

**WILLINGBORO TOWNSHIP COUNCIL
AGENDA
October 23, 2019
(RESCHEDULED FROM ORIGINAL 10/15/19 MEETING)**

6:00PM
Call to order
Flag Salute
Statement
Roll Call

MANAGER'S REPORT

**PUBLIC COMMENT
ORDINANCE**

ORDINANCE 2019—4 (PUBLIC HEARING)

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

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-4 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 23, 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 – (TABLED AT 10/1/2019 mtg.)
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 23, 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 (PUBLIC HEARING)

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 23, 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- 13

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 150 FEES, ARTICLE VII DEPARTMENT OF INSPECTIONS FEES

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-13 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 23, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the November 6, 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- 14

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 319, STORAGE UNITS, TEMPORARY, ARTICLE VI, PERMIT FEE; RENEWAL; DISPLAY OF PERMIT

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-14 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 23, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the November 6, 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- 15

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 150 FEES, ARTICLE VI UNIFORM CONSTRUCTION CODE FEES

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-15 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 23, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the November 6, 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- 16

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 370 ZONING, ARTICLE XX, ADMINISTRATION AND ENFORCEMENT

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-16 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 23, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the November 6, 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- 17

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 150 FEES, ARTICLE II FEES APPLICABLE TO ALL DEPARTMENTS

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-17 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 23, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the November 6, 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 NO. 2019-18

AN ORDINANCE AUTHORIZING THE AMENDMENT OF A FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION BETWEEN THE TOWNSHIP OF WILLINGBORO AND WILLINGBORO RETAIL URBAN RENEWAL, LLC

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-18 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 23, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the November 6, 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 NO. 2019-19

AN ORDINANCE AUTHORIZING THE AMENDMENT OF A FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION BETWEEN THE TOWNSHIP OF WILLINGBORO AND WILLINGBORO TOWN CENTER URBAN RENEWAL SEARS, LLC

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-19 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 23, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the November 6, 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 NO. 2019-20

AN ORDINANCE AUTHORIZING THE AMENDMENT OF A FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION BETWEEN THE TOWNSHIP OF WILLINGBORO AND WILLINGBORO TOWN CENTER URBAN RENEWAL NORTH, LLC

NOTICE

Notice is hereby given that the foregoing Ordinances 2019-20 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 23, 2019 and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the November 6, 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—175 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
AWARDING A CONTRACT FOR 2019 MISCELLANEOUS
DRAINAGE IMPROVEMENTS (RE-ADVERTISEMENT)
- Res. 2019—176 RESOLUTION AUTHORIZING THE EXECUTION OF SHARED
SERVICES AGREEMENT WITH THE BURLINGTON COUNTY
BOARD OF CHOSEN FREEHOLDERS FOR CERTAIN
WORK/REPAIRS
- Res. 2019—177 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
AUTHORIZING CHANGE ORDER #1 FOR FY' 2018 AND 2019
NJDOT TRUST FUND RESURFACING OF GARFIELD DRIVE
(PHASES I AND II)

Res. 2019—178 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
AUTHORIZING CHANGE ORDER #2 FOR FIRE & EMS STATION

Res. 2019—179 RESOLUTION AUTHORIZING AN INCREASE I THE CONTRACT
AMOUNT OF ZELLER & WIELICZKO, LLP, AS ZONING BOARD
ATTORNEY

Res. 2019—180 RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT
AMOUNT OF HON. TRAVIS FRANCIS (RET.) AND RIKER DANZIG
SCHERER HYLAND PERRETTI, LLP, AS SPECIAL COUNSEL

Res. 2019—181 EXECUTIVE SESSION

**APPROVE AND ADOPT—RAFFLE/BINGO—POPE JOHN PAUL II REGIONAL
SCHOOL**

OLD BUSINESS: Short Presentation from the National League of Cities given by Mr. Jim
Golden, Regional Account Director

NEW BUSINESS:

Public comment
Council comment
Adjournment

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

Willingboro Township Council Meeting of October 23, 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 | Absent |
| | Councilman Holley | Present |
| | Councilwoman Jennings | Present |
| | Deputy Mayor Perrone | Present |
| | Mayor Nock | Present |

Dr. Sharon Rogers, Township Manager; 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; Reva Foster, Community Affairs Director; Anthony Burnett, Township Fire Chief; Acting Safety Director, Kinamo Lomon; Rich Brevogel, Public Works Director ;Jill Cyrus, Recreation Director; Eusebia Diggs, Finance Director;

Public Hearing

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.

On motion by Councilwoman Jennings
Seconded by Deputy Mayor Perrone

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019—4 Final

*Filed at
10/1/19 mtg.*

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.

On motion to remove Ordinance 2019-4 from table by Deputy Mayor Perrone and seconded by Councilman Holley

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-11 TAKE OFF TABLE

On motion to approve Ord. 2019-11 made by Councilman Holley and seconded by Deputy Mayor Perrone

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-11 Approved for 1st reading

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).

On motion by Deputy Mayor Perrone
Seconded by Councilman Holley

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-12- Final

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 150 FEES, ARTICLE VII DEPARTMENT OF INSPECTIONS FEES

Chapter 150: Fees. Article VII Department of Inspections Fees

§ 150-7. Department of Inspection Fees.

| Purpose | Fee |
|------------------|------------|
| Flatwork Permits | \$50.00 |

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

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-13 1 st reading

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 319, STORAGE UNITS, TEMPORARY, ARTICLE VI, PERMIT FEE; RENEWAL; DISPLAY OF PERMIT

Chapter 319. Storage Units, Temporary. Article VI Permit Fee; Renewal; Display of Permit

§ 319-6. Permit fee; renewal; display of permit.

A permit fee is hereby established as follows: for each 60 day period, a written application must be made to the Department of Inspections by the owner, occupant, agent, firm or corporation and the permit fee paid prior to any container being stored at a property. The permit fee shall be as provided in §150-7, payable to the Department of Inspections. Prior to the end of the original 60 days, the owner, occupant, agent, firm or corporation must make written application to the Department of Inspections for renewal, and the additional renewal fee as provided in §150-7 must be paid. The permit shall be posted conspicuously on the property so it is easily viewable and visible from the street.

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

- | | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-14 First reading

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 150 FEES, ARTICLE VI UNIFORM CONSTRUCTION CODE FEES

Chapter 150. Fees. Article VI. Uniform Construction Code Fees

§ 150-6. Uniform Construction Code Fees.

(15) Fee Waiver. The Township Council may by Resolution waive the payment of any fees provided for in this Chapter where an application is brought for any permit provided for in the Chapter for property owned by the Willingboro Board of Education, the Willingboro Municipal Utilities Authority, or any other local or county public entity or agent for any of these public entities.

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

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-15 First reading

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 370 ZONING, ARTICLE XX, ADMINISTRATION AND ENFORCEMENT

Chapter 370. Zoning. Article XX Administration and Enforcement

§ 370-108. Certificates and permits.

F. Flatwork Permits. Applications for any concrete flatwork shall be made to the Zoning Officer and approved prior to the issuance of a zoning flatwork permit. The following work activities are defined as flatwork:

- (1) Patios/Porches
- (2) Stoops
- (3) Concrete Pads
- (4) Concrete Driveway
- (5) Service walk/Sidewalks (Private Property)

The fee for a Flatwork permit shall be as provided in § 150-7 of the Code of the Township of Willingboro.

On motion by Deputy Mayor Perrone
Seconded by Councilwoman Jennings
Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-16 First reading

AN ORDINANCE AMENDING AND SUPPLEMENTING THE WILLINGBORO TOWNSHIP CODE, CHAPTER 150 FEES, ARTICLE II FEES APPLICABLE TO ALL DEPARTMENTS

Chapter 150. Fees. Article II Fees Applicable to all departments

§ 150-2. Fees applicable to all departments.

Amend § 150-2

A. Returned check charge. A fee of \$35 in addition to any fee charged to the Township by the bank maintaining the Township's account shall be charged on any returned check.

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

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-17 First reading

AN ORDINANCE AUTHORIZING THE AMENDMENT OF A FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION BETWEEN THE TOWNSHIP OF WILLINGBORO AND WILLINGBORO RETAIL URBAN RENEWAL, LLC

WHEREAS, the Township entered into a Redevelopment Agreement with ReNEWal Willingboro, L.L.C. ("ReNEWal"), dated 1998, as amended (the "Master Redevelopment Agreement"), providing for mixed-use development (the "Master Project") on the site of the former Willingboro Plaza shopping center, a 56-acre parcel within the Redevelopment Area that was formerly identified on the Township's tax maps as Block 3, Lot 4.01 (the "the Property") and in need of development; and

WHEREAS, the Property is located in an "area in need of redevelopment" as defined in and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law").

