY  
MONTH

# Black History Month

FEBRUARY, 2019

WILLINGBORO PUBLIC LIBRARY

## Celebrate Black History With Events All Month Long

Saturday, Feb. 2, 2 pm

For the Family

### Black History Month Gala

Zeta Phi Beta Sorority and Willingboro Public Library co-sponsor an afternoon of cultural events, featuring Universal African Dance and Drum, Singer Dawana Richardson, Author Josephine Adams and Ambition the Poet.

Sun., Feb. 3, 2pm

For the Family

### African American Read-In Chain

Celebrate African American literary creativity with readings from favorite authors. Co-sponsored by Alpha Kappa Alpha Sorority, Inc. The library will be open only for this event.



African American  
Read-In

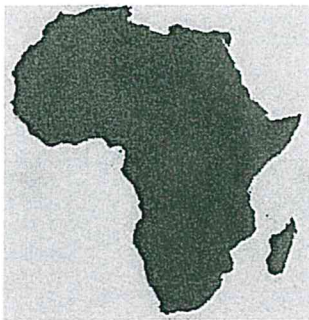


### African Heritage Film Festival

Tues., Feb. 21,

6:30pm

Co-sponsored by Rancocas  
Valley Links, Inc.



### The Art of Chris Martinez Taylor

On display Feb. 3-28

Meet the Artist : Sat., Feb. 9,  
2pm

## Grades K-6, Read and Enter the Black History Month Reading Contest!

Sat., Feb. 23, 11a.m.-  
1 p.m.

For the Family

### Blacks in Wax

Delta Academy and Delta G.E.M.S youth programs sponsored by the Rancocas Valley Alumnae Chapter of Delta Sigma Theta Sorority Inc. and Willingboro Public Library will co-sponsor a cultural and historical celebration portraying black women in history.



609-877-6668

www.willingboro.org



January 9, 2019

Mr. Richard Brevogel, Municipal Manager  
Willingboro Township  
One Reverend Dr. Martin Luther King Jr Drive  
Willingboro, NJ 08046

Dear Mr. Brevogel:

On behalf of Emergent America, we are contacting municipalities in New Jersey to identify a suitable location for an exciting development project.

We are pursuing a cannabis cultivation license from the State of New Jersey in the upcoming round of licensing. If successful, we plan to construct a state-of-the-art "smart-cultivation" facility to grow and manufacture cannabis products. Our facility will create jobs and tax benefits for the municipality with low-impact on the community and environment. The license application process requires us to identify the community we will work with, and obtain a letter of support from the Mayor.

Emergent America has significant experience in real estate development and cannabis cultivation, and is currently developing a 36,000 square foot high-tech cultivation facility in Colorado. We are assembling a New Jersey-based team of competent professionals to work with us on the proposed project, and are actively seeking a location with the following characteristics:

- A pro-cannabis municipality (planning, engineering and building officials)
- Availability of high-grade water, 3-phase, 480-volt power and natural gas
- Quality labor force
- 5+ acre land parcel with favorable zoning and use standards

If your community would support a world-class cannabis development project we would like to meet with you to discuss specifics. Please contact me at 303-601-6992 or via email [james@emergentamerica.com](mailto:james@emergentamerica.com) to discuss your interest.

It is important to note that we are only considering locations that will support both medical and recreational cannabis licenses.

We thank you for your consideration.

Sincerely,

James D. Brinkerhoff  
Partner

cc. Honorable Mayor Darvis Holley

Headquarters:  
Emergent America  
P.O Box 2  
Parachute, CO 81635

New Jersey Offices:  
Emergent America  
1805 Atlantic Ave  
Manasquan, NJ 08736

[james@emergentamerica.com](mailto:james@emergentamerica.com)  
303-601-6992



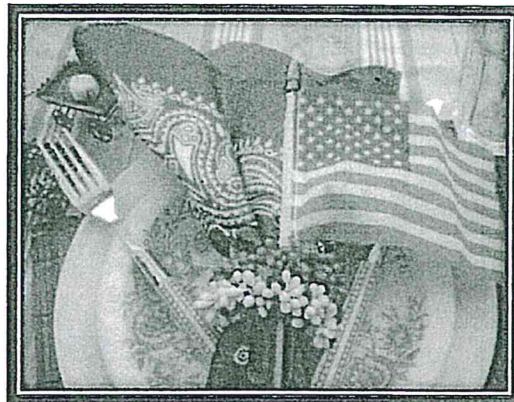


Alpha Kappa Alpha Sorority, Incorporated, Theta Pi Omega  
Chapter

Sharon L Hopson, President

hosts a

Burlington County Veterans' Dinner  
on  
Rev. Dr. Martin Luther King, Jr. Day



Monday, January 21, 2019

2:30 PM

Veterans of Foreign Wars (VFW)  
28 Creekview Road, Willingboro, NJ