

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 Monday prior to the Tuesday 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
October 1, 2019

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

PROCLAMATION **2019—FIRE PREVENTION WEEK**

MANAGER’S REPORT

PUBLIC COMMENT (FOR AGENDA ITEMS)

ORDINANCES

ORDINANCE 2019—4 FIRST READING
(TABLED AT 6/18/19--7/2/19 MTG.-8/6/19 MTG.-9/3/19 MTG. 9/17/19 MTG)

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 150 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WILLINGBORO ENTITLED “FEES” TO ALLOW FOR THE COLLECTION OF A FEE FOR THE MAYOR TO SOLEMNIZE MARRIAGE OF CIVIL UNIONS TO BE KNOWN AS CHAPTER 150 SECTIONS 17

ORDINANCE 2019—10 PUBLIC HEARING
ORDINANCE OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY PROVIDING FOR THE RE-APPROPRIATION OF \$65,000.00 IN UNUSED DEBT AUTHORIZATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR FURNITURE AND FIXTURES, ETC FOR THE EMS/FIRE BUILDING

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-10 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 September 17, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the October 1, 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 2019-11 (FIRST READING)
AN ORDINANCE OF THE TOWNSHIP OF WILLINGBORO ESTABLISHING
AN ELECTRIC AND/OR NATURAL GAS AGGREGATION PROGRAM

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-11 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 October 1, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the October 15, 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 – 12 (FIRST READING)

AMENDING AND SUPPLEMENTING CHAPTER 261, PERSONAL PROPERTY,
ABANDONED, OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WILLINGBORO

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-12 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 October 1, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the October 15, 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.

RESOLUTIONS

- | | |
|---------------|---|
| Res. 2019—164 | RESOLUTION AUTHORIZING THE APPROVAL OF
VOUCHERS FOR PAYMENT & RATIFICATION |
| Res. 2019—165 | RESOLUTION AUTHORIZING REFUNDS FOR
OVERPAYMENT OF TAXES |
| Res. 2019—166 | RESOLUTION OF THE TOWNSHIP OF WILLINGBORO,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY,
AUTHORIZING THE ENTRY INTO A COOPERATIVE
PRICING AGREEMENT |

Res. 2019—167

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH WASTEQUIP, LLC, A CONTRACTED PARTICIPANT IN THE SOURCEWELL COOPERATIVE CONTRACT NUMBER #041217-WQI

Res. 2019—168

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH ONLINE MARKETPLACE AMAZON BUSINESS AND A CONTRACTED PARTICIPANT IN THE OMNIA PARTNERS (FORMERLY US COMMUNITIES) COOPERATIVE CONTRACT NUMBER #R-TC17006

Res. 2019—169

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO A GRANT AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS IN CONNECTION WITH THE MUNICIPAL PARK DEVELOPMENT PROGRAM

Res. 2019—170

RESOLUTION OF THE TOWNSHIP OF WILLINGBORO COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE ENTRY INTO A COOPERATIVE PRICING AGREEMENT

Res. 2019—171

RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF EDGEWATER PARK, FOR THE PURPOSE OF ALLOWING EDGEWATER PARK TO UTILIZE THE WILLINGBORO POWER PURCHASE AGREEMENT FOR THE DEVELOPMENT, OPERATION, FINANCING, AND MAINTENANCE OF SOLAR PHOTOVOLTAIC FACILITIES TO BE CONSTRUCTED, OWNED AND OPERATED BY A THIRD PARTY ON EDGEWATER PARK TOWNSHIP PROPERTIES AND ENTERING INTO A POWER PURCHASE AGREEMENT

Res. 2019—172

EXECUTIVE SESSION (IF NEEDED)

APPROVAL OF JULY 2, 2019 MINUTES

TREASURERS REPORT

ADOPTION AND APPROVAL.

APPROVAL AND ADOPTION

CORPUS CHRISTI CHURCH—RAFFEL

POPE JOHN PAUL II REGIONAL SCHOOL –
RAFFEL & BINGO

OLD BUSINESS:

DISCUSSION OF STREET SIGN HONORING FORMER
COUNCIL MEMBER JEFFREY RAMSEY

NEW BUSINESS:

Public comment
Council comment
Adjournment

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

PROCLAMATION

2019 – FIRE PREVENTION WEEK

WHEREAS, the Willingboro Fire Department responded to 1,444 calls in 2018 and over 1,050 calls so far in 2019; and

WHEREAS, the Fire Prevention Unit of the Willingboro Fire Department is endeavoring to increase the awareness of the residents of Willingboro in effective fire prevention procedures; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, Willingboro residents should make a home escape plan, drawing a map of each level of the home, showing all doors and windows; and

WHEREAS, Willingboro residents should practice the home fire escape plan with everyone in the household, including visitors; and

WHEREAS, Willingboro residents should teach children to escape on their own in case adults can't help them; and

WHEREAS, knowledge of these procedures would help to greatly decrease the loss of lives and property as a result of fire.

