

ATTENTION

Attached is the Township Council packet. This packet is posted online as a courtesy to the public.

Please take note that packets are generally posted the Friday prior to the Monday meeting. If there are any changes, additions or deletions made between the time of the packet posting and the meeting, same may not be reflected within this packet.

Subsequent to the packet posting, should you require additional information or a copy of a public document that is the subject of the meeting that was not available at the time of the packet posting, but is available prior to the meeting, you may contact the Township Clerk's Office via email at swooding@willingboronj.gov or by calling 609-877-2200 Extension 1028.

Subsequent to the Council meeting, you may request documents by filing an Open Public Records Act (OPRA) request. You may obtain an OPRA form by going to the Township's website, www.willingboronj.gov, and typing OPRA in the search engine. Once you complete the online form and click SUBMIT, your request is automatically forwarded to the Township Clerk for response (within seven (7) business days).

Thank you,

Sarah Wooding

Sarah Wooding, RMC
Township Clerk

WILLINGBORO TOWNSHIP COUNCIL

AGENDA

April 2, 2019

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

MANAGER'S REPORT

PUBLIC COMMENTS

ORDINANCE 2019—1 PUBLIC HEARING

BOND ORDINANCE PROVING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$2,951,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,803,925 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEROF.

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-1 was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Willingboro, in the County of Burlington, State of New Jersey, held on March 19, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the April 2, 2019 at 7 p.m. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at One Rev. Dr. M. L. King, Jr. Drive, Willingboro, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning these ordinances. Copies will be made available at the Township Clerk's office in the Municipal Building to the members of the general public who shall request the same.

ORDINANCE 2019—2 -PUBLIC HEARING

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

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-1 was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Willingboro, in the County of Burlington, State of New Jersey, held on March 19, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the April 2, 2019 at 7 p.m. or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at One Rev. Dr. M. L. King, Jr. Drive, Willingboro, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning these ordinances. Copies will be made available at the Township Clerk's office in the Municipal Building to the members of the general public who shall request the same.

4/2/19

- Res. 2019—60 RESOLUTION FOR INTRODUCTION OF BUDGET TO BE READ BY TITLE (PUBLIC HEARING)
- Res. 2019—67 RESOLUTION AUTHORIZING THE APPROVAL OF VOUCHERS FOR PAYMENT AND RATIFICATION
- Res. 2019—68 RESOLUTION AUTHORIZING REFUNDS FOR OVERPAYMENTS OF TAXES
- Res. 2019—69 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING A CONTRACT WITH AN INFORMATION TECHNOLOGY EXPERT
- Res. 2019—70 RESOLUTION TO CANCEL TAXES FOR ADDED ASSESSMENT
- Res. 2019—71 RESOLUTION RESCINDING RESOLUTION 2019-17 AND AUTHORIZING APPOINTMENT OF REGISTRAR OF VITAL STATISTICS
- Res. 2019—72 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AWARDED A BID FOR FIRE BARRIER AND EGRESS DOOR IMPROVEMENTS FOR THE JOHN F. KENNEDY COMMUNITY CENTER
- Res. 2019—73 RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR GEOTECHNICAL ENGINEERING SERVICES FOR THE WILLINGBORO FIRE AND EMS BUILDING PROJECT
- Res. 2019—74 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING SETTLEMENT IN BERRY V. TOWNSHIP OF WILLINGBORO, ET AL., DOCKET NO. BURL-L-2152-17
- Res. 2019—75 EXECUTIVE SESSION (IF NEEDED)

APPROVAL AND ADOPTION OF FEBRUARY 5, 2019 MINUTES

NEW BUSINESS:

Public comment
Council comment
Adjournment

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

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING \$2,951,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,803,925 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Willingboro, in the County of Burlington, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,951,500, and further including the aggregate sum of \$147,575 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds

are hereby authorized to be issued in the principal amount of \$2,803,925 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) <u>Roads, Sidewalks and Storm Drains:</u>			
(i) Improvements to various roads and sidewalks in accordance with the Pavement Management Plan on file in the Office of the Clerk, which plan is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	\$475,000	\$451,250	10 years
(ii) Improvements to the municipal separate storm sewer system, including all work and materials necessary therefor and incidental thereto.	\$500,000	\$475,000	40 years
TOTAL:	\$975,000	\$926,250	

b) Recreation and Parks:

(i) Repairs to Pennypacker Pool and the acquisition of exercise equipment for Millcreek Park, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

\$73,000

\$69,350

15 years

c) Information Technology:

(i) Acquisition of computers and network system equipment, including all related costs and expenditures incidental thereto.

\$90,000

\$85,500

5 years

(ii) Acquisition of signs, including all related costs and expenditures incidental thereto.