WHEREAS, ReNEWal created Willingboro Urban ReNEWal, L.L.C. ("ReNEWal"), an urban renewal entity as defined in the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Tax Exemption Law"); and

WHEREAS, the Tax Exemption Law permits a municipality to exempt from the payment of real estate taxes, for a limited period of time, a project made in the redevelopment of a redevelopment area and owned by an urban renewal entity, subject to the terms and conditions of a financial agreement complying with the requirements of the Tax Exemption Law set forth at N.J.S.A. 40A:20-9 to 11.

WHEREAS, the Township granted ReNEWal a Long Term Tax Exemption by Resolution No. 2000-110 duly adopted on August 22, 2000, for the Master Project pursuant to the Tax Exemption Law; and

WHEREAS, ReNEWal and the Township entered into a Financial Agreement for Long Term Tax Exemption dated December 11, 2000 (the "Original Financial Agreement"); and

WHEREAS, ReNEWal sold a portion of the subdivided ReNEWal Site comprising approximately 4.014 acres of land, which property appears on the Township's current tax map as Block 3, Lot 4.08 (the "Property") to Willingboro Town Center Urban Renewal South, LLC ("Prior Owner"); and

WHEREAS, the Property is located in an "area in need of redevelopment" as defined in and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law").

WHEREAS, the Tax Exemption Law permits a municipality to exempt from the payment of real estate taxes, for a limited period of time, a project made in the redevelopment of a redevelopment area and owned by an urban renewal entity, subject to the terms and conditions

of a financial agreement complying with the requirements of the Tax Exemption Law set forth at N.J.S.A. 40A:20-9 to 11.

WHEREAS, the Township granted a tax exemption for the Property pursuant to that certain Financial Agreement for Long Term Tax Exemption dated as of December 11, 2000 (the "Original Financial Agreement") between the Township and ReNEWal.

WHEREAS, in connection with the sale to Prior Owner, it sought to assume from ReNEWal's interest in the Original Financial Agreement pursuant to that certain Assignment of Financial Agreement for Long Term Tax Exemption dated as of February 22, 2005 between ReNEWal, as assignor, and Prior Owner, as assignee, with the consent of the Township (together with the Original Financial Agreement, the "Project Financial Agreement").

WHEREAS, Prior Owner subsequently redeveloped the Property and completed the Project in accordance with the Redevelopment Plan and the Delco Redevelopment Agreement;

WHEREAS, Prior Owner agreed to sell the Project Site to Willingboro Retail Urban Renewal, LLC (the "Entity"), an urban renewal entity, as defined in the Tax Exemption Law.

WHEREAS, in connection with that transaction, Prior Owner sought to assign to the Entity, and the Entity would assume from Prior Owner its obligations under the Financial Agreement as to the Property.

WHEREAS, by Ordinance 2015-8 the Township consented to the assignment by Prior Owner to the Entity of Prior Owner's interest, rights, and obligations in the Original Financial Agreement, sometimes referred to as the "Financial Agreement" with respect to the Property.

WHEREAS, the Entity and the Township now desire to amend the Financial Agreement pursuant to the terms of this Amendment.

NOW, THEREFORE, be it ordained by the Council of the Township of Willingboro that:

1. The Council consents to the terms of the amendment of the Financial Agreement between the Township of Willingboro and Willingboro Retail Urban Renewal, LLC, pursuant to the agreement attached hereto; and
2. All other terms of the Original Financial Agreement not amended by the attached agreement shall remain unaltered and in effect. The terms of the amendment of the Financial Agreement attached hereto shall become effective upon execution by the parties.
3. The Council hereby authorizes and directs the Mayor of the Township to execute, on behalf of the Township, the agreement attached hereto as Exhibit "A" as evidence of the Township's consent to the amendment to the Financial Agreement; and

4. The Township Clerk is hereby authorized to forward a certified true copy of this Ordinance to Willingboro Retail Urban Renewal, LLC, the Township Tax Assessor and the Director of the Division of Local Government Services.

5. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

6. All ordinances or parts of ordinances of the Township of Willingboro heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

7. This ordinance shall take effect immediately upon its final passage and notice of the adoption shall be published as provided by law.

On motion by Deputy Mayor Perrone
Seconded by Councilman Holley

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-18 First reading

ORDINANCE NO. 2019- 19

AN ORDINANCE AUTHORIZING THE AMENDMENT OF A FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION BETWEEN THE TOWNSHIP OF WILLINGBORO AND WILLINGBORO TOWN CENTER URBAN RENEWAL SEARS, LLC

WHEREAS, the Township entered into a Redevelopment Agreement with ReNEWal Willingboro, L.L.C. ("ReNEWal"), dated 1998, as amended (the "Master Redevelopment Agreement"), providing for mixed-use development (the "Master Project") on the site of the former Willingboro Plaza shopping center, a 56-acre parcel within the Redevelopment Area that was formerly identified on the Township's tax maps as Block 3, Lot 4.01 (the "the Property") and in need of development; and

WHEREAS, the Property is located in an "area in need of redevelopment" as defined in and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law").

WHEREAS, ReNEWal created Willingboro Urban ReNEWal, L.L.C. ("Prior Owner"), an urban renewal entity as defined in the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Tax Exemption Law"); and

WHEREAS, the Tax Exemption Law permits a municipality to exempt from the payment of real estate taxes, for a limited period of time, a project made in the redevelopment of a redevelopment area and owned by an urban renewal entity, subject to the terms and conditions of a financial agreement complying with the requirements of the Tax Exemption Law set forth at N.J.S.A. 40A:20-9 to 11.

WHEREAS, the Township granted Prior Owner a Long Term Tax Exemption by Resolution No. 2000-110 duly adopted on August 22, 2000, for the Master Project pursuant to the Tax Exemption Law; and

WHEREAS, Prior Owner and the Township entered into a Financial Agreement for Long Term Tax Exemption dated December 11, 2000 (the "Original Financial Agreement"); and

WHEREAS, Prior Owner sold a portion of the subdivided ReNEWal Site comprising approximately 3.74 acres currently designated as Block 3, Lot 4.07 on the official tax map of the Township of Willingboro, County of Burlington, State of New Jersey and consisting of (the "Property"). (the "Property") to Willingboro Town Center Urban Renewal Sears, LLC ("the Entity"); and

WHEREAS, the Prior Owner assigned to the Entity, and the Entity assumed from Prior Owner, Prior Owner's obligations under the Financial Agreement as to the Property pursuant to that certain Assignment of Financial Agreement for Long Term Tax Exemption dated, May 26, 2005, between Prior Owner, as assignor, and the Entity, as assignee (the "Assignment").

WHEREAS, the Original Financial Agreement as to the Property, as amended by the Assignment is sometimes referred to as the "Financial Agreement."

ORDINANCE NO. 2019- 20

AN ORDINANCE AUTHORIZING THE AMENDMENT OF A FINANCIAL AGREEMENT FOR LONG TERM TAX EXEMPTION BETWEEN THE TOWNSHIP OF WILLINGBORO AND WILLINGBORO TOWN CENTER URBAN RENEWAL NORTH, LLC

WHEREAS, the Township entered into a Redevelopment Agreement with ReNEWal Willingboro, L.L.C. ("ReNEWal"), dated 1998, as amended (the "Master Redevelopment Agreement"), providing for mixed-use development (the "Master Project") on the site of the former Willingboro Plaza shopping center, a 56-acre parcel within the Redevelopment Area that was formerly identified on the Township's tax maps as Block 3, Lot 4.01 (the "the Property") and in need of development; and

WHEREAS, the Property is located in an "area in need of redevelopment" as defined in and pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law").

WHEREAS, ReNEWal created Willingboro Urban ReNEWal, L.L.C. ("Prior Owner"), an urban renewal entity as defined in the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Tax Exemption Law"); and

WHEREAS, the Tax Exemption Law permits a municipality to exempt from the payment of real estate taxes, for a limited period of time, a project made in the redevelopment of a redevelopment area and owned by an urban renewal entity, subject to the terms and conditions of a financial agreement complying with the requirements of the Tax Exemption Law set forth at N.J.S.A. 40A:20-9 to 11.