NOW, THEREFORE, I, Martin Nock, Mayor of the Township of Willingboro, do hereby PROCLAIM the week of **October 6 – 12, 2019, FIRE PREVENTION WEEK –“Not Every Hero Wears a Cape. PLAN and PRACTICE your ESCAPE!”** in the Township of Willingboro and urge all of the residents to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and support the many public safety activities and efforts of the Township of Willingboro's Fire and Emergency Services during Fire Prevention Week 2019.

Whereas I Hereunto set
my Hand and the Seal of
the Township this 1st
day of October, 2019



A handwritten signature in black ink, appearing to read "Martin Nock", written over a horizontal line.

Martin Nock
Mayor



NEPA

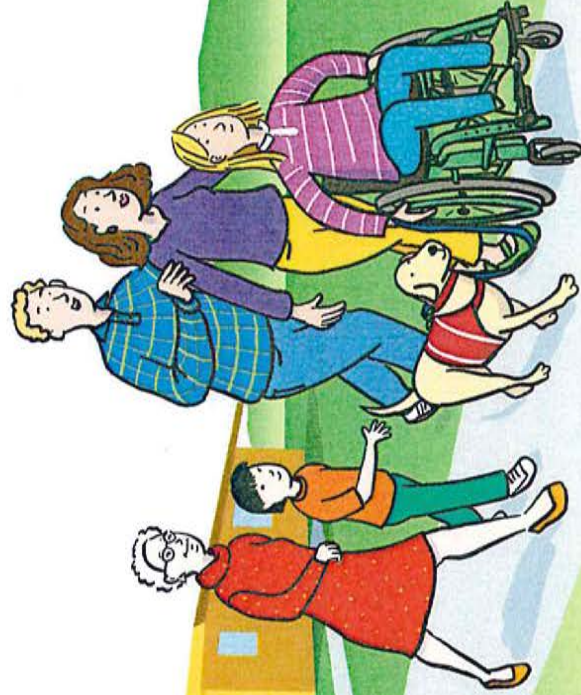
**Everyday steps can create heroic results.
Practice your home escape plan today!
Fire Prevention Week is October 6-12, 2019**

Not every hero wears a cape.

PLAN and PRACTICE

your **ESCAPE!**

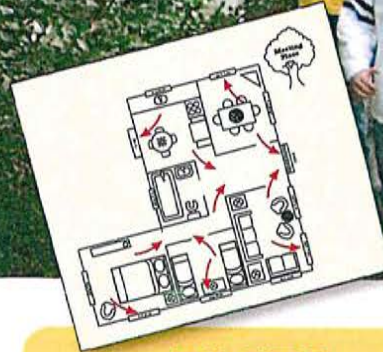
firepreventionweek.org



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Escape Planning

Plan Ahead! If a fire breaks out in your home, you may have only a few minutes to get out safely once the smoke alarm sounds. Everyone needs to know what to do and where to go if there is a fire.



SAFETY TIPS

- »» MAKE a home escape plan. Draw a map of your home showing all doors and windows. Discuss the plan with everyone in your home.
- »» KNOW at least two ways out of every room, if possible. Make sure all doors and windows leading outside open easily.
- »» HAVE an outside meeting place (like a tree, light pole or mailbox) a safe distance from the home where everyone should meet.
- »» PRACTICE your home fire drill at night and during the day with everyone in your home, twice a year.
- »» PRACTICE using different ways out.
- »» TEACH children how to escape on their own in case you can't help them.
- »» CLOSE doors behind you as you leave.

IF THE ALARM SOUNDS...

- »» If the smoke alarm sounds, GET OUT AND STAY OUT. Never go back inside for people or pets.
- »» If you have to escape through smoke, GET LOW AND GO under the smoke to your way out.
- »» CALL the fire department from outside your home.

FACTS

- ! A closed door may slow the spread of smoke, heat, and fire. Install smoke alarms inside every sleeping room and outside each separate sleeping area. Install alarms on every level of the home. Smoke alarms should be interconnected. When one smoke alarm sounds, they all sound.
- ! According to an NFPA survey, only **one of every three** American households have actually developed and practiced a home fire escape plan.
- ! While **71%** of Americans have an escape plan in case of a fire, only **47%** of those have practiced it.
- ! **One-third** of American households who made an estimate thought they would have at least 6 minutes before a fire in their home would become life-threatening. The time available is often less. And only **8%** said their first thought on hearing a smoke alarm would be to get out!



Your Source for SAFETY Information

NFPA Public Education Division • 1 Batterymarch Park, Quincy, MA 02169

ORDINANCE NO. 2019- 4

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 150 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WILLINGBORO ENTITLED "FEES" TO ALLOW FOR THE COLLECTION OF A FEE FOR THE MAYOR TO SOLEMNIZE MARRIAGE OR CIVIL UNIONS TO BE KNOWN AS CHAPTER 150 SECTION 17.

WHEREAS, pursuant to N.J.S.A. 37:1-13, "any mayor or deputy mayor when authorized by the mayor... [is]... authorized to solemnize marriage or civil union between such persons as may lawfully enter into the matrimonial relation or civil union" ; and

WHEREAS, the Township may establish a fixed fee for the service performed by the mayor or reimburse the Mayor for out-of pocket expenses for performing marriage or civil union ceremonies provided the township has adopted a fee ordinance in accordance with N.J.S.A. 40:48-1(4); and

WHEREAS, the Mayor or Deputy Mayor shall solemnize marriages or civil unions within the Township of Willingboro only.

WHEREAS, the fee for performing marriage or civil union ceremonies shall be made payable to the Township of Willingboro.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Willingboro in the County of Burlington:

1. The Township of Willingboro hereby authorizes the collection of a fee for the performance of a marriage or civil ceremony by the mayor or his/her designee within the Township of Willingboro, as authorized by statute; and
2. The amount of the fee for the performance of a marriage or civil ceremony shall be \$75.00.
3. The mayor or deputy mayor, as authorized by statute, may be reimbursed for directly related, out of pocket expenses, for performing the marriage or civil ceremony within the Township of Willingboro only. of The direct cost reimbursement for allowable expenses shall be documented by receipts. The reimbursement will be made only by completed executed requisition form with appropriate documentation, authorization, and expenditure from the appropriate budget line item.
4. All fees shall be payable to the municipality, collected by the finance department, and shall be deposited in the municipal general fund to be used specifically for the JFK Center Auditorium Renovations; and
5. Any increase or decrease in the fee may be set by resolution by township council.

6. The Mayor or Deputy Mayor may waive the fee.

7. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance.

8. All Ordinances or parts of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

9. This ordinance shall take effect immediately after the final passage and publication as provided by law.

ORDINANCE 2019-10

ORDINANCE OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY PROVIDING FOR THE RE-APPROPRIATION OF \$65,000.00 IN UNUSED DEBT AUTHORIZATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR FURNITURE AND FIXTURES, ETC FOR THE EMS/FIRE BUILDING

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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that certain debt authorizations in the aggregate amount of \$65,000.00 provided for in Ordinance 2018-5 for the purpose of GIS-Storm water-Compliance-DPW which is no longer needed for that purpose. The Township of Willingboro, in the County of Burlington, New Jersey (the "Township") desires, therefore, to re-appropriate \$65,000.00 of the debt originally authorized.

Section 2. The aggregate amount of \$65,000.00 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39 is hereby re-appropriated to provide for the purchase of furniture, fixtures, etc for the Emergency Management Services and Firehouse Construction Project.

Section 3. 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 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE 2019- 11

**AN ORDINANCE OF THE TOWNSHIP OF WILLINGBORO ESTABLISHING
AN ELECTRIC AND/OR NATURAL GAS AGGREGATION PROGRAM**

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market and/or natural gas market; and

WHEREAS, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service and/or natural gas pursuant to N.J.S.A. 48:3-93.1 et seq. and N.J.A.C. 14:4-6.1 et seq. will increase competition for the provision of electric power and/or natural gas to residential and non-residential users, thereby increasing the likelihood of lower electric rates and/or natural gas rates for these users without causing any interruption in service; and

WHEREAS, under the aggregation process the residential and non-residential ratepayers may likely receive a direct reduction in their electric and/or gas bills; and

WHEREAS, the realization of energy cost savings is in the interests of the health, safety and welfare of the residents and non-residents of the Township of Willingboro (“Township”);

WHEREAS, the Township hereby finds that it is in the best interests of residential and non-residential ratepayers for the Township to create the opportunity for them to enter into an aggregation agreement in order to seek substantial savings on electric and/or natural gas rates; and

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Willingboro in the County of Burlington and the State of New Jersey, duly assembled in public session, as follows:

1. The Township publicly declares its intent to become an aggregator of electric power on behalf of its residential users of electricity pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.
2. The Township will utilize approved vendors Commercial Utility Consultants, Inc. pursuant to the NJ E-PROCUREMENT Pilot program (P.L. 2001, c.30) under the New Jersey Department of Community Affairs. The Reverse Energy auction will seek bids from licensed and appropriate third party suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire.
3. The Mayor and Municipal Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.

4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
5. If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
6. This ordinance shall be effective immediately upon adoption and publication in accordance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the above Ordinance was introduced and passed on first reading at the Regular Meeting of the Township Council of the Township of Willingboro in the County of Burlington, State of New Jersey, held on October 1 ,2019, and the same came up for final passage at the Regular Meeting of the Township Council held on October 15 ,2019, at which time, after persons interested were given an opportunity to be heard concerning said Ordinance, the same was passed and will be in full force in the Township of Willingboro according to law.

Dated:

Sarah Wooding, Municipal Clerk {Seal}

ORDINANCE 2019 - 12

AMENDING AND SUPPLEMENTING CHAPTER 261, PERSONAL PROPERTY,
ABANDONED, OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WILLINGBORO

PERSONAL PROPERTY AND VEHICLES, ABANDONED

§ 261-1 **Prohibited acts; exceptions.**

No person shall leave or suffer or permit to be left any motor vehicle, bicycle, merchandise or other movable property, either owned by such person or in such person's possession, custody or control, upon any street, sidewalk, or public municipal parking field or lot; excepting, however, that this chapter shall not apply to materials lawfully placed at the curbs or sides of streets for collection by the garbage, rubbish, recycle or removers or residential charitable donation collection services.

