

**WILLINGBORO TOWNSHIP COUNCIL**

**AGENDA**

**May 21, 2019**

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

**MANAGER'S REPORT**

**PUBLIC COMMENTS**

**ORDINANCE 2019—3 (FIRST READING)**

ORDINANCE AMENDING SECTION 3(c)(i) OF BOND ORDINANCE #2016-8 AND SECTION 3(d)(i) OF BOND ORDINANCE #2017-4 OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, FINALLY ADOPTED OCTOBER 18, 2016 AND JUNE 7, 2017, RESPECTIVELY, IN ORDER TO DECREASE THE APPROPRIATION AND AUTHORIZATION AMOUNTS FOR THE PROJECTS AND TO RE-APPROPRIATE AND RE-AUTHORIZE FUNDS TO PROVIDE FOR THE ACQUISITION OF SPORTS UTILITY VEHICLES.

**RESOLUTIONS**

- Res. 2019—90                      RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS, CONTRACT NO. 1
- Res. 2019—91                      RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT OF CERTIFICATE NO. 2 FINAL AND RELEASING RETAINAGE TO ASPHALT PAVING SYSTEMS, INC., FOR THE 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENT—CONTRACT NO. 1
- Res. 2019—92                      RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE PERFORMANCE BOND TO ASPHALT PAVING SYSTEMS, INC., FOR THE 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS—CONTRACT NO. 1 AND ACCEPTING A TWO-YEAR MAINTENANCE BOND
- Res. 2019—93                      RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS, CONTRACT 2

5/21/19 Agenda

Res. 2019—94 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT OF CERTIFICATE NO. 3 FINAL AND RELEASING RETAINAGE TO COMMAND COMPANY, INC., FOR THE 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS—CONTRACT NO. 2

Res. 2019—95 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE PERFORMANCE BOND TO COMMAND COMPANY, INC., FOR THE 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS—CONTRACT NO. 2 AND ACCEPTING A TWO-YEAR MAINTENANCE BOND

Res. 2019—96 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING AN EMERGENCY CONTRACT PURSUANT TO N.J.S.A. 40A:11-6 FOR EMERGENCY STORM SEWER REHABILITATION AT 47 AND 49 BALFOUR LANE, WILLINGBORO

Res. 2019—97 RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH CWA LOCAL 1036 WILLINGBORO TRAFFIC GUARDS

Res. 2019—98 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974

Res. 2019-99 RESOLUTION FOR REDEMPTION IN INSTALLMENTS REGARDING MUNICIPAL LIEN 16-00066

**Res. 2019—100 EXECUTIVE SESSION (IF NEEDED)**

**NEW BUSINESS:**

**OLD BUSINESS:**

- FULKNER ACT CLARIFICATION BETWEEN GOVERNING BODY AND EMPLOYEES
- REQUESTED COPY OF ALL COLLECTIVE BARGAINING AGREEMENTS

Public comment  
Council comment  
Adjournment

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

Willingboro Township Council Meeting of May 21, 2019 was held in Council's Chambers, One Rev. Dr. M.L. King, Jr. Drive, Willingboro, NJ 08046

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

Rich Brevogel, Acting Township Manager; 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; Chief Anthony Burnett, Fire Department; Jesse King, H.R.

Eusebia Diggs, Finance Director; Reva Foster, Community Affairs

Director

### **Manager's Report**

Mayor Nock:

We are going to have a very special presentation this evening I want to thank the county for coming out. I see Freeholder Deputy Director Balvir Singh and Freeholder Hopson here. We have been trying to move forward with the Willingboro Lakes project for some time and it is finally off the shelf and we appreciate it. Please keep in mind that this

was given to the County or sold to the County or whatever the arrangements were back in 2010 or 2011, so we are no longer are in possession of the Lakes. But they have graciously come out to talk to us about how they see the improvement in the design of the lakes, and I am going to turn it over to you and you tell, whose who, Deputy Director.

Deputy Director, Singh:

Thank you Mayor Nock and Council for giving us the opportunity to come by and discuss something that we have been working on together; and, now, that we have a final presentable I just want to give you a little background. This has been an on-going discussion going back two decades. I think, the first time the County took over was 1997 when the County to over and in terms of being able to (inaudible). There was a vision, and we kept it moving from one space to another. Money dried up at some point. This is something that hasn't been worked on, and we want to know, how we can get it started moving. I believe it was the last open space that was in the Parks Department.

Felicia Hopson hails from the great town of Willingboro and she also has an invested interest in this project. Finally, we sit down with our Freeholders and the director who oversees all of our County parks and came up with a design that we have been looking at for the past year. We wanted you to see what we have been working with the community. We asked, what is the needs of the community and how can we go forward and in what direction? Just from our discussion with the mayor we actually had one of our meetings and we showed up there one Saturday afternoon and we wanted to look at what it really looks like there. You can see on the board over there a proposal design. When I saw some of it, I needed to be there in person and Mayor Nock felt the same way; we need to be there in person to see where the walkway will be, where the parking will be, where the fishing will be and so on; so that was a nice afternoon that we spent. I went home and brought my family, my three kids with me and we walked the whole

way around this lake-- right here. The big lake--all the way from here, parking here going in all the way around. I discovered some art features as well. One thing that we have originally thought of—then, once you have kids you realized you need to have restrooms in the Park ,if you want the Park to be for a family we must have restrooms. So we had to go back, we had to put the bid out and then pull the bid back and that ended up costing us about much more by adding restrooms. Restrooms and utilities was a significant increase.

Scott Taylor:

We are Taylor Design Group Landscape Architect planners. We are working on this project for the County. I am going to go a little through some of the process we have gone through to preserve and enhance the character of the property and try to capitalize on the unique resources. We sent out surveys out to try to develop an appropriate list of things for the improvement of the park. Then surveys were sent out we received information of the things we tried to incorporate in the program. As Freehold Singh indicated, we initially had a 1.6 million dollars budget; the County appropriated \$800,000 last year, almost a 50 percent increase in fund. Part of that will go to the restrooms and infrastructure associated with those improvements as well as some of the other amenities that we will now be able to include in the park. The current project budget is about 2.5 million dollars.