WHEREAS, the Township granted Prior Owner a Long Term Tax Exemption by Resolution No. 2000-110 duly adopted on August 22, 2000, for the Master Project pursuant to the Tax Exemption Law; and

WHEREAS, Prior Owner and the Township entered into a Financial Agreement for Long Term Tax Exemption dated December 11, 2000 (the "Original Financial Agreement"); and

WHEREAS, Prior Owner sold a portion of the subdivided ReNEWal Site comprising approximately 4.014 acres of land, which property appears on the Township's current tax map as Block 3, Lot 4.08 (the "Property") to Willingboro Town Center Urban Renewal North, LLC ("the Entity"); and

WHEREAS, the Prior Owner assigned to the Entity, and the Entity assumed from Prior Owner, Prior Owner's obligations under the Financial Agreement as to the Property pursuant to that certain Assignment of Financial Agreement for Long Term Tax Exemption dated February 22, 2005 between Prior Owner, as assignor, and the Entity, as assignee (the "Assignment").

WHEREAS, the Original Financial Agreement as to the Property, as amended by the Assignment is sometimes referred to as the "Financial Agreement."

WHEREAS, the Entity and the Township now desire to amend the Financial Agreement pursuant to the terms of the Amendment attached hereto.

WHEREAS, Current Owner and the Township entered into a Redevelopment Agreement dated February 10, 2005 (the "Delco Redevelopment Agreement") pursuant to which the Township designated Current Owner as the redeveloper for the Project Site under the Redevelopment Law and Current Owner agreed to redevelop the Project Site with three (3) commercial buildings, associated parking and other related improvements (collectively, the "Project") in accordance with the Redevelopment Plan and the Delco Redevelopment Agreement;

NOW, THEREFORE, be it ordained by the Council of the Township of Willingboro that:

1 The Council consents to the terms of the amendment of the Financial Agreement between the Township of Willingboro and Willingboro Town Center Urban Renewal North, LLC, pursuant to the agreement attached hereto; and

2 All other terms of the Original Financial Agreement not amended by the attached agreement shall remain unaltered and in effect. The terms of the amendment of the Financial Agreement attached hereto shall become effective upon execution by the parties.

3 The Council hereby authorizes and directs the Mayor of the Township to execute, on behalf of the Township, the agreement attached hereto as Exhibit "A" as evidence of the Township's consent to the amendment to the Financial Agreement; and

4 The Township Clerk is hereby authorized to forward a certified true copy of this Ordinance to Willingboro Town Center Urban Renewal North, LLC, the Township Tax Assessor and the Director of the Division of Local Government Services.

5 If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

6 All ordinances or parts of ordinances of the Township of Willingboro heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

7 This ordinance shall take effect immediately upon its final passage and notice of the adoption shall be published as provided by law.

On motion by Councilman Holley
Seconded by Deputy Mayor Perrone
Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Ordinance 2019-20 First reading

RESOLUTION NO. 2019-175

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AWARDING A
CONTRACT FOR 2019 MISCELLANEOUS DRAINAGE IMPROVEMENTS
(RE-ADVERTISEMENT)**

WHEREAS, on September 16, 2019 the Township Council of the Township of Willingboro Re-advertised its request that bids be submitted for 2019 Miscellaneous Drainage Improvements (Re-advertisement) in the Township of Willingboro; and

WHEREAS, on September 26, 2019, the bids were received, opened, and read in public;
and

WHEREAS, the Township received bids from two contractors for a Base Bid, Alternate Bid No. 1, and Alternate Bid No. 2:

1. Mount Construction Company, Inc.;
2. Landberg Construction, LLC; and

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

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

WHEREAS, Township's Engineer tabulated the bids received and determined that the lowest responsible bidder for the Base Bid Improvements, Alternate Bid No. 1 and Alternate Bid No. 2 is Landberg Construction LLC of 82 Tuckahoe Road, Dorothy, NJ 08317, in accordance with the attached letter of the engineer.

WHEREAS, upon its consideration and review of the bids and recommendations, the Township Council has determined that it is in the best interest of the Township to accept the Base bid, Alternate Bid No. 1, and Alternate Bid No. 2 of Landberg Construction, LLC, of 82 Tuckahoe Road, Dorothy, NJ 08317 in the total amount of \$450,095.80 representing Items 1 through 51 of the Base Bid Improvements, 1A through 51A of the Alternate Bid No. 1, and Items 1B through 51B of Alternate Bid No. 2 upon the availability of funds for this purpose, and as indicated by the attached Treasurer's Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 23rd day of October 2019, hereby accepts the Base bid, Alternate Bid No. 1 and Alternate Bid No. 2 of Landberg Construction, LLC of 82 Tuckahoe Road, Dorothy, NJ 08317, in the total amount of \$450,095.80.

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

BE IT FURTHER RESOLVED THAT a copy of this resolution shall be provided to the Township Finance Director, Township Engineer, and Landberg Construction, LLC.

On motion by Councilwoman Jennings
Seconded by Councilman Holley

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Res, 2019-175 Approved

TOWNSHIP OF WILLINGBORO

RESOLUTION 2019 - 176

A RESOLUTION AUTHORIZING THE EXECUTION OF SHARED SERVICES AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS FOR CERTAIN WORK/REPAIRS

WHEREAS, the Township of Willingboro ("Township") has determined that it is in the best interest of the Township to cooperate with the Burlington County Board of Chosen Freeholders (the "County") regarding the provision of mutual services for staffing, material, equipment, site use, construction and other cooperative efforts regarding Township and County needs listed in the attached Shared Services Agreement; and

WHEREAS, the Township and the County wish to cooperate in furthering their mutual ability to provide certain work/repairs identified (hereinafter "the Services") which are beneficial to the Township and its residents and to the County and its residents; and

WHEREAS, the Township and the County wishes to memorialize the provision of the Services for the period of January 1, 2019 to December 31, 2023;

WHEREAS, N.J.S.A. 40A:65-1, et seq. authorizes the Township and Burlington County Board of Chosen Freeholders (the "County") to enter into the Shared Services agreement for joint provision of the service for which that party is authorized to enter within its jurisdiction ("Agreement"); and

WHEREAS, the purpose of the Agreement is to define the responsibilities and duties between the County and the Township;

WHEREAS, the Township Council has reviewed the proposed Agreement, a copy of which is attached hereto, and determined that it is in the public interest of and will benefit the Township of Willingboro; and

NOW THEREFORE, BE IT RESOLVED, on this 23rd day of October 2019, the Township Council of the Township of Willingboro assembled in open public session, hereby authorizes the Mayor to execute a Shared Service Agreement on behalf of the Township Council, with the Burlington County Board of Chosen Freeholders for certain work/repairs as identified therein and, in accordance with N.J.S.40A:65-1, et seq.

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided to the Burlington County Board of Chosen Freeholders for their information and attention.

Township of Willingboro

On motion by Councilwoman Jennings
Seconded by Deputy Mayor Perrone

Roll Call:

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|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Res. 2019—176 Approved

RESOLUTION NO. 2019- 177

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
AUTHORIZING CHANGE ORDER #1 FOR FY' 2018 AND 2019 NJDOT TRUST FUND
RESURFACING OF GARFIELD DRIVE (PHASES I AND II)**

WHEREAS, on July 24, 2019 the Township Council of the Township of Willingboro entered into a contract with Earle Asphalt Company located at 1800 Route 34, Building 2, Suite 205, Wall Twp., NJ 07719, for the FY 2018 and 2019 NJDOT Trust Fund resurfacing of Garfield Drive (Phases I & II), pursuant to the Local Public Contracts Law, N.J.S.A. 40:11-1, et seq.; and

WHEREAS, the original contract amount was awarded for \$649,813.13; and

WHEREAS, the Township engineer has recommended Proposed Change Order No. 1 in the amount of \$55,701.11 for a total adjusted Contract amount of \$705,514.13 in accordance with the Engineer's letter of September 24, 2019 to make certain revisions to the contract; and

WHEREAS, the contract revisions will revise ADA curb ramps, install concrete transition flares, remove and replace additional sidewalks and provide 5'x 5' passing zones along the sidewalk, within the project limits to more fully utilize the grant allotment that the Township received.

WHEREAS, Township Council has reviewed the Engineer's recommendation for the Change Order #1, amending the contract amount to Seven Hundred Five Thousand Five Hundred Fourteen and 13/100 Dollars (\$705,514.13).

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

NOW THEREFORE, BE IT RESOLVED that in open public session on this 23rd day of October, 2019 that the Township Council of the Township of Willingboro hereby accepts Change Order #1 for the FY 2018 & 2019 NJDOT Trust Fund Resurfacing of Garfield Drive (Phases I & II) and amends the contract amount for this project to \$705,514.13 for Earle Asphalt Company.

