

**WILLINGBORO TOWNSHIP COUNCIL
MEETING
July 8, 2020**

To Join Zoom Meeting.

1. Type in address bar: <https://zoom.us>
2. Click "Join Meeting" on the top menu bar
3. Meeting ID: 953 6953 7139
4. Password: 531748

Telephone Users May Dial In:

1-646-558-8656
Password: 531748

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

PUBLIC COMMENT AGENDA ITEMS ONLY

MANAGER'S REPORT

ORDINANCE

TOWNSHIP OF WILLINGBORO

ORDINANCE 2020-13 (PUBLIC HEARING)

**AN ORDINANCE TO AMEND CHAPTER 90, CHAPTER 150 AND CHAPTER 370 OF
THE TOWNSHIP CODE OF THE TOWNSHIP OF WILLINGBORO RELATING TO
ALCOHOLIC BEVERAGES**

NOTICE

Notice is hereby given that the foregoing Ordinances 2020-13 to be introduced 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 June 16, 2020 at 7 p.m. and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the July 8, 2020 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 2020-14 (FIRST READING)

**AN ORDINANCE OF THE TOWNSHIP OF WILLINGBORO ESTABLISHING
CHAPTER 362 ENTITLED “VEHICLES, OFF-ROAD”**

NOTICE

Notice is hereby given that the foregoing Ordinances 2020-14 to be introduced 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 July 8, 2020 at 7 p.m. and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the August 4, 2020 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

TOWNSHIP OF WILLINGBORO

ORDINANCE 2020-15—FIRST READING

**AN ORDINANCE OF THE TOWNSHIP OF WILLINGBORO AMENDING CHAPTER
231 ENTITLED “NOISE”**

NOTICE

Notice is hereby given that the foregoing Ordinances 2020-14 to be introduced 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 July 8, 2020 at 7 p.m. and will be considered for second reading and final passage at the regular meeting of said Township Council to be held on the August 4, 2020 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. 2020—94 RESOLUTION AUTHORIZING THE APPROVAL OF VOUCHERS FOR PAYMENT & RATIFICATION
- Res. 2020—95 RESOLUTION AUTHORIZING REFUNDS FOR OVERPAYMENT OF TAXES
- Res. 2020—96 RESOLUTION AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS
- Res. 2020—97 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER #1 FINAL FOR FIRE BARRIER AND EGRESS DOOR IMPROVEMENTS AT THE JFK COMMUNITY CENTER BY LEVY CONSTRUCTION COMPANY, INC.
- Res. 2020—98 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING THE RELEASE OF PERFORMANCE BOND TO LEVY CONSTRUCTION COMPANY, INC. AND ACCEPTANCE OF ITS TWO YEAR MAINTENANCE BOND FOR THE FIRE BARRIER AND EGRESS DOOR IMPROVEMENTS AT THE JFK COMMUNITY CENTER
- Res. 2020—99 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER #1 FINAL FOR STORM SEWER REHABILITATION AT 47 & 49 BALFOUR LANE BY DIVERSIFIED INFRASTRUCTURE SERVICES, INC.

Res. 2020—100 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF THE TRANSPORTATION FOR THE FY 2021 NJDOT BIKEWAY IMPROVEMENT GRANT TO FUND THE TOWNSHIP OF WILLINGBORO BIKEWAY FROM MILL CREEK PARK TO NOTTINGHAM DRIVE PROJECT

Res. 2020—101 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY 2021 NJDOT TRUST FUND RESURFACING GRANT TO FUND THE TOWNSHIP OF WILLINGBORO RESURFACING OF PENNYPACKER DRIVE (PHASE II) PROJECT.

Res. 2020—102 RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING THE SALE OF PROPERTY OWNED BY THE TOWNSHIP OF WILLINGBORO NO LONGER NEEDED FOR ANY PUBLIC PURPOSE DESIGNATED AS TAX BLOCK 114, LOT 1 IN THE TOWNSHIP OF WILLINGBORO COUNTY OF BURLINGTON, STATE OF NEW JERSEY

Res. 2020—103 RESOLUTION AUTHORIZING RENEWAL OF LIQUOR LICENSE FOR RUBY TUESDAY, INC.