I am going to go through very quickly and show some of the different parts of the process as we went through the property. As most of you are aware, it is 105 acre parcel and it is located with frontage on Route 130, Beverly Rancocas Road, with industrial usages to the east. We have a 105 acre parcel on the western side and the other one about 27 or 28 acres they average 8.2 acres--the local fishermen don't want the word to get out. We started off with investigation of the soil associated with the lakes. The other thing is, we got a lot (inaudible) that has started back when we were trying to incorporate as much as we could

and you don't really feel like you are a few 100 feet away from Route 130 you feel like you are in a different county or even in a different state. After that the soil had pretty much depleted itself because of the water, sand and the majority of this area has completely reforest, as we know the existing state of it today. We got a very dangerous sort of access point right off Route 130. Currently, you have got some erosion. A lot of existing trails through there and we try to capitalize on those and try again to minimize the vegetation removal with the great use of water. A lot of the area has incredible wildlife; cool butterflies, and a dasher, I believe it is called-- Crazy fungus mushroom and wild indigo plants. We will talk a little bit about Phase 1 improvements after we discuss the entrance, signing gates, crosswalks, and parking improvement coming in off Rancocas Road along with power materials and a level of passage improvement as the County has done at a number of their nearby facilities, and the beauty of the property. I'll go through and touch on some to these. Again, this is Beverly Rancocas Road and coming off Beverly Rancocas Road, dedicated left turn lane, we are putting in signs and plaques, because, no way we can get a second group of trails all around this area. We are coming in off Beverly Rancocas parking lot and we are putting in sort of a small group pavilion, that has a great big lawn, picnic pavilion, grills and tables and a play area, sort of a nice open area of lawns. We tried to put the parking lot around the existing trees and vegetation to try to minimize the vision impact. This also serves as the main access hub. We have an asphalt trail. And, the majority of the rest of this stabilized stone trail... here's an example of the restroom building that was done at Crystal Lake Park and a similar size and shape of the building will be used here. This was more of a barn site of Willingboro Lakes. This will be a mixed pavilion with open walls that we talked about, with picnic tables under there and grills behind there for small group picnicking again it is open area—sort of a similar feel with meadows in the background and the foreground lawns an opportunity for small family picnicking, and we wanted to do it instead of a standard playground we want to do

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something that was family orientated. All will meet PEPSC guidelines for public playground safety, public

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playground safety and handicap accessibility with a synthetic turf, shock cushioning safety surface with rubber cushioning below that,; it will be low maintenance and durable and a nice look. We can get to some of these soft areas where it is a little bit damp. We are going to be changing that up front to make it a bit more exciting for those adventurous walkers. In terms of the lakefront improvements, you can see Route 130; at the top is the western lake and the eastern lake we are coming in through the small path, coming down. It will have environmental feature and will also show the history and other features of the property. Fishing docks will be lower rail to provide opportunity for the wheelchair. Again, some winding asphalt paths will be mainly along this trail and through the meadow of this trail. And also stabilize with fine gravel and sort a dry elmer's glue, and it creates a nice walk surface without being rough. The hydraulic areas will remain unchanged. This is a prototype sign along the roadway. What we would do is incorporate a large entrance sign in there and try to get it a little bit more on the side of the Park. Again some log benches along the trail and the contractor will build some log benches along here. We will actually have regular Park benches; they are little more comfortable for a long term feeding. Some interpreting signage as well tells the story about the park in the area. And, then, the big question is, what's the construction schedule. And, what we are looking at now is finishing up the final design beginning in the spring and summer 2020, and beginning construction this fall as soon as we can.

Mayor Nock:

Good stuff, OK

Scott Taylor:

Are there any questions? Council have any questions?

Mayor Nock:

Let's have the residents say a few words. We are going to take about maybe about 7 minutes or so. Keep in mind that



we do not own this any longer. For full disclosure, I was one of the people oppose to it moving to the County. I just want you to know this has come a long way. Originally, in 2011, I was kind of opposed to it going to the County. So I just want that full disclosure out there. But seeing that and saying that if somebody has something they want to say, please come up and keep in mind also that this has been on the shelf for about 7 years to 8 years. So, we are trying to move it from an eyesore to something that the residents would be proud of. Please give you name and address

Pat Lindsay-Harvey, 12 Hadley Lane:

Last night we had an Economic Development Committee meeting and several questions came up. It looks as if it not going to be an educational building, but more like the boulder area which means it cannot be used. It's not going to be an education going on in the winter time and maybe not in the fall only maybe late spring and summer. What's the process for staffing? Any rangers out there? Will there be any zoning changes with this new park? Is it going to impact the commercial entities that are in that area, because there are some stores adjacent to the park? And how is the new entrance on Beverly Rancocas going to affect things? When will the result of the traffic study be made available to the public? What technologies will be used for possible bird watching? Is the County going to conduct any public hearings, especially for those who live on Lake Drive, which are those homes brought up to Willingboro Lakes? What's the next step? And what about security? Those are my questions.

Balvir Singh:

I don't think there is going to be another building (inaudible). It will be redundant at this point to build another building just for

that, but we do have persons who want to come by and enjoy the nature, take a hike with their family maybe have a picnic or just to talk to people about nature.

As for traffic patterns, you may get one car that come in or out every several minutes. It is not like a park where you have baseball field size parking lot. We are comfortable with this alignment with dedicated left turn and signage and crosswalk across Beverly Rancocas.

Samantha Whitfield, 47 Blueberry Lane:

I think I have four things in terms of parking. You said there is only 47 cars parking lot, but I would image it would attract more attention with the improvements, so will there also be parking improvements along Route 130-- create something there?

Mr. Singh:

No not on 130 that would be too dangerous.

Samantha Whitfield:

Will there be signage in finding areas from 130 leading to the new...

Mr. Singh:

Yes.

Samantha Whitfield:

Also with the... in terms of ways of finding different areas, you mention the new entrance signage, but will there be a way of finding areas within the property to guide people through the trails-- all the different trails?

Mr. Singh:

Yes, we actually have a couple to identify the range anywhere from the entrance to trails

Samantha Whitfield:

That was my next question will there be mile markers for the running community? I know we have a running community here. So, that

would be great. And, lastly, will this presentation be available on line anywhere for residents who were not able to make it tonight to be able to access it? Thank you.

Lavonne Johnson, 46 Hinsdale Lane:

Former Council and Mayor: First of all, I want to applause you for finding and picking this project up, because back when we purchased the property through Green Acres plan we had envisions similar ideas for this park. We did want the... and I see you are calling this Phase 1, so I am hoping there will be Phase 2 to incorporate some sort of an Educational Pavilion, a pavilion bigger than a picnic table pavilion, but something that can incorporate some classes, scout troops, other groups, summer camp groups; and they need table space and studying specimen and bugs and critters and all that sort of thing that would be out of the element on bad days. So, we would hope... We know the loop around 130 and old Aldi and Wawa is going to be a traffic loop so that would (inaudible). But, I want to congratulate you on it, and don't forget a Phase 2. I really do think we need a bit of an educational building similar to what we are trying to do down at the Nature Center, which you helped us with and I am thrill to see Mary Pat Robbie still in the park system, because her heart is there and she knows what it takes; and the plank walkway that you have gotten through Rancocas Nature Center. And, I see you are planning those over the Wetland areas and our park here, and for picking up the ball when we really couldn't afford to move forth with what we thought we had envision to begin with.

Gary Johnson, 54 Gramercy Lane:

I guess I will give my standard spill, but if you left me along I would be happy. I am going to lose that battle. One, to the best of my knowledge most of the boats and all of the boats I have seen the only way I know they get in there is off Route 130 and come back to the stand to the beach there and put the boats in. How do you envision getting boats in there with this plan? I see this is going to disappear. The other thing that I would ask is, I think they made a mistake when they put that decorative fence along Route 130. And, I would highly recommend that you would change that to a more appropriate-- to something like a nature preserve or park, because it has been getting worse and worse as it goes along with people knocking pegs out of it and, there is a sunken barge in there-- is that envision to be removed and place with a fishing pier? Alright, thank you.