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

On motion by Councilwoman Jennings
Seconded by Councilman Holley

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Res. 2019—177 Approved

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
AUTHORIZING CHANGE ORDER #2 FOR FIRE & EMS STATION**

WHEREAS, on January 12, 2017 by Resolution 2017--30 the Township Council of the Township of Willingboro authorized a contract with Ogren Construction, Inc., pursuant to the Local Public Contracts Law, N.J.S.A. 40:11-1, et seq.; and

WHEREAS, the original contract amount was awarded for \$10,110,970.28; and

WHEREAS, by Resolution 2018-119 the Township authorized Change Order No. 1 of \$259,247.11 which then amended the Contract Amount to \$10,370,217.39.

WHEREAS, the Engineer has recommended proposed construction change order No. 2 as more specifically identified in his letter of August 14, 2019; and

WHEREAS, the recommended change order requests are primarily due to unforeseen conditions or unanticipated loss time and/or delays requiring time extensions:

- OR#21R2: Installation of Stabilized Soil Aggregate Base Course in the parking lot and concrete apron areas in the amount of \$120,057.00.
- COR#25: Labor and Material for Interior Repairs as a result of the Slab settlement in the amount of \$105,912.00 and Request for Construction Time Extension.

WHEREAS, the total Change Order amount as recommended is \$225,969.00.

WHEREAS, Township Council has reviewed the Engineer's recommendation letter for the Change Order #2, and has found that it is in the best interest of the Township to amend the contract amount pursuant to the Change Order #2 to Ten Million Five Hundred Ninety Six Thousand One Hundred Eighty Six Dollars and 39/100 cents (\$10,596,186.39); and

NOW THEREFORE, BE IT RESOLVED that in open public session on this 23rd day of October 2019 that the Township Council of the Township of Willingboro hereby accepts Change Order #2 for the Fire and EMS Station, and amends the contract amount for this project to \$10,596,186.39 for Ogren Construction Inc.

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

Attest:

On motion by Deputy Mayor Perrone
Seconded by Councilwoman Jennings
Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Res. 2019—178 Approved

RESOLUTION NO. 2019- 179

**A RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT OF
ZELLER & WIELICZKO, LLP, AS ZONING BOARD ATTORNEY**

WHEREAS, the Township of Willingboro adopted Resolution No. 2019-6 authorizing a professional services agreement with Zeller & Wieliczko, LLP, to authorize the firm to represent the Township as Zoning Board attorney; and

WHEREAS, the contract amount authorized by Resolution No. 2019 – 6 was not to exceed \$3,000.00; and

WHEREAS, there exists a continuing need for the services of Zeller & Wieliczko as Zoning Board Attorney to the Township; and

WHEREAS, it has been recommended that the Township Council increase the not to exceed contract amount by an additional \$1,500.00; and

NOW, THEREFORE BE IT RESOLVED, on this 23rd day of October, 2019 in open public session, by the Township Council of the Township of Willingboro that it hereby authorizes an increase of \$1,500.00 for a not to exceed amount of \$4,500.00 for the contract term through December 31, 2019 for the firm Zeller & Wieliczko, LLP, for professional services as Zoning board attorneys.

On motion by Deputy Mayor Perrone

Seconded by Councilman Holley

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Res. 2019—179 Approved

RESOLUTION NO. 2019- 180

**A RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT OF
HON. TRAVIS FRANCIS (RET.) AND RIKER DANZIG SCHERER HYLAND
PERRETTI, LLP, AS SPECIAL COUNSEL**

WHEREAS, the Township of Willingboro adopted Resolution No. 2019-118 authorizing a professional services agreement with Hon. Travis Francis (RET) to authorize certain professional legal services; and

WHEREAS, the contract amount authorized by Resolution No. 2019 – 118 not to exceed \$10,000.00; and

WHEREAS, there exists a continuing need for the services of Hon. Travis Francis and Riker Danzig Scherer Hyland Perretti, LLP.

WHEREAS, it has been recommended that the Township Council increase the not to exceed contract amount by an additional \$10,106.00 due to ongoing litigation, investigations, and other matters, in which their services are required; and

NOW, THEREFORE BE IT RESOLVED, on this 23rd day of October, 2019 in open public session, by the Township Council of the Township of Willingboro that it hereby authorizes an increase of \$10,106.00 for a not to exceed amount of \$20,106.00 for the contract term through December 31, 2019 for the Travis Francis and the firm Riker Danzig Scherer Hyland Perretti, LLP, for professional services as Special counsel.

On motion by Deputy Mayor Perrone

Seconded by Councilwoman Jennings

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Res. 2019—180 Approved

RESOLUTION NO. 2019-- 181

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 23RD 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 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:

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 Holley
Seconded by Councilwoman Jennings
Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried. Res. 2019-181 Approved

Findings and Determination

| |
|---------------------------------------|
| Application No. <u>BA 669</u> |
| Identification No. <u>553-5-37495</u> |

In re

Application for a BINGO License

(Complete 2 copies)

Insert name

Of Municipality Willingboro Township

Name of applicant POPE JOHN PAUL II REGIONAL SCHOOL

(Mark appropriate answers to ALL questions)

| | |
|--|---|
| 1. Applicant (is) qualified. | 6. There (is) satisfactory proof that no payment will be made for conducting the games or assisting therein except to the extent allowed by law. |
| 2. Members designed to conduct games (are) bona fide active members. | 7. There (is) satisfactory proof that the prizes are of the nature and amount allowed by the Act. |
| 3. Members designed to conduct games (are) of good moral character and have never been convicted of crime. | 8. The rental to be paid for raffles/bingo equipment (does) conform to the schedule of authorized rentals prescribed by the rules of the Control Commission and the raffles equipment lessor (has) been approved by the Control Commission. |
| 4. The games (will) be conducted according to the Act and the Rules and Regulations. | 9. Other: |
| 5. The entire net proceeds (are) to be disposed of for a purpose permitted by the Act | 10. Licensee is (granted) |

(Date)

(Signature of verifying official)

SARAH WOODING
Township Clerk

(Send one copy to the Control Commission)

Findings and Determination

| |
|---------------------------------------|
| Application No. <u>RA 668</u> |
| Identification No. <u>553-5-37495</u> |

In re

Application for a RAFFLE License

(Complete 2 copies)

Insert name

Of Municipality Willingboro Township

Name of applicant POPE JOHN PAUL II REGIONAL SCHOOL

(Mark appropriate answers to ALL questions)

| | |
|--|---|
| 1. Applicant (is) qualified. | 6. There (is) satisfactory proof that no payment will be made for conducting the games or assisting therein except to the extent allowed by law. |
| 2. Members designed to conduct games (are) bona fide active members. | 7. There (is) satisfactory proof that the prizes are of the nature and amount allowed by the Act. |
| 3. Members designed to conduct games (are) of good moral character and have never been convicted of crime. | 8. The rental to be paid for raffles equipment (does) conform to the schedule of authorized rentals prescribed by the rules of the Control Commission and the raffles equipment lessor (has) been approved by the Control Commission. |
| 4. The games (will) be conducted according to the Act and the Rules and Regulations. | 9. Other: |
| 5. The entire net proceeds (are) to be disposed of for a purpose permitted by the Act | 10. Licensee is (granted) |

(Date)

(Signature of verifying official)

SARAH WOODING
Township Clerk

(Send one copy to the Control Commission)

RAFFLE/BINGO APPROVAL

Pope John Paul II Reginal School

On motion by Deputy Mayor Perrone

Seconded by Councilwoman Jennings

Roll Call:

| | |
|-----------------------|-----|
| Councilman Holley | Yes |
| Councilwoman Jennings | Yes |
| Deputy Mayor Perrone | Yes |
| Mayor Nock | Yes |

Motion carried.

PUBLIC COMMENT

Mr. Thomas Floyd of 8 Buckingham Drive gave kudos to manager giving facts on based township issues, and was happy to hear the truth about some of the township matters.

COUNCIL COMMENTSS

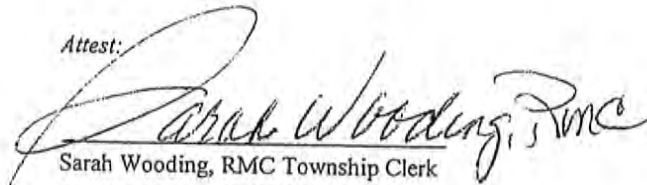
All of Council thanked the entire residents for coming to the meeting. Council also reminded everyone to vote on November 5th


There being no further discussion the meeting was adjourned.

Motion by Deputy Mayor Perrone and seconded by Councilwoman Jennings.

All in favor and none opposed.

Attest:


Sarah Wooding, RMC Township Clerk


Martin Nock, Mayor