A. Definitions.

The following terms, phrases and words used in and for the purpose of this chapter shall be deemed to have the following meanings:

1. **ABANDONED**: Includes any motor vehicle, omnibus, road tractor, trailer, truck, truck-trailer or other vehicle which:

A. Is parked without the current year's inspection, registration, or identification markers as required by law;

B. Has been parked in any public street or on any public land for a period of fifteen consecutive days;

C. Is so disabled as to constitute an obstruction of traffic and the driver or person owning or in charge thereof neglects or refuses to move the same to a place where it shall not obstruct traffic;

D. Is found to be mechanically inoperative and is allowed to remain inoperative for a period of five days (said period of time may be extended, for good cause, by the Police Department); or

E. Is found without one or more tires for a period of five consecutive days (which period may be extended for good cause by the Police Department).

2. **IMPOUND, IMPOUNDMENT or PLACE OF IMPOUNDMENT**: The sequestration of the vehicle or junk automobile body at a place of storage.

3. **JUNK AUTOMOBILE or JUNK AUTOMOBILE BODY**: Any vehicle or automobile which is no longer in actual use as a motor vehicle or which is wholly unfit, without rebuilding or reconditioning, for use in highway transportation or which has been discarded for use as a motor vehicle or otherwise abandoned.

4. **MOTOR VEHICLE** : Any motor vehicle, omnibus, road tractor, trailer, truck, truck-tractor or other vehicle and shall have the meaning as ascribed to the foregoing words as contained and defined in N.J.S.A. 39:1-1 et seq.

5. **PERSON** : Any individual, firm, partnership or corporation being the owner or having any legal right in or to the motor vehicle or other vehicle as herein defined. The term "person," when applied to lands, housing, residential, commercial or industrial units which are leased rather than owned by the occupants shall be deemed to mean and include the owner of the leased structures.

6. **PLACE OF STORAGE** : Lands owned by the Township, or such other locations as the Manager or Public Safety Director shall from time to time provide.

7. **POLICE DEPARTMENT**: The Police Department of the Township of Willingboro.

§ 261-2 Police power to remove and impound.

Subject to the Regulations below, the Director of Public Safety of the Township of Willingboro or his designee shall remove or cause to be removed any motor vehicle, bicycle, or other movable personal property determined to be abandoned or that is found upon any street, sidewalk, municipal parking field, or lot and shall take same or shall cause same to be taken to property or premises of the Township or Impound Lot where the same shall be held until redeemed or sold as hereinafter provided.

§ 261-3 Regulations.

A. Abandonment prohibited. It shall be unlawful for any person to abandon or suffer or permit the abandoning of any motor vehicle, junk automobile, or junk automobile body out of doors upon any public or private lands in the Township of Willingboro, or on any public street, or between the right-of-way side lines of any public right-of-way therein.

B. Storage prohibition. No person shall place, keep or store any junk automobile or junk automobile body, as heretofore defined in this chapter, on any public or private property within the Township of Willingboro.

C. Presumption. If any motor vehicle, junk automobile or junk automobile body shall be abandoned on private lands for five working days or more, it shall be presumed that the owner or

tenant in possession of said land has abandoned it there or permitted or suffered it to be abandoned there.

D. Exclusions.

(1) Nothing herein contained shall prohibit the placing, keeping or storage of any motor vehicle, junk automobile or junk automobile body in an enclosed garage, barn or other building.

(2) Any motor vehicle or automobile stored in a driveway or outdoors on a property must be covered with a fitted automobile cover.

E. No more than 2 vehicles shall be stored on a driveway with a fitted automobile cover.

F. No vehicles located on a public street shall be parked with a fitted automobile cover.

§ 261-4 Enforcement procedures.

A. Impounding vehicles. Whenever any officer of the Willingboro Township Police Department finds any motor vehicle, junk automobile or junk automobile body which has been abandoned, kept or stored contrary to the provisions of this chapter, such member of the Willingboro Township Police Department shall remove, secure the removal of, and/or impound said motor vehicle, junk automobile or junk automobile body in accordance with the procedures hereinafter set forth:

(1) Public property. Whenever any motor vehicle, junk automobile or junk automobile body is found on any public street, highway or public property, an emergency condition is herewith declared to exist, and any officer of the Willingboro Township Police Department is hereby authorized to immediately remove, secure the removal of, and/or impound the motor vehicle, junk automobile or junk automobile body without the necessity of notice prior to said impoundment; after impoundment, the Willingboro Township Police Department shall use diligent efforts to identify and locate the owner of the impounded motor vehicle, junk automobile or junk automobile body and notify the owner in accordance with § 261-5A.

(2) Private lands.

(a) Regulations. Whenever a motor vehicle, junk automobile or junk automobile body is found on any private land in violation of this chapter, then any officer of the Willingboro Township Police Department in furtherance of enforcement of this chapter shall affix to the vehicle in question a sticker bearing the information more particularly set forth on Exhibit 1 attached to this chapter and made a part hereof by reference.^[1] Said sticker shall, in addition to such additional information as is provided, indicate that, unless the violation is corrected within five working days, the violation is continuing and any member of the Willingboro Township Police Department is authorized to issue a summons for the violation for municipal court.