Thomas Floyd, 8 Buckingham Drive:

I want to also say that I do like the plan. I was at one of the meetings earlier years ago, and I did receive a survey and about 70 to 80 percent I had on my survey when I turn it in is there. The only concerns I have is the size of the parking lot when people start putting boats in there and want to get in there and the distance they have to travel with those boats to get to the lakes. I think that could cause a problem. People are going to find a shortcut cut that could whine up costing more damage than what we really want them to do. I think it needs to be expanded. I understand there is limitation, because you don't want to really asphalt everything over there, but boats and 42 cars, I don't think that is going to be

enough. Maybe I missed something, but didn't you say because of the limitation and the soil around the lakes that maybe a lot of the handicap people... because one of things on the survey was to have the handicap be able to access to the lakes so they could sit out there and see the lakes and the people on the lake. Did you say they could not reach the lakes?

Mr. Taylor:

That will be accessible. The trail itself at some point will be narrow.

Thomas Floyd:

But they can make their way over there to it?

Mr. Taylor:

It will be accessible up to the fishing pier that gradually incline going into... it will be accessible up to the fishing pier.

Thomas Floyd:

Because I go along 130, sometimes and I see the fisher men in their boats and stuff, sometime they are going over the fence or they are cutting through. I don't want to see us put a lot of money along there and then have it all crapped away as everybody try to move their boats in. As you can see it's pretty far and everybody is going to find a shortcut. I don't want us to spend money and then have to keep constantly fixing it, because they are going to find ways to get to the lake without walking all the way from the Parking Lot, alright, thank you

Mayor Nock:

Clarify something you are not envision boats, you envision more canoes.

Sharon Rogers, 20 Crestview Drive:

I was reading where the County were to do some interconnection between the parks that they own, so I am wondering if in the next

round will there be an opportunity. And, the second question is—Dog friendly—there is a lot of people who bring their animals and so forth to parks. I want to know if there will be an area for that, because there are some parks now that have areas that are structured for dogs.

Mr. Taylor:

Those major connections that are anticipated is connecting Pennington, Willingboro Lakes and then being able to connect folks back down (inaudible) along creeks down to the Laurel Creek or to Laurel Run Park, which is the old Anderson peach farm, Angel Meadow's boundary Creek and points east all the way down Rancocas Creek. So, this is phase 1 of tht is for miles that's going to be starting the counties received several million dollars in grants to help fund that construction and the goal is to really have this be a major part of that Rancoas Creek greenway, okay.

Mayor Nock:

Thank you any Council comments.

Deputy Mayor Perrone:

I think the design and idea is great. I appreciate you putting that together. Again I love the idea. I think it's an excellent idea for Willingboro's community, and the only concern I have is the parking lot. The access point, it does seem a little bit dangerous. So, if there is some room for—I don't know... I am not into construction, so I can't tell you how to do it, but I know we have other businesses on Route 130 and the parking lots are designed different. So, I know this is a different landfill, but if there is some sort of other way to design a medium play pen parking lot-- we could put in and it's fenced

in, because of what you described you pull in with your family and the kids got out and started running around, I can vision this happening for drawing attention to this area where drawing attention to family. I would just like to see maybe another, something else designed with the parking area, but that's all. Other than that I think it is a great idea. Thank you

Mr. Taylor:

The parking is about 100 feet and we have expandability with that parking lot. In its current configuration, we can always extend that. We were trying not to over build into the woods unnecessarily, but we can extend that parking lot if we find that we have more demand.

Deputy Mayor Perrone:

At a later date meeting? Okay.

Councilman Holley:

I just want to say thank you to the Freeholder Board. Me, personally, I believe our community has been overlooked on projects like this for quite a while, so it is refreshing to finally see something happening in our community coming from the county; so I just say thank you. I think what we saw today is really nice and I am looking forward to Phase Two and how it is going to connect other projects coming from the county here in Willingboro., Thank you

Councilwoman Jennings:

I also want to say thank you, it's been a long time coming. At the time, the Council thought it was a great idea, because it was more than what Willingboro could handle at the time. And you were not allowed to have commercial entity because of the designated use. And, of course I was looking for

something like Palmyra Cove, but I think this is going to be a nice designation and I look forward to bringing the grandchildren over and just sitting down and relaxing with the nature. And I know we have a lot of animals and that kind of thing, so maybe there could be a little petting zoo, maybe, I don't know if that's a possibility, but maybe. Of course you know my ultimate goal was to get you guys to do the bridge at some point so, hoping and praying for that one too. Thank you again.

Councilman Anderson:

I, too, like the rest of my colleagues do appreciate the presentation. I was part of Council at the time the deal was negotiated; as Councilwoman Jennings said it was more that we could do or handle budget wise. So, the conversations that we had then fell apart. I just want to make sure these conversations stay on track and that we as a Council and community are apprised as things are moving, and if there are any hiccups let us know, because I have been here long enough to see it fall off track and it took so long for us to get it back, and I just want to make sure we stay in touch, and we stay in tune and hopefully those dates can be met. The other question I had, is there any plans to connect that to Millcreek Park? Like a walking path or anything?

Mayor Nock:

And, I only have a few things to say. I appreciated... Balvir is well aware and knows that last year I started lobbying in reference to; let's do something with this and I don't expect it to fall apart and, the bids are going out tomorrow. And, I am glad to see such a positive review and reception for it.



Thank you Freeholder Hopson. Thank your Deputy Director Singh. I think this is a beginning, a fresh start to our entrance way to Willingboro on 130. And the next thing for us is the Big D Marina. Thank you and thank you all for coming out, and we can wrap it up. And for the residents, I did walk with Mary Pat Robbie, and you saw there that this is a big fishing opportunity, beautiful spot. We also have another lake that's used for fishing. So, we are going to proceed with our normal meeting. We are going to ask Ms. Cyrus who is filling in for Mr. Brevogel, who had an emergency situation, so please move forward

Jill Cyrus:

Thank you. I am going to read to you what Mr. Brevogel left in his Manager's Report (See attached report)

Councilman Anderson:

I have a question for legal; in regards to the process for employees, if they have a complaint they are told how to file it. I see that they have been given handbooks. One question I forgot to ask is if the employee has a complaint with the manager is that process also covered in the handbook?

Cristal Holmes-Bowie, Esq.:

It wouldn't go directly to the manager it would go to the Personnel Director who would know to file with my office or the Labor Counsel and it's investigated that way.

Councilman Anderson:

Thank you

Mayor Nock:

Anyone else, if not we are going to proceed with our agenda.

You have two minutes to speak on any of the resolutions. This will be your moment to do that, give your name and address again.

**Public Comment (Agenda items only)**

Pat Lindsay-Harvey, 12 Hadley:

I have a question on Resolution 2019-97 about the Collective Bargaining Agreement. Can you tell me the percentage of the increase that this contract is going to be? That's number one. Number two, if we can know that at the next Council meeting, thank you. Resolution 2019-98—what is the meaning of certain community development activities?-- it's in the fifth paragraph.

Cristal Holmes-Bowie, Esq.:

It involves a Housing project from a Development Block grant, and it is something that the county has to secure.

Pat Lindsay-Harvey:

Thank you

Mayor Nock:

Seeing no one else we are going to move to the ordinances, first reading.

**ORDINANCE**

**ORDINANCE 2019--3**

ORDINANCE AMENDING SECTION 3(c)(i) OF BOND  
ORDINANCE #2016-8 AND SECTION 3(d)(i) OF BOND  
ORDINANCE #2017-4 OF THE TOWNSHIP OF  
WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW  
JERSEY, FINALLY ADOPTED OCTOBER 18, 2016 AND JUNE  
7, 2017, RESPECTIVELY, IN ORDER TO DECREASE THE

APPROPRIATION AND AUTHORIZATION AMOUNTS FOR THE PROJECTS AND TO RE-APPROPRIATE AND RE-AUTHORIZE FUNDS TO PROVIDE FOR THE ACQUISITION OF SPORTS UTILITY VEHICLES.

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 One. Section 3(c)(i) of Bond Ordinance #2016-8 of the Township of Willingboro, in the County of Burlington, New Jersey (the "Township"), finally adopted October 18, 2016 ("Bond Ordinance #2016-8") is hereby amended as follows to reduce the appropriation amount by \$59,354 from \$175,000 to \$115,646 and the authorization amount by \$56,387 from \$166,250 to \$109,863:

<u>"Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
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c) Vehicles and Equipment:

(i) Acquisition of senior survey equipment, including all related

costs and expenditures incidental thereto.

\$115,646

\$109,863

15 years

Section Two. Section 3(d)(i) of Bond Ordinance #2017-4 of the Township, finally adopted June 7, 2017 (“Bond Ordinance #2017-4” and, together with Bond Ordinance #2016-8, the “Prior Bond Ordinances”) is hereby amended as follows to reduce the appropriation amount by \$5,000 from \$55,000 to \$50,000 and the authorization amount by \$4,750 from \$52,250 to \$47,500:

<u>“Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
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d) **Vehicles and Equipment:**

(i) Acquisition of a truck for the Department of Public Works and inserts for the animal control van interior, including all related costs and expenditures incidental thereto.

\$50,000

\$47,500

15 years”

Section Three. The aggregate reduced amount of the appropriation in the amount \$64,354 and the aggregate reduced amount of the authorization in the amount of \$61,137 as described in Section One and Section Two are hereby re-appropriated and re-authorized, as applicable, to provide for the following purpose:

“Acquisition of two sports utility vehicles, one for the Manager’s Office and one for the Recreation Department, including all related costs and expenditures incidental thereto.”

Section Four. The average period of usefulness for each of the Prior Ordinances remains the same.

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

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.

Mayor Nock:

Madam Clerk, for Resolutions 90, 91, 92, 93, 94, 94, 95 and 96 to adopt a consensus agenda for those

**Resolutions**

**RESOLUTION NO. 2019- 90**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO**

**AUTHORIZING CHANGE ORDER 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS, CONTRACT NO. 1**

**WHEREAS**, on September 7, 2018, the Township Council of the Township of Willingboro advertised its request that bids be submitted for the John F. Kennedy Community Center Site Improvements in the Township of Willingboro for Contract No. 1; and

**WHEREAS**, on September 18, 2018, the bids were received, opened, and read in public; and

**WHEREAS**, by Resolution No. 2018 - 144 on October 16, 2018, the Township awarded the contract to Asphalt Paving Systems, Inc., of 500 N. Egg Harbor Road, Hammonton, NJ 08037 in the amount of \$373,725.00.

**WHEREAS**, by Resolution No. 2018-162 authorized Change Order No. 1 an increase in the amount of \$44,796.00 was approved on December 18, 2018; and

**WHEREAS**, the Township's Engineer, Remington & Vernick Engineers, recommends a contract change representing the final adjustment of as-built quantities and contract costs; and

**WHEREAS**, the Change Order No. 2 amount is a reduction of \$5,108.33 from the original amount, representing a total amended or final contract amount of \$413,412.67; and

**WHEREAS**, Township Engineer has found the proposed Change Order #2 Final to be acceptable; and

**WHEREAS**, Township Council has reviewed the Engineer's recommendation for the Change Order #2 Final, amending the final contract amount to Four Hundred Thirteen Thousand Four Hundred Twelve and 67/100 Dollars (\$413,412.67).

**NOW THEREFORE, BE IT RESOLVED** that in open public session on this 21<sup>st</sup> day of May, 2019 that the Township Council of the Township of Willingboro hereby accepts Change Order #2 for the 2018 John F. Kennedy Community Center Site Improvements, Contract No. 1, and amends the contract amount for this project to \$413,412.67 for Asphalt Paving Systems, Inc.

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

**RESOLUTION NO. 2019-91**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT OF CERTIFICATE NO. 2  
FINAL AND RELEASING RETAINAGE TO ASPHALT PAVING SYSTEMS, INC., FOR THE  
2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS – CONTRACT NO.**

**1**

**WHEREAS**, the Township of Willingboro's Engineers Remington & Vernick Engineers has submitted the Payment Certificate No. 2 Final, authorizing the final payment in the amount of \$48,297.83 and releasing the retainage in the amount of \$7,302.30 for a total of \$55,600.13 to Asphalt Paving Systems, Inc., for the 2018 John F. Kennedy Center Site Improvements – Contract No. 1; and

**WHEREAS**, the Township engineer has determined that no further work is being performed on this project and the Payment Certificate No. 2 Final has been reviewed and approved by the Township Engineer.

**WHEREAS**, it is the recommendation of the Township's Engineer that the Township of Willingboro release the retainage for this project in the amount of \$7,302.30.

**WHEREAS**, it is in the best interest of the Township of Willingboro to release the retainage for this project in the amount of \$7,302.30, to Asphalt Paving Systems, Inc., in accordance with the Township Engineer's recommendations in Payment Certificate No. 2 Final, for the 2018 John F. Kennedy Center Site Improvements – Contract No. 1.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 21<sup>st</sup> day of May, 2019, that the retainage in the amount of \$7,302.30, be released to Asphalt Paving Systems, Inc., and the final payment in the amount of \$48,297.83 for a total of \$55,600.13, pursuant to Payment Certificate No. 2 Final, for the 2018 John F. Kennedy Center Site Improvements – Contract No. 1, in accordance with the Township Engineer's recommendations.

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

**RESOLUTION NO. 2019- 92**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE PERFORMANCE BOND TO ASPHALT PAVING SYSTEMS, INC., FOR THE 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS – CONTRACT NO. 1 AND ACCEPTING A TWO YEAR MAINTENANCE BOND**

**WHEREAS**, Remington, Vernick & Arango Engineers, and Affiliates, has inspected the 2018 John F. Kennedy Center Site Improvements – Contract No. 1; and

**WHEREAS**, the Township's Engineer has determined that the improvements are satisfactory.

**WHEREAS**, it is the recommendation of the Township's Engineer that the Township of Willingboro release the Performance Surety Bond # \_\_\_\_\_, in the amount of \_\_\_\_\_ and \_\_\_\_\_/100 dollars (\$) \_\_\_\_\_) and upon a posting of a two year Maintenance Bond #13BCSHY4008 in the amount of Four Hundred Thirteen Thousand Four Hundred Twelve and 67/100 Dollars (\$413,412.67), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

**WHEREAS**, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the performance bond and accept a two year maintenance bond for the 2018 John F. Kennedy Community Center Site Improvements, Contract No. 1 in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer's recommendations.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 21st day of May 2019, that the performance bond # \_\_\_\_\_, in the amount of \_\_\_\_\_ and \_\_\_\_\_/100 dollars (\$) \_\_\_\_\_) will be released for the 2018 John F. Kennedy Community Center Site Improvements, Contract No. 1 and it will accept a two year Maintenance Bond # 13BCSHY4008 in the amount of Four Hundred Thirteen Thousand Four Hundred Twelve and 67/100 Dollars (\$413,412.67), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

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

**RESOLUTION NO. 2019-93**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO**



**AUTHORIZING CHANGE ORDER 2018 JOHN F. KENNEDY COMMUNITY CENTER SITE  
IMPROVEMENTS, CONTRACT 2**

**WHEREAS**, on February 5, 2018, the Township Council of the Township of Willingboro advertised its request that bids be submitted for the John F. Kennedy Community Center Site Improvements in the Township of Willingboro for Contract No. 2; and

**WHEREAS**, on February 15, 2018, the bids were received, opened, and read in public; and

**WHEREAS**, by Resolution No. 2018 - 38 on April 3, 2018, the Township awarded the contract to Command Company, Inc., of 1318 Antwerp Avenue, Egg Harbor City, NJ 08215 in the amount of \$107,670.00.

**WHEREAS**, the Township's Engineers Remington & Vernick Engineers, and Affiliates, recommend a contract change representing the final adjustment of as-built quantities and contract costs; and

**WHEREAS**, the Change Order No. 1 amount is a reduction of \$8,479.40 from the original amount, representing a total amended or final contract amount of \$99,190.60; and

**WHEREAS**, Township Engineer has found the proposed Change Order #1 Final to be acceptable; and

**WHEREAS**, Township Council has reviewed the Engineer's recommendation for the Change Order #1 Final, amending the contract amount to Ninety-Nine Thousand One Hundred Ninety Dollars and 60/100 (\$99,190.60).

**NOW THEREFORE, BE IT RESOLVED** that in open public session on this 21<sup>st</sup> day of May, 2019 that the Township Council of the Township of Willingboro hereby accepts Change Order #1 for the 2018 John F. Kennedy Community Center Site Improvements, Contract 2 and amends the contract amount for this project to \$99,190.60 for Command Company, Inc.

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

**RESOLUTION NO. 2019-94**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WILLINGBORO AUTHORIZING PAYMENT OF CERTIFICATE NO. 3  
FINAL AND RELEASING RETAINAGE TO COMMAND COMPANY, INC., FOR THE 2018  
JOHN F. KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS – CONTRACT NO. 2**

**WHEREAS**, the Township of Willingboro’s Engineers Remington & Vernick Engineers has submitted the Payment Certificate No. 3 Final, authorizing the final payment in the amount of \$17,615.60 and releasing the retainage in the amount of \$1,631.50 for a total of \$19,247.10 to Command Company, Inc., for the 2018 John F. Kennedy Center Site Improvements – Contract No. 2; and

**WHEREAS**, the Township engineer has determined that no further work is being performed on this project and the Payment Certificate No. 3 Final has been reviewed and approved by the Township Engineer.

**WHEREAS**, it is the recommendation of the Township’s Engineer that the Township of Willingboro release the retainage for this project in the amount of \$1,631.50.

**WHEREAS**, it is in the best interest of the Township of Willingboro to release the retainage for this project in the amount of \$1,631.50, to Command Company, Inc., in accordance with the Township Engineer’s recommendations in Payment Certificate No. 3 Final, for the 2018 John F. Kennedy Center Site Improvements – Contract No. 2.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 21<sup>st</sup> day of May, 2019, that the retainage in the amount of \$1,631.50, be released to Command Company, Inc., and the final payment in the amount of \$17,615.60 for a total of \$19,247.10, pursuant to Payment Certificate No. 3 Final, for the 2018 John F. Kennedy Center Site Improvements – Contract No. 2, in accordance with the Township Engineer’s recommendations.

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

**RESOLUTION NO. 2019- 95**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO RELEASING THE  
PERFORMANCE BOND TO COMMAND COMPANY, INC., FOR THE 2018 JOHN F.  
KENNEDY COMMUNITY CENTER SITE IMPROVEMENTS – CONTRACT NO. 2 AND  
ACCEPTING A TWO-YEAR MAINTENANCE BOND**

**WHEREAS**, Remington, Vernick & Arango Engineers, and Affiliates, has inspected the 2018 John F. Kennedy Center Site Improvements – Contract No. 2; and

**WHEREAS**, the Township's Engineer has determined that the improvements are satisfactory.

**WHEREAS**, it is the recommendation of the Township's Engineer that the Township of Willingboro release the Performance Surety Bond #HICNE-10-239-0349, in the amount of One Hundred Seven Thousand Six Hundred Seventy and 00/100 dollars (\$107,670.00) and upon a posting of a two year Maintenance Bond #HICNE-10-239-0349M in the amount of Ninety Nine Thousand One Hundred Ninety and 66/100 Dollars (\$99,190.66), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

**WHEREAS**, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the performance bond and accept a two year maintenance bond for the 2018 John F. Kennedy Community Center Site Improvements, Contract No. 2 in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer's recommendations.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in public session this 21st day of May 2019, that the performance bond # HICNE-10-239-0349 , in the amount of One Hundred Seven Thousand Six Hundred Seventy and 00/100 dollars (\$107,670.00) will be released for the 2018 John F. Kennedy Community Center Site Improvements, Contract No. 2 and it will accept a two year Maintenance Bond # HICNE-10-239-0349M in the amount of Ninety Nine Thousand One Hundred Ninety and 66/100 Dollars (\$99,190.66), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

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

**RESOLUTION NO. 2019-96**

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO**

**AUTHORIZING AN EMERGENCY CONTRACT PURSUANT TO N.J.S.A. 40A:11-6 FOR  
EMERGENCY STORM SEWER REHABILITATION AT 47 & 49 BALFOUR LANE,  
WILLINGBORO**

**WHEREAS**, the Department of Public Works and Township Engineers have identified a significant sinkhole behind the sidewalk between 47 and 49 Balfour Lane, directly about existing storm sewer pipe; and