\$50,000

\$47,500

10 years

TOTAL:

\$140,000

\$133,000

d) Fire Department:

Acquisition and installation of a key fob system, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

\$140,000

\$133,000

5 years

e) Police Department:

(i) Server upgrades and the acquisition of a computer power backup system,

including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$15,000	\$14,250	5 years
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(ii) Acquisition of a surveillance camera system, including all related costs and expenditures incidental thereto.	\$381,000	\$361,950	10 years
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(iii) Acquisition of tasers and body armor, including all related costs and expenditures incidental thereto.	<u>\$27,500</u>	<u>\$26,125</u>	15 years
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TOTAL:	<u>\$423,500</u>	<u>\$402,325</u>	
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(f) Inspection Department:

Acquisition of software, including all related costs and expenditures incidental thereto.	<u>\$150,000</u>	<u>\$142,500</u>	5 years
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g) Department of Public Works:

Replacement of a pole barn, including all work and materials necessary therefor and incidental thereto.	<u>\$50,000</u>	<u>\$47,500</u>	10 years
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e) John F. Kennedy Center:

Building repairs, including repairs to the fire doors, roofing and mechanical systems and room renovations, including all work and materials necessary therefor and incidental thereto.	<u>\$1,000,000</u>	<u>\$950,000</u>	10 years
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GRAND TOTAL:

\$2,951,500

\$2,803,925

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must

include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.58 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New

Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,803,925, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$445,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities

and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Public Hearing

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

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Township Council of the Township of Willingboro in the County of Burlington finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$1,213,431.49 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Willingboro in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Willingboro shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$1,213,431.49 and that the CY 2018 municipal budget for the Township of Willingboro be approved and adopted in accordance with this ordinance; and,

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

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

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

RESOLUTION NO. 2019 -60

INTRODUCTION

BUDGET TO BE READ BY TITLE

WHEREAS, N.J.S.A.40a: 4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body providing that at least one week prior to the date of hearing a complete copy of the approved budget, as advertised, has been posted at the Municipal Complex and copies have been made available by the Clerk to persons requiring them; and

WHEREAS, these two conditions have been met,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 19th day of March, 2019, that the budget shall be read by title only.

On Motion by:

Seconded by:

Martin Nock, Mayor

Attest:

Sarah Wooding, RMC
Township Clerk

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	_____	_____	_____	_____
Councilman Holley	_____	_____	_____	_____
Councilwoman Jennings	_____	_____	_____	_____
Deputy Mayor Perrone	_____	_____	_____	_____
Mayor Nock	_____	_____	_____	_____

RESOLUTION NO. 2019-67

Authorizing the Approval of Vouchers for Payment & Ratification

Whereas, Willingboro Township Council received the February 2019, 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 2nd day of April 2019 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.

Attest:

Martin Nock
Mayor

Sarah Wooding, RMC
Township Clerk

Council Votes	Motion	2 nd	Ayes	Nays	Abstain	Absent
Councilman Anderson						
Councilman Holley						
Councilwoman Jennings						
Deputy Mayor Perrone						
Mayor Nock						

RESOLUTION NO. 2019--68
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 2nd day of April, 2019, 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 information, attention and compliance.

Martin Nock
Mayor

Attest:

Sarah Wooding, RMC
Township Clerk

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	_____	_____	_____	_____
Councilman Holley	_____	_____	_____	_____
Councilwoman Jennings	_____	_____	_____	_____
Deputy Mayor Perrone	_____	_____	_____	_____
Mayor Nock	_____	_____	_____	_____

OVERPAYMENT FOR TAXES

LERETA, LLC
1123 PARK VIEW DRIVE
COVINA, CA 91724
BLOCK 244
LOT 34
1 BUCKEYE LANE
OVERPAYMENT TAXES

\$1,605.60

CASSANDRA TELFAIR
84 GAINSCOTT LANE
WILLINGBORO, NJ 08046
BLOCK 703
LOT 57
84 GAINSCOTT LANE
OVERPAYMENT TAXES

\$1,546.84

ROBERT BROWN JR.
21 TULIP LANE
WILLINGBORO, NJ 08046
BLOCK 1134
LOT 2
21 TULIP LANE
OVERPAYMENT TAXES

\$1,687.19

Resolution No. 2019-- 69

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
AUTHORIZING A CONTRACT WITH AN INFORMATION
TECHNOLOGY EXPERT**

WHEREAS, the Township of Willingboro requires the services of an Information Technology (IT) expert with respect to the Berry v. Willingboro matter; and

WHEREAS, local public contracts law N.J.S.A. 40A:11-3 authorizes the award of a contract for without competitive bidding where the cost or price of any contract does not exceed \$17,500.00; and

WHEREAS, Council moved and voted in the affirmative in open session to appoint an IT expert with respect to the Berry v. Willingboro matter as discussed in executive session on 3/19/19 for an amount not to exceed \$5,000.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in open public session this 19th day of March, 2019, hereby authorizes the Mayor and Clerk to execute an agreement with an IT expert as discussed in executive session.

BE IT FURTHER RESOLVED THAT:

1. This contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-3a of the Local Public Contracts Law because the contract will not exceed \$17,500.00.
2. This contract shall expire upon the conclusion of the report of the IT expert to Council.
3. A notice of this action shall be printed once in the Burlington County Times.
4. A copy of this resolution shall be provided to the IT expert for his information and attention.

Martin Nock, Mayor

Attest:

Sarah Wooding, RMC, Clerk

RESOLUTION NO. 2019--70

A RESOLUTION TO CANCEL TAXES
FOR ADDED ASSESSMENT

RESOLUTION TO CANCEL TAXES FOR ADDED ASSESSMENT

WHEREAS, the records of the Tax Collector of the Township of Willingboro indicate the existence of taxes for:

Year	Block/Lot	Assessed to:	Amount
2017	614/14	Green, Frederick & Beatrice	\$4,555.44

AND WHEREAS, Added assessments were placed on the above properties in error

AND WHEREAS, 54:4-99 and 100-allows the governing body of a municipality to cancel taxes that are illegal assessments or where "past due taxes" are due and owing.

THEREFORE BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 2nd day of April, 2019 that the Tax Collector is hereby authorized and directed to cancel the same pursuant to N.J.S.A. 54:4-99 and 100.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Tax Collector for her information and attention and compliance.

Attest:

Sarah Wooding, RMC
Township Clerk

Martin Nock, Mayor

RESOLUTION NO. 2019- 71

**RESOLUTION RESCINDING RESOLUTION 2019-17 AND AUTHORIZING
APPOINTMENT OF REGISTRAR OF VITAL STATISTICS**

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

WHEREAS, Vanessa Clouden was appointed as Registrar of Vital Statistics by Resolution 2019-17 which incorrectly stated the dates of Ms. Clouden's service as deputy Registrar; and

WHEREAS, Resolution 2019-17 is hereby rescinded; and

WHEREAS, on January 1, 2008, Ms. Clouden successfully completed the mandatory requirements for Certified Municipal Registrar, and she has been serving as the deputy registrar since January 1, 2008; and

WHEREAS, pursuant to N.J.S.A. 26:8-13, the term of office of a local registrar shall be 3 years and she shall serve until her successor has been appointed and qualified.

NOW THEREFORE, BE IT RESOLVED, on this 2d day of April, 2019, in open public session, by the Township Council of the Township of Willingboro that hereby ratifies Vanessa Clouden's appointment as Registrar of Vital Statistics, for a term of three years, from January 1, 2019 to expire on December 31, 2021.

Attest:

Sarah Wooding, RMC, Township Clerk

Martin Nock, Mayor

RESOLUTION NO. 2019-72

A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AWARDING A BID FOR FIRE BARRIER AND EGRESS DOOR IMPROVEMENTS FOR THE JOHN F. KENNEDY COMMUNITY CENTER

WHEREAS, on January 3, 2019, the Township Council of the Township of Willingboro advertised its request that bids be submitted for the Fire Barrier and Egress Door improvements at the John F. Kennedy Community Center; and

WHEREAS, on January 15, 2019, the bids were received, opened, and read in public; and

WHEREAS, the Township received bids from two contractors:

1. Levy Construction Co., Inc.
2. WJ Gross, Inc.

WHEREAS, the Township's Engineer reviewed the bids from each of the contractors; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., mandates that the Township award the contract to the lowest responsible bidder; and

WHEREAS, Township's Engineer tabulated the bids received and determined that the apparent lowest responsible bidder is Levy Construction Company, Inc., of 134 Cuthbert Boulevard, Audubon, New Jersey 08106 for the contract for the Fire barrier improvements at the John F. Kennedy Community Center Auditorium, in accordance with the attached letter of the engineer.

WHEREAS, upon its consideration and review of the bids and recommendations, the Township Council has determined that it is in the best interest of the Township to award the Base Bid and Alternate Bid No. 1 of Levy Construction Company, Inc., of 134 Cuthbert Blvd, Audubon, NJ 08106 in the amount of \$475,900.00, representing Items 1 through 13 of the Base Bid and Item 1A of the Alternate Bid; and

WHEREAS, the award of this bid is contingent upon the availability of funds for this purpose, and as indicated by the attached Treasurer's Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 2nd day of April, 2019, hereby accepts the bid of the Base Bid and Alternate Bid No. 1 of Levy Construction Company, Inc., of 134 Cuthbert Blvd, Audubon, NJ 08106 and awards the contract in the amount of \$475,900.00, representing Items 1 through 13 of the Base Bid and Item 1A of the Alternate Bid for the Fire Barrier And Egress Door Improvements For the John F. Kennedy Community Center.

BE IT FURTHER RESOLVED, that the bids shall be spread upon the minutes of this meeting.

BE IT FURTHER RESOLVED THAT a copy of this resolution shall be provided to the Township Finance Director, Township Engineer, and Levy Construction Company, Inc., for their information and attention.

Attest:

Martin Nock, Mayor

Sarah Wooding, RMC, Township Clerk

Recorded Vote	Yes	No	Abstain	Absent
Councilman Nathaniel Anderson				
Councilman Darvis K. Holley				
Councilwoman Jacqueline Jennings				
Deputy Mayor Rebecca Perrone				
Mayor Martin Nock				

RESOLUTION 2019- 73

TOWNSHIP OF WILLINGBORO

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
GEOTECHNICAL ENGINEERING SERVICES FOR THE
WILLINGBORO FIRE AND EMS BUILDING PROJECT**

WHEREAS, the Township of Willingboro has a need to acquire Geotechnical Engineering Services for the unanticipated services in connection with the construction of the Willingboro Fire and EMS Building project; and

WHEREAS, pursuant to N.J.S.A. 40A:11-3, contracts for goods or services which do not exceed \$17,500.00 may be awarded by the Township Council pursuant to a resolution of the Township Council without publicly advertising for bids; and

WHEREAS, the acting Township Manager and Township Engineer has determined and certified in writing that the value of the contract for TRC Engineers, Inc. for Geotechnical Engineering Services for the Willingboro Fire Station and EMS Slab Settlements will not exceed \$15,560.00; and

WHEREAS, TRC Engineers, Inc., has submitted a proposal on March 22, 2019 to the Township and the Township Engineer indicating they will provide the Geotechnical engineering services for the cost not to exceed \$15,650.00; and

WHEREAS, the anticipated term of this contract is one (1) year or the conclusion of the Geotechnical Services provided pursuant to the scope of work required whichever is first; and

WHEREAS, funds are available for this purpose as indicated by the attached Treasurer's certification, pursuant to N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED on this 2nd day of April, 2019, in open public session that the Township Council of the Township of Willingboro authorizes the Mayor to execute an agreement with TRC Engineers, Inc. of 16000 Commerce Pkwy, Suite B, Mount Laurel, NJ 08054 for Geotechnical engineering Services for the Willingboro Fire Station and EMS Building Slab Settlements that is consistent with this resolution for a term of one (1) year or the conclusion of the scope of work whichever is first.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided to TRC Engineers, Inc., for its information and attention.

Martin Nock, Mayor

Sarah Wooding,
Township Clerk

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	_____			
Councilman Holley	_____			
Councilwoman Jennings	_____			
Deputy Mayor Perrone	_____			
Mayor Nock	_____			

RESOLUTION NO. 2019-__74

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING SETTLEMENT IN BERRY V. TOWNSHIP OF WILLINGBORO, ET AL., DOCKET NO. BUR-L-2152-17

WHEREAS, Eric Berry instituted civil litigation, pending in the Superior Court of New Jersey, Law Division, Burlington County, against the Township of Willingboro, Darvis Holley, Martin Nock, Rebecca Perrone and the Township Council, captioned as Berry v. Township of Willingboro, et al., Docket No. BUR-L-2152-17, hereinafter "the Litigation"; and

WHEREAS, counsel for the respective parties have negotiated a Settlement Agreement and Release, hereinafter "the Agreement," resolving the outstanding issues in the Litigation between the parties; and

WHEREAS, without admitting any fault or liability, and to avoid complicated, costly and protracted proceedings, the parties have mutually agreed to resolve and avoid further litigation, pursuant to the Agreement attached hereto; and

WHEREAS, the terms set forth in the Agreement attached authorizes a contribution towards the settlement of the Litigation, which will resolve existing claims as to all parties; and

WHEREAS, the Township Council of the Township of Willingboro has determined that it is in the best interest of the Township of Willingboro to accept the terms of the Agreement; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, on this 2nd day of April, 2019, the Township Council of the Township of Willingboro hereby accepts the Agreement and authorizes the Mayor to execute the Agreement on behalf of the Township; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be provided to all parties to the matter for their information and attention.

Martin Nock, Mayor
Township of Willingboro

Attest:

Sarah Wooding, RMC, Clerk

RESOLUTION NO. 2019-- 75

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 2nd day of April, 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.

____ 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.

Martin Nock, Mayor

Attest:

Sarah Wooding, RMC
Township Clerk