(b) Exclusion. Nothing heretofore mentioned shall be deemed to prevent any of the following activities from being conducted on private lands under the conditions or by the people referred to:

[1] Any person may maintain motor vehicles altered for drag or stock car racing as long as said motor vehicles are maintained on, or stored within, registered trailers.

[2] Owners of a motor vehicle which would otherwise come under the provisions of this chapter who are in the military service stationed outside the State of New Jersey shall be exempt from the provisions of this chapter; or

[3] Owners of antique motor vehicles which are classified as such under state statutes are exempt from the provisions of this chapter.

(c) Exempt certificates. Any person who possesses, owns or maintains a motor vehicle covered under any one of the exclusions referred to above shall obtain from the Director of Public Safety an exempt certificate which shall indicate that the motor vehicle in question comes under one of the exclusions referred to in Subsection A(2)(b) above. The applicant for an exempt certificate shall provide any documentation or other proof required by the Director of Public Safety to verify the vehicle's eligibility for one of the above exclusions before they are issued an exempt certificate. Said exempt certificate shall be valid for two years from the date of issuance. All owners of exempt certificates shall display the exempt certificate on the windshield or other prominent place on the motor vehicle in question so that it is readily observable by the enforcement officials under this chapter. No fees shall be charged for the issuance of an exempt certificate.

261-5 Notice of impoundment.

(a) Notice of the impoundment of any motor vehicle, junk automobile or junk automobile body shall be given to the owner of said motor vehicle, junk automobile or junk automobile body or to the owner or tenant of lands upon which a violation is occurring pursuant to this article, in writing, by registered mail, at the last known address of the party to be served and shall contain the following:

[1] The time and place of impoundment.

[2] Location of the motor vehicle, junk automobile or junk automobile body.

[3] The reason for impoundment.

[4] The amount and nature of penalties and costs that may be entered against him.

[5] A statement that a sale of the motor vehicle, junk automobile or junk automobile body will occur after 30 days if the motor vehicle, junk automobile or junk automobile body is not reclaimed.

[6] A statement of the time and place of sale.

(b) The address of the owner as shown on the records of the State Division of Motor Vehicles shall be deemed sufficient for the purpose of this chapter.

(c) Notice to Director. Upon the impoundment of any vehicle pursuant to this chapter, the member of the Willingboro Township Police Department so impounding the vehicle shall give immediate notice to the Director of Motor Vehicles on prescribed forms for verification of ownership.

B. Sale of impounded vehicles. Whenever any motor vehicle, junk automobile or junk automobile body impounded by the Police Department shall remain unclaimed for a period of 30 days, the motor vehicle, junk automobile or junk automobile body shall be sold under the direction of the Public Safety Director of Willingboro Township or designee at public auction to the highest bidder. Such auction held shall take place after notice of such sale has been given at least seven days prior thereto by one publication in the newspaper circulated in the Township and upon the mailing of a copy of said notice to the owner of the motor vehicle, junk automobile or junk automobile body and/or to the owner or tenant of the lands upon which a violation is occurring and the holder of any security interest filed with the Director of the Division of Motor Vehicles by certified mail at least seven days prior to the sale. All revenues collected from the sale of the motor vehicle, junk automobile or junk automobile body shall be retained by the Township of Willingboro as a cost of administration.

C. Notice to property owners. Whenever the Director of Public Safety shall receive any property containing identification of ownership or right to possession, a notice shall be sent by ordinary mail to such person advising the amount necessary to redeem such property.

§ 261-6 Violations and penalties; responsibility for costs.

A. Costs of removal, impoundment and sale. Any person who violates the provisions of this chapter shall pay all costs of removal, impoundment and sale. Cost of removal and sale shall be those fees charged to the Township by those performing services incident to such removal and sale, including but not limited to newspaper advertisements, costs, attorneys' fees and tow truck operator's fees. Impoundment costs shall be charged at the rate per day, per vehicle, as is authorized by the Township designated Towers.

In the event that the violator is a property owner as specified in § 261- 5 above, said costs and such other fines and penalties as may be levied in accordance with this chapter shall, upon notice

to the property owner, become a lien upon the property in accordance with law and be collected in the manner prescribed and established for the collection of liens.

B. General penalty. Any person who violates any provision of this chapter shall upon conviction be punished by a fine or imprisonment in accordance with the general penalty provisions of Chapter 1, Article II, General Penalty, of the Code of the Township of Willingboro.

C. Continuance. A continuance of a violation or a noncompliance with the provisions of this chapter shall be deemed a nuisance, and the Township Council shall have the right to apply to the courts of this state for injunctive relief or other relief in addition to the penalties provided for herein.

§ 261-7 Redemption procedure.

Such property may be redeemed by the owner thereof at any time prior to the sale, dismantling, destruction, disposal or sale thereof, and the owner shall be entitled to receive such property upon the tendering of the penalties and costs provided in § 261-4, and the person seeking to redeem such property shall also be required to pay the cost of advertising the sale thereof. These costs and any other fees for redemption of impounded property or costs of sale chargeable to an owner or person entitled to possession of impounded property are in addition to any other penalty provided for violations of this chapter. No property shall be delivered to the person seeking to redeem it unless proof is submitted establishing to the satisfaction of the Director of Public Safety such person's ownership or right to possession. Any delivery to a person apparently entitled thereto shall be a good defense to the Township against any other person claiming to be entitled thereto, but if the person to whom delivery is made is in fact not entitled thereto, the person to whom the delivery ought to have been made may recover the property, with interest and costs, from the person to whom the property shall have been delivered.

§ 261-8 Public auction.

Where any such property remains in the custody of the Director of Public Safety for a period of 30 days after removal and with respect to which no person has presented to the Director of Public Safety proof establishing to the Director's satisfaction such person's ownership or right to possession as hereinabove stated, the Director of Public Safety shall give public notice in the official newspaper of the Township advising that at a specified place and time, not less than five days after such notice is published, such property will be sold at public auction for the best price the Director of Public Safety can obtain. A general description in such notice of the property to be sold shall be sufficient. The sale shall be conducted by the Director of Public Safety or by any employee of the Police Department designated by the Director of Public Safety or by an auctioneer designated by the Director of Public Safety.

§ 261-9 Disposal.

In the event that such property shall remain unsold at public auction, the Director of Public Safety may reoffer the property for sale at a subsequent public auction held pursuant to the provisions of this chapter, or the Director of Public Safety may dismantle, destroy or otherwise sell or dispose of such property. Any such sale or other disposition of such property pursuant to

the provisions of this chapter shall be without liability on the part of the Township to the owner of such property or other person lawfully entitled thereto or having an interest therein.

§ 261-10 Disposition of proceeds.

Immediately after property is redeemed, the Director of Public Safety shall pay over to the Director of Finance of the Township the amount received for redemption, costs and expenses of the article redeemed, together with an itemized statement thereof. Immediately after a sale or other disposition of such property, the Director of Public Safety shall pay over to the Director of Finance the proceeds of sale or other disposition of such property, with an itemized statement of the article sold, the price received and the costs and expenses of sale, and the Treasurer shall retain and credit the general surplus fund with so much of the proceeds as equals the costs and expenses of such sale, plus the sum as received for each such vehicle sold, to cover the cost of removing and storing the property. All costs and expenses, plus costs of removal of vehicles, if any, are in addition to any other penalty provided for violations of this chapter. The remainder of the moneys realized from such sale shall be paid, without interest, to the lawful owner thereof.

RESOLUTION NO. 2019- 164

Authorizing the Approval of Vouchers for Payment & Ratification

Whereas, Willingboro Township Council received the September 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 1st day of October, 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-- 165
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 1st day of October, 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

RUSHMORE LOAN MANAGEMENT SERVICES LLC
ATTN: TAX DEPT (REFUNDS) \$2,659.06
PO BOX 9214
COPPELL, TX 75019
BLOCK 318
LOT 12
108 PHEASANT LANE
OVERPAYMENT TAXES

LEWIS L. & EVELYN S. COOK \$673.39
89 EMBER LANE
WILLINGBORO, NJ 08046
BLOCK 840
LOT 38
89 EMBER LANE
OVERPAYMENT TAXES

RESOLUTION NO. 2019- 166

**RESOLUTION OF THE TOWNSHIP OF WILLINGBORO,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE
ENTRY INTO A COOPERATIVE PRICING AGREEMENT**

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric and natural gas utility markets; and

WHEREAS, the establishment of a governmental energy aggregation program ("GEA Program") to purchase electric generation service and natural gas pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-93.1 et seq. ("Act") and the New Jersey Board of Public Utilities' implementing rules at N.J.A.C. 14:4-6.1 et seq. ("Rules") will increase competition for the provision of electric power and natural gas to residential and non-residential electricity and gas ratepayers, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing an interruption in service; and

WHEREAS, under a GEA Program the residential ratepayers may have the opportunity to receive a direct reduction in their electric bills through the bulk purchase of energy from a third- party energy supplier; and

WHEREAS, pursuant to an ordinance adopted by the Township on 2019, the municipality publicly declared its intent to commence a GEA Program; and

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Burlington, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services and shall accept or reject pricing on behalf of the Cooperative and its participant members which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program; and

WHEREAS, the Township Council has duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

WHEREAS, the County of Burlington appointed Commercial Utility Consultants, Inc. for the Burlington County Energy Aggregation Program ("BCEAP") to serve as Energy Agent to assist and administer the GEA program at no cost to the County or "BCEAP" participating members; and

NOW, THEREFORE BE IT RESOLVED, on this 1st day of October, 2019 in open public session by the township Council of the Township of Willingboro, and in the County of Burlington as follows:

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

1. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
2. The Township of Willingboro as a participating member of the "BCEAP" program hereby agrees to proceed with the program, by signing the Supplier Services Agreement, should the County of Burlington accept pricing, which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program.
3. The Mayor, Chief Financial Officer, Treasurer or other municipal officer is hereby authorized and directed to execute, on behalf of the Township of Willingboro any documents necessary to carry out the purpose this Resolution including the Supplier Services Agreement providing a reduction is achieved at the time of auction.

Attest:

Sarah Wooding, RMC, Clerk

Martin Nock, Mayor

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH WASTEQUIP, LLC, A CONTRACTED PARTICIPANT IN THE SOURCEWELL COOPERATIVE CONTRACT NUMBER #041217-WQI

WHEREAS, the Township of Willingboro is a member in good standing with the Sourcewell,(formerly known as NJPA, National Joint Powers Alliance) per Willingboro Township Resolution 2012-74; and

WHEREAS, Wastequip Manufacturing Company, LLC, located at 1031 Hickstown Road, Erial, NJ 08081 has been awarded contract #041217-WQI for **SOLID WASTE AND RECYCLING COLLECTION AND TRANSPORT EQUIPMENT WITH RELATED EQUIPMENT, SUPPLIES, AND ACCESSORIES** by Sourcewell; and

WHEREAS, The Township of Willingboro wishes to enter into an agreement with Wastequip Manufacturing Company, LLC, located at 1031 Hickstown Road, Erial, NJ 08081 utilizing the awarded contract #041217-WQI, to purchase a 265IP Precision Series Compactor; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A.* 40A: 11-12; and

WHEREAS, Wastequip Manufacturing Company, LLC , has submitted a proposal #WQ-10130398 on September 20, 2019 indicating the purchase price of the 265IP Precision Series Compactor in the amount of \$ 25,273.30 and an additional \$400.00 shipping costs for a total cost of \$25,673.30; and

WHEREAS, the qualified purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available, and a certification of the funds available; and

WHEREAS, the funds are available for this purpose as is indicated by the Chief Finance Officer's attached certification for the availability of 2019 capital funds for this contract; and

WHEREAS, the anticipated term of this contract is through the completion of the project upon approval by this governing body.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, on this 1st day of October, 2019, in open public session that the Township Council authorizes the Mayor to execute an agreement with Wastequip Manufacturing Company, LLC., and that is consistent with this resolution, and

BE IT FURTHER RESOLVED, Funds have been appropriated through the 2019 capital budget; and

BE IT FURTHER RESOLVED, The Mayor is hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

BE IT FURTHER RESOLVED, That certified copies of this Resolution shall be provided to Wastequip Manufacturing Company, LLC, and the Finance Director for their information and attention.

Attest:

Sarah Wooding, RMC Township Clerk

Martin Nock, Mayor

RESOLUTION 2019- 168

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH ONLINE MARKETPLACE AMAZON BUSINESS AND A CONTRACTED PARTICIPANT IN THE OMNIA PARTNERS (formerly US COMMUNITIES) COOPERATIVE CONTRACT NUMBER #R-TC17006

WHEREAS, Willingboro Township gives Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement – ONLINE MARKETPLACE

WHEREAS, WILLINGBORO TOWNSHIP is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b) (3); and

WHEREAS, the Township of Willingboro is a member in good standing with the Omnia Partners (formerly US Communities) per Willingboro Township Resolution 2013-168; and

WHEREAS, The WILLINGBORO TOWNSHIP intends to participate through the Omnia Partners (formerly "U.S. Communities") in the Prince William County Public Schools, VA contract for Online Marketplace, Number: #R-TC-17006, to purchase diversified products from the ONLINE MARKETPLACE (Information regarding the contract may be found on the U.S. Communities website at: www.uscommunities.org), or the Omnia Partners website at: <https://www.omniapartners.com/publicsector/contracts/supplier-contracts/amazon-business>

WHEREAS, The WILLINGBORO TOWNSHIP joined the U.S. Communities; now known as Omnia Partners contract on 12/17/2013. The current Prince William County Public Schools, VA term for contract #R-TC-17006 for ONLINE MARKETPLACE is 01/19/2017 to 01/18/2022.

WHEREAS, It is the intent of the WILLINGBORO TOWNSHIP to make a contract award to Amazon Business pursuant to the proposal submitted in response to the Prince William County Public Schools, VA RFP.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, on this 1st day of October, 2019, in open public session that the Township Council authorizes the Mayor to execute an agreement with Online Marketplace Amazon Business for contract #R-TC-17006 for ONLINE MARKETPLACE, and that is consistent with this resolution, and

BE IT FURTHER RESOLVED, The Mayor is hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

BE IT FURTHER RESOLVED, That certified copies of this Resolution shall be provided to Online Marketplace Amazon Business, and the Finance Director for their information and attention.

Attest:

Sarah Wooding, RMC Township Clerk

Martin Nock, Mayor

RESOLUTION NO. 2019- 169

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO A
GRANT AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF CHOSEN
FREEHOLDERS IN CONNECTION WITH THE MUNICIPAL PARK DEVELOPMENT
PROGRAM**

WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund") and established a Municipal Park Development Program ("Program") to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, the Township Council of the Township of Willingboro desires to obtain County Municipal Park Development Program funds in the amount of \$250,000.00 to fund the Willingboro Town Center Amphitheater, 200 Willingboro Way, Willingboro, NJ Block 3, Lot 4.01; and

WHEREAS, the total cost of the project including all matching funds is estimated to be \$398,385.75; and

WHEREAS, the Township of Willingboro is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED on this 1st day of October 2019 in open public session by the Township Council of the Township of Willingboro that:

1. The Township Manager of the Township of Willingboro is authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;
2. The Township of Willingboro is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and

4. The Mayor is authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Burlington for the approved funds; and

5. This resolution shall take effect immediately.

Attest

Sarah Wooding, RMC, Clerk

Martin Nock, Mayor

CERTIFICATION

I, Sarah Wooding, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Township of Willingboro at a meeting held on the day 1st of October, 2019. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this day of ,2019.

RESOLUTION NO. 2019- 170

RESOLUTION OF THE TOWNSHIP OF WILLINGBORO,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE
ENTRY INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric and natural gas utility markets; and

WHEREAS, the establishment of a governmental energy aggregation program ("GEA Program") to purchase electric generation service and natural gas pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-93.1 et seq. ("Act") and the New Jersey Board of Public Utilities' implementing rules at N.J.A.C. 14:4-6.1 et seq. ("Rules") will increase competition for the provision of electric power and natural gas to residential and non-residential electricity and gas ratepayers, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing an interruption in service; and

WHEREAS, under a GEA Program the residential ratepayers may have the opportunity to receive a direct reduction in their electric bills through the bulk purchase of energy from a third- party energy supplier; and

WHEREAS, pursuant to an ordinance adopted by the Township on 1st, Oct. 2019, the municipality publicly declared its intent to commence a GEA Program; and

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Burlington, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services and shall accept or reject pricing on behalf of the Cooperative and its participant members which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program; and

WHEREAS, the Township Council has duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

WHEREAS, the County of Burlington appointed Commercial Utility Consultants, Inc. for the Burlington County Energy Aggregation Program ("BCEAP") to serve as Energy Agent to assist and administer the GEA program at no cost to the County or "BCEAP" participating members; and

NOW, THEREFORE BE IT RESOLVED, on this 1st day of October, 2019 in open public session by the township Council of the Township of Willingboro, and in the County of Burlington as follows:

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

1. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
2. The Township of Willingboro as a participating member of the "BCEAP" program hereby agrees to proceed with the program, by signing the Supplier Services Agreement, should the County of Burlington accept pricing, which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program.
3. The Mayor, Chief Financial Officer, Treasurer or other municipal officer is hereby authorized and directed to execute, on behalf of the Township of Willingboro any documents necessary to carry out the purpose this Resolution including the Supplier Services Agreement providing a reduction is achieved at the time of auction.

Attest:

Sarah Wooding, RMC, Clerk

Martin Nock, Mayor

RESOLUTION 2019-171

A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF EDGEWATER PARK, FOR THE PURPOSE OF ALLOWING EDGEWATER PARK TO UTILIZE THE WILLINGBORO POWER PURCHASE AGREEMENT FOR THE DEVELOPMENT, OPERATION, FINANCING, AND MAINTENANCE OF SOLAR PHOTOVOLTAIC FACILITIES TO BE CONSTRUCTED, OWNED AND OPERATED BY A THIRD PARTY ON EDGEWATER PARK TOWNSHIP PROPERTIES AND ENTERING INTO A POWER PURCHASE AGREEMENT.

WHEREAS, pursuant to a Shared Service Agreement with the Township Council of the Township of Willingboro and the Township of Edgewater Park, the Township Council of the Township of Willingboro, as lead agency, issued a Request for Proposals (“RFP”) for the design, development, financing, operation and maintenance of Solar Photovoltaic facilities at multiple locations throughout the Township of Willingboro (the “Solar Projects”) in accordance with the New Jersey Local Public Contract Law; and

WHEREAS, the Township of Willingboro made an award of Solar Projects to a bidder under an RFP for the development, construction, maintenance and ownership of Solar Projects; and

WHEREAS, the Township of Willingboro entered into a Power Purchase Agreement (PPA) with the successful bidder under the RFP in connection with Willingboro Township Solar Projects; and

WHEREAS, the Township Council has determined that it is beneficial to enter into a Shared Service Agreement in connection with solar projects with the Township Council of the Township of Edgewater Park, under which the Township of Willingboro, will act as lead agency;

WHEREAS, it is the intention of the Township of Willingboro to allow the Township of Edgewater Park to utilize the awarded PPA agreement to implement solar on the properties of Edgewater Township through this Shared Service Agreement.

NOW THEREFORE, BE IT RESOLVED on this 1st day of October, 2019 in open public session by the Township Council of the Township of Willingboro that the Township of Willingboro is authorized to enter into a Shared Services Agreement with the Township of Edgewater Park for which the Township of Willingboro is the lead agency for the award of the Solar Projects to a bidder under the RFP; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Willingboro as lead agency authorizes the Township of Edgewater Park to enter into a Sub-Power Purchase Agreement with its PPA Provider for the Edgewater Park Solar Projects and to take such actions to execute and deliver such further documents or instruments as may be appropriate to implement this resolution; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be provided to the PPA provider and the Township of Edgewater Park.

ATTEST:

Sarah Wooding, RMC, Clerk

Martin Nock, Mayor

**RESOLUTION NO. 2019
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 1st day of October 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

Sarah Wooding, RMC
Township Clerk