**WHEREAS**, upon investigation, the Department of Public Works temporarily filled the sinkhole for safety reasons; and

**WHEREAS**, the Township Engineer recommends that the storm sewer pipe joints be rehabilitated using trenchless technology to prevent further migration of soil; and

**WHEREAS**, it is the Township Engineer’s opinion that in the current condition, storm sewer pipe joint separation presents a danger and/or hazard to the public warranting emergency repairs; and

**WHEREAS**, this presents a health and safety issue for the Township’s residents; and

**WHEREAS**, the recommendation and Emergency Procurement report to the Division of Local Government Services is attached hereto indicating the reasons the emergency exists; and

**WHEREAS**, such an emergency qualifies as an exception under the Local Public Contracts law, N.J.S.A. 40A:11-6, which authorizes the award of a contract without public bidding; and

**WHEREAS**, the Township received an emergency cost proposal from the Diversified Infrastructure Services, Inc., to repair the existing storm sewer pipes using trenchless technology, in the amount of \$38,575.00; and

**WHEREAS**, the Township has found that the cost proposal submitted by Diversified Infrastructure Services, Inc., in the amount of \$38,575.00 submitted is reasonable and responsible; and

**WHEREAS**, the Township Council has upon its consideration and review determined that it is in the best interest of the Township to authorize the contract with Diversified Infrastructure Services, Inc., at 1604 Thomaston, Unit J, Waterbury CT 06704, in the total amount of \$ 38,575.00.

**WHEREAS**, the Township Council finds that this is an emergency contract under the Local Public Contracts law, N.J.S.A. 40A:11-6, which may be awarded without publicly advertising for bids and bidding;

**WHEREAS**, funds are available for this purpose as indicated by the attached

Treasurer’s Certification.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Willingboro, assembled in open public session this 21st day of May 2019, hereby authorizes the contract of with Diversified Infrastructure Services, Inc., at 1604 Thomaston, Unit J, Waterbury, CT, 06704, in the total amount of \$ 38,575.00 to repair and/or rehabilitate the existing storm sewer pipes joints to prevent further migration of soil using trenchless technology; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be provided to the Finance Director, Township Manager and Diversified Infrastructure Services, Inc., for their information and attention.

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 NO. 2019-97

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT WITH CWA LOCAL 1036 WILLINGBORO TRAFFIC GUARDS**

**WHEREAS**, the Communication Workers of America (“CWA”), AFL-CIO, Local 1036 and the Township of Willingboro have concluded collective labor negotiations; and

**WHEREAS**, it is appropriate for the Township Council to formally authorize the execution of the collective bargaining agreement between the Township and CWA Local 1036.

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Willingboro assembled in open public session on this 21st day of May, 2019 that:

- A. The attached collective bargaining agreement is approved, for the period July 1, 2018 through June 30, 2023.
- B. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the Township, after the agreement has been formally executed by the appropriate officers of the CWA Local 1036.
- C. A copy of this resolution shall be submitted to the President of the CWA, Local 1036, for their information and attention.

On motion by Councilman Anderson

Seconded by Deputy Mayor Perrone

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

Motion carried.

TOWNSHIP OF WILLINGBORO

RESOLUTION NO. 2019--98

**A RESOLUTION AUTHORIZING THE WILLINGBORO TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974**

WHEREAS, certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and

WHEREAS, it is necessary to establish a legal basis for the County and its people to benefit from this Program; and

WHEREAS, an Agreement has been proposed under which the Township of Willingboro and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq., and

WHEREAS, it is in the best interest of the Township of Willingboro that the Agreement entitled "Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities", a copy of which is on file at the Municipal Clerk's Office.

WHEREAS, the Township of Willingboro shall enter into the Agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the Township of Willingboro and affix thereunto the Official Seal.

WHEREAS, all resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency.

WHEREAS, this Resolution shall take effect immediately after passage and publication as provided by law.

NOW THEREFORE, BE IT RESOLVED on this 21st day of May, 2019, in open public session by the Township Council of the Township of Willingboro that the Mayor and Clerk are hereby authorize and directed to execute the Agreement between the County of Burlington for Cooperative Participation in the Community Development Act of 1974 on behalf of the Township of Willingboro and affix thereunto the Official Seal.

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 NO. 2019 - 99

REDEMPTION IN INSTALLMENTS

MUNICIPAL LIEN 16-00066

WHEREAS, NJSA 54:5-65 provides authority for the governing body to authorize redemption of a municipally held lien by installment payments to include principal and interest; and,

WHEREAS, Vijaya Ramesh Vendra, owner of record of Block 13, Lot 8.05, also known as Industrial Drive, Municipality of Willingboro, is desirous of satisfying Tax Title Lien #16-00066 by the installment payment plan.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Township of Willingboro, County of Burlington, State of New Jersey, hereby authorize an installment payment plan as set forth on the attached schedule and that in addition to said installments being promptly paid on the last day of each month, for 32 months, all current year's taxes, subsequent taxes, assessments or other municipal liens imposed shall be promptly paid when due.

BE IT FURTHER RESOLVED that the final payment shall be sufficient to include all amounts due the municipality and secured by the tax sale lien, except for current year's taxes, and shall include interest property chargeable on the respective unpaid balances.

BE IT FURTHER RESOLVED, that if installment payments are regularly and promptly made in accordance with the attached schedule, then the municipality will suspend any action to cut off or foreclose the right of redemption, and will agree not to assign, transfer or otherwise alienate the tax title lien it holds.

BE IT FURTHER RESOLVED, if any unpaid installment remains unpaid after 30 days of due date, then the municipality may proceed to enforce or foreclose the tax sale lien, or sell, assign, transfer or alienate it and shall proceed only for the unpaid balance after proper credit of such installment payments as were made.

BE IT FURTHER RESOLVED that a certified copy of this resolution, along with an attached installment schedule will be forwarded to the Tax Collector and the property owner.

On motion by Councilman Holley

Seconded by Deputy Mayor Perrone

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

Motion carried.

**RESOLUTION NO. 2019--100**

**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 21st day of May, 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.
- \_\_xx\_\_ 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.
- \_\_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 or loss of a license or permit as set forth in N.J.S.A. 10:9-12b(9).

**BE IT FURTHER RESOLVED** that the general nature of the subject to be discussed relates to: Berry v Twp. and contracts negotiations

**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.

**New Business:**

Councilman Anderson: I would like to propose that we look into a new microphone system.

Mayor Nock:

I think that is something that we all want to do.

**Old Business:**

Councilman Holley:

Is there any update on the Board and Commission ordinance?

Cristal Holmes-Bowie:

I have a draft for Council to review for youth participation. I will provide that.

Councilman Anderson:

The conversation we had at the last meeting in regard to certificate of occupancy opposed to the certificate of compliance in regards to closing on properties...

Cristal Holmes-Bowie, Esq.:

As far as I am aware the Township (inaudible)--I understand that some cases, some municipalities have certificates of compliance; however with the certificate of occupancy that requires an inspection by the Inspection Department, that will look at a property in terms of (inaudible), they are really going to look at the property itself, it is not a detailed inspection that one would purchase a private or commercial vendor that is in the business of conducting; so they have a checklist they will go over; like a broken window-- it is going to be very basic that a CO will authorize, but when people do closings and they purchase property we all have heard the phrase "buyer beware" and that is very important especially with a real estate transaction. Everyone has when you get a real estate contract you have a three day attorney review period and there is a reason for that. You are not only looking at the contract but you are looking at what your rights are and having an inspection of the property and that is-- the CO is required but, it is not going to be as detailed as if you would go out and purchase a home inspection from a company that does this. They are going to go through every system in the house when you do that. In terms of the exterior of the property I know that some home inspections they will take a look at the exterior, because I remember the situation that the Councilman... a person who had a pool that was filled-in and there was no way he would know that. The only

other things I could suggest is that typically, when individuals buy properties the Township offer to get a survey or to have a survey endorsement and the survey will certainly indicate whether there was a pool on the property. That's the only other thing I could (inaudible). So, you know there is some level of review certainly, the other thing that I notice that a lot of attorneys who are representing residents, OPRA requests for open permits and that way they will also see what work was done, what permits were obtained, so they will know whether the heater was replaced; this type thing. So the Township is responsible for oversight on certain things but there are something that frankly the buyer is responsible to.

Councilwoman Jennings: What is the process if there is no CO?

Cristal Holmes-Bowie: They should not be able to transfer the home without a CO. the Township also has a registration process where even if it is a renters registration of who is supposed to be in the property.

Councilman Anderson: It is my understanding that we are closing on Certificate of compliance and when it came time for the CO they could not get one and this just happen to two families who were also veterans as well. So I just want us to review our books to see if there are any changes that we can do.

Cristal Holmes-Bowie: We can go back and review our ordinances. We can...my understanding has always been that they are required to do appeals, but we can firm up our ordinances and make certainty that's upright. I have seen a situation where a person purchases a house and they have some kind of agreements that they are going to make repairs.

Mayor Nock: Ms. Bligen can you help us with this conversation

Brenda Bligen: We do need to firm up our ordinances, but just to clear it up a little bit, a CO is inside and out. The COC is just smoke defector, carbon monoxide and fire extinguisher, and so that's what the title companies are closing with. They should be closing with a CO but they are closing with COC and then the buyer catch all the trouble after they purchased the property.

- Mayor Nock: Is the COC a change for the closing?
- Brenda Bligen: They use the COC now, as moving people in. You cannot use a COC for occupancy, but that's what happening.
- Mayor Nock: Thank you
- Councilwoman Jennings: I have one more question. What are the parameters for condemned property?
- Brenda Bligen: They can use the COC for rehab, that is good up to six months, but in doing that we will have to tailor the ordinance a little, but, because they are taking that COC which is a change of ownership, also, and moving people in.
- Councilman Anderson: I would like to suggest that this is something we do look at with legal. I am trying to do everything to ensure and secure the seniors of the community as well as everyone else who just don't know.
- Councilwoman Jennings: I don't think we want anybody to be in a condemn property and get hurt and the Township be responsible for it.
- Councilman Holley: If we are saying that title companies are closing on properties, but our ordinance states that we need a CO, which I just went through the experience myself a few years ago, and I was told by my realtor that I needed a CO and before she would even let me close on the house; because I had a good realtor she made sure I hired an outside inspector to inspect the property. So, is this a matter of Council or a matter of shady business taking place by real estate companies? I guess I am trying to figure out where our responsibility comes in because this process happened outside of us; it is not something we control. A title company closes on a property that they are not supposed to close on. I guess I am just confused how we can go about trying to rectify situations like that.
- Cristal Holmes-Bowie, Esq.: I think that what we talk more about is to up our ordinance, and basically just confirming that even when someone... You know it is very difficult when you talk about someone who has... is a private owner of the property, private property owner, and really the only way that you have any

level of control in terms of what they are doing with that property is when they come through this Township. So that's where we come in. It surprises me, and maybe it takes to get the word out to realtors who come into our community they need to do their job, also, because I like you mentioned... I represent people in closing. I represent who bought homes in the Township outside of the Township and believe me the book says that they need a CO. An attorney is an expense, but maybe sometimes it's helpful. But the other side of it is maybe we can get that information out to the local realtors that this is really required and the property won't close otherwise. I know that the Township has some other requirements that sometimes title companies say that other townships don't require this because of X Y Z and maybe say we are going to require escrow X amount if you don't obtain this, sometime that gets people attention that is something that I would look at it is not something that I would automatically (inaudible).

Councilman Holley:

There is something I would like to add, to share my personal experience, when I was purchasing my home. I had a tiny, probably a crack in the patio in the backyard it was maybe as big as this pen and they denied me, the inspection department denied me a CO because of that. So, I don't want people to get the impression that on our side we are not doing what we are supposed to do, and I was like what! This little crack-- I can't move into the house, but that's the reality. And then, I ran into a family, not too long ago, and I know sometimes the Inspection Department get a lot of flak about the process and some of the little things like this crack; but I ran into a family not too long ago that just moved here and it was just the complete opposite and they told me how thrilled they were about moving to Willingboro and they felt they had just left a house that was a lemon and they were really impressed with all the hoops they had to jump through to buy the property and they felt they were really invested on a quality property. I just wanted to share that with the residents, because I know sometime people will get up here and complain about the process that we have here and how long thing may take but at the end of the

day we are trying to make sure that people are getting a quality property.

Councilman Anderson:

I still think it's worth Council's time to just review it and to see if we can tighten it up where it needs to be tightened up, whatever we need to enforce. So when people come in to purchase we want to make sure the previous owner had a CO. And also going forward, and another thing, we can look at is; if a buyer wants to buy a house as is we will allow a temporary CO, which we don't do here, which will give you six months and at the end of that six month the Township goes back out to inspect, but the buyer takes full responsibility on the CO. So these are some different options we can explore, but I think we really need to take a second look at some of our ordinances, see where we can tighten them up and then make sure they get enforced with the title companies and realtors and so forth.

Mayor Nock:

Now it is the public's time. If you have something to say we ask you to come up and speak whatever you have to say. The clock is not working I am keeping the time and I will start at the moment you are at the mic. This is a little unusual but Ok.

Public Comment (Second Part):

Walter Howard:

I am going to say this first. I told every Township manager that I work for; if I don't agree with you, I'm going to tell you and I'm going to tell you in writing. This is when it was Ms. Diggs, Mr. Berry and Mr. Brevogel. So, in my five year capital plan, audio and visual equipment for the courtroom as asked for. It is in the budget. I'd love to replace it, but my hands are tied by the budget. I put it in my five year capital plan. I have hundreds of thousands of dollars for computers for the police, because it's mandated by the county. Is my budget a hundred percent? No, so, you tell me where we're going to get the money. You tell the manager to find the money. I'll gladly replace the microphone system. Although, I'm not the kind of guy to

tell you, I told you so, I'm also not the man that's going to fall on the sword.

Mayor Nock:

I was just going to ask you, do you have any idea about what the cost of this would be?

Thomas Floyd:

I just want to say when this survey came to me after I went to a couple meeting about the Olympic Lakes...anyway; I hope that when you go into executive to talk about contracts also talk about the camera, because I am a little concern about it going to put them on poles. We get those poles knocked down all the time and if one of those poles hit one of those cars with the camera on it, who's going to replace it and who is going to pay for it? So, I hope you make sure that nobody gets hit by one of those poles. Going back 20-25 years ago if an ordinance is not being enforced it's no ordinance. Twenty-five years ago we were told that the ordinances are under review and they are still under review, and we are still finding weaknesses and gaps. It's just like the dogs, the ordinance is not being enforced—force these ordinances. Just like I said about inspections, they should be able to pull up in front of a house and say, hey, you need to cut your grass, you need to clean-up around your house, you need to fix whatever is required to be done. Same thing if a dog is running loose in the neighborhood, they need to pull up the information on that dog and see if they dog is registered.

Barbara Williams-Rittenhouse Park: I came with the intention of speaking to Mr. Brevogel, but he's not here, about the ordinance. Since he's not here, I don't know if any of you are familiar with the ordinance that he was planning on implementing, implemented and what he just says makes me a little nervous about enforcement. So, I'm going to wait for the next council meeting because I do have questions on that ordinance, but what I'm concerned about is and I'm going to bring it up again. You have previously brought up terminating. Gold Metal Trash Company—and, I for one, think you need to bring it back and terminate them as soon as possible. I have been taking pictures, which I have here, of problems with them. And I have in this box a big problem that they dropped off yesterday. They have done this before and it's dangerous,

because children are in the courts and its big pieces of glass, and I have more in the box and there's more that I threw out that they're dropping throughout. I also saw it in other parks, not just Rittenhouse Par—so sorry. I have these pictures that have to substantiate some of the problems. They're damaging property, tearing down trees—one neighbor had her car hit twice. They drop...and I have pictures of it where they're dropping the glass, as well as other fluids coming from their trucks; it's like they don't clean it up and it smells like a sewage plant after they leave their stains in the street and they do not pick up their mess behind them. Sometimes they pitch bags, they hit the ground, and they don't even bother to pick the mess up. So, I wish you would go and re-evaluate keeping them, because they should be terminated. And, of 40 plus years that I have lived here, they are the worst that I have ever seen. I have picture showing the neighbors cleaning up their mess. When I approached them one time, they had the nerve to tell me to clean it up; so, if you would look at these pictures and re-assess your desire, especially, since you are not because you defended them. And, I do want to correct something that you had mentioned last council meetin. I had mentioned there was an officer who had said there was a reduction in the police force, now, I didn't mean to imply it was recent. He made that comment last year, but, also, I noticed-- I have noticed and other people have noticed, that we do not see officers the way that we use to. We only see them when they are giving out tickets. I use to walk my dogs and see them in different parks; Pennypacker Drive, Rockland Drive—throughout the different parks. This was also the way it was during prior administrations who were here, because I also noted previously about the reductions that we had like trash collection from twice a week, school closing, number of pools closing. That comment about the Police reduction and the Fire Department, please understand that I am not trying to villainize or negate the police, I realize that they put their lives on the line for us to protect and serve us. I honor them, including our military people as well as our firefighters. I think they do a great job.



Mayor Nock:

If there are no further comments, I declare public comment session closed, now, Council comments.

**Council Comments**

Councilman Holley:

Good evening. I would like to thank everyone for coming out. I'm excited about finally having some reaction on Willingboro Lakes, and it gives me a little bit more hope that the county will finally start doing right by Willingboro and not continue to overlook us, which has been the case for many years. Other than that, I have the opportunity this past weekend to attend Haitian Flag Day or it was called the Haitian Festival at the Willingboro Public Library, it was a very nice event that took place. I didn't realize that we had such a large Haitian population here in town. So, it was definitely eye-opening for me. Just to get out and fellowship with some of our members of the community is always a good thing. Hope everyone has a great Memorial Day comping up and don't forget to vote June 4<sup>th</sup>. Thank you.

Councilwoman Jennings:

I also went to the Haitian Festival. It was so nice to see the diversity. We are a diverse community and I know, I believe once upon a time several years ago, Mrs. Mac suggested an International Day. I think it's something that we had once and should do again. I want to acknowledge a former Deputy Mayor, Ken Gordon, who's in the back. He came to visit us tonight. So, I am glad that we are finally doing something with Willingboro Lakes.

Deputy Mayor Perrone:

Good evening everyone. I am ecstatic that the Freeholders of Burlington County are finally looking at Willingboro as a place of home and where people actually have families and live and we are a working class community. I am exciting about getting that up and running. I look forward to Phase two. I had the pleasure to attend the Muslim Community Annual event, which was my first time attending. It was

wonderful. They allow you to actually participate in the breaking of the fasting event and in their prayer. It was very inviting and welcoming. I also attended; myself and Mr. Nock, with Mr. Brevogel, the Sanitation program, which I will also speak about in our budget process. I am very disappointed in our sanitation workers, and that they are doing a terrible job. Maybe we need to look at other avenues. I don't want this issue to get left on the wayside, and then we are stuck with what we have. To the public, please let us know what your concerns and needs are. I thank Mr. Howard for expressing his views and concerns on getting our sound equipment to working properly. Have a good evening. Thank you.

Mayor Nock:

Couple things. I want to say to Ms. Williams; my first call as Mayor was about the trash. I believe the cost was about \$100,000 more than the lowest bidder, which was about the same as the current one. The recommendation of the manager was that we look at different options at the end of the year. At some point we will have to put it out to bid again. As for the Trump Opportunity Zone, to my surprise that zone is much larger than what we were originally informed about. Actually, we thought it extended from Charleston Road all the way up to Van Sciver, but it actually extends much further; from Pennypacker Drive around the creek behind the schools of Corpus Christi and Stewart School and all of the homes way up to Sunset to Van Sciver, which means that there's a lot of possibilities that you can do is we start really working on that opportunity. And the County and the State said that they were willing to work with us. Also, we had a really good meeting with Comcast. In reference to Smart City projects, that I've been working on for years—they actually said to me that they would let us be a pilot project. They would move forward with us in providing the (inaudible) and a lot of things that we would need, because they want to get into the municipalities...this is coming on the heels that we have receive the letter from PSE&G of talking about the poles and the infrastructure, that they would remove the infrastructure for us and for free—we are probably now where we needed to be three years ago. But, it's probably another three years before the

residents begin to see what LED lighting can do for the community. I believe we are now going into executive session and I don't believe we will have anything to vote on.


Executive session began at 8:35PM

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

There being no further discussion the meeting was adjourned at 9:35PM. All in favor and none opposed.

Attest:

  
Sarah Wooding, RMC, Township Clerk

  
Martin Nock, Mayor