TREASURER REPORT APPROVE AND ADOPT

NEW BUSINESS

OLD BUSINESS

- **Swearing in of Centerton Rd. Bridge Ad Hoc Committee by Mayor- Done**
- **Discussion regarding Mobile Vendors (discussion to be continued).**
- **Discussion of replacing Columbus Day and instituting Juneteenth as a holiday, with possibly incorporating an event for that day. All Council was in agreement. The Township Manager stated that she would discuss this with the collective bargaining units, and get back to Council.**

Public Comment
Council Comment

Res. 2020—104

EXECUTIVE SESSION (IF NEEDED)

ADJOURNMENT

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

TOWNSHIP OF WILLINGBORO

ORDINANCE 2020--13

AN ORDINANCE TO AMEND CHAPTER 90, CHAPTER 150 AND CHAPTER 370 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WILLINGBORO RELATING TO ALCOHOLIC BEVERAGES

WHEREAS, the Alcoholic Beverage Control Act, at N.J.S.A. 33:1-12(3)(a), provides generally that a municipality may authorize the issuance of a Plenary Retail Distribution License; and

WHEREAS, Willingboro Township has never issued such a license and the governing body has determined that it is now appropriate to authorize the same; and

WHEREAS, Chapter 90 of the Code of the Township of Willingboro governing "Alcoholic Beverages" is therefore in need of Amendment in order to create a Plenary Retail Distribution License and provide for a process for the sale of same;

WHEREAS, Chapter 150 of the Code of the Township of Willingboro governing "Fees" is also in need of Amendment relating to the annual fee charged for such Plenary Retail Distribution License; and

WHEREAS, Chapter 370 of the Code of the Township of Willingboro governing "Zoning" is also in need of Amendment relating to the accessory use requirement relating to the Plenary Retail Distribution License; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Township Council of the Township of Willingboro, County of Burlington and State of New Jersey that Chapter 90, Chapter 150 and Chapter 370 of the Code of the Township of Willingboro is hereby amended as follows:

- I. Chapter 90 is hereby amended to add the following language:

Article IV. Plenary Retail Distribution Licenses

§90-19. Issuance.

In accordance with the provisions of N.J.S.A. 33:1-12(3), the Township Council of the Township of Willingboro shall be empowered to issue up to 3 plenary retail distribution licenses for the sale of alcoholic beverages for consumption off the licensed premises, but only in original containers; except that licensees shall be permitted to conduct consumer wine, beer and spirits tasting events and samplings on

a complimentary basis pursuant to conditions established by rules and regulations of the Division of Alcoholic Beverage Control, provided however, that the holder of the license complies with the terms and conditions set forth in section 3 of P.L.2009, c.216 (C.33:1-12d).

§90-20. Pre-qualification and sale process.

A. Auction. When the governing body determines, in its discretion, to award an available license, it shall sell the license at auction in accordance with the provisions of Title 33 of the New Jersey Statutes, and the Regulations of the New Jersey Division of Alcoholic Beverage Control, and upon such terms and conditions as the Township Council deems to be lawful, reasonable and in the best interests of the municipality.

B. The governing body may set a minimum bid amount and shall reserve the right to reject all bids for any reasons it determines to be in the best interests of the Township.

C. Pre-qualification. All bidders shall pre-qualify, in the manner specified by the governing body. In addition to such requirements as the governing body shall impose, the prospective bidders, as part of the pre-qualification process, shall submit: (a) proof of financial ability to undertake the purchase of the License and the contemplated project; (b) information regarding the type, size and special features of the contemplated licensed premises; and (c) records of past alcoholic beverage control violations involving the prospective bidder or the bidder's principals, i.e., owners of more than a ten percent (10%) equity or debt interest. Furthermore, prospective bidders are required to fulfill any and all requirements of the Willingboro Township Police Department and shall supply any and all information requested by the Police Department as part of the Township's pre-qualification process. Failure to do so may, at the discretion of the Township, result in a prospective bidder being found unqualified to bid.

D. Notice.

a. A Notice of Sale shall be issued which specifies the time and place at which bids shall be received and opened, and that all prospective

bidders shall be notified of the required qualifications no less than twenty (20) days prior to the bid opening.

- b. The Notice shall further specify that at what time, place and manner in which the pre-qualification and bid applications may be obtained, and the date on which they are to be submitted.

§90-21. Investigation and report.

The Township Clerk shall forward a copy of the application and the list of officers, directors, trustees, partners or principals to the Director of Public Safety, who shall investigate the application and the principals, together with any other officers, directors, trustees, partners, principals and employees as may be required by the Township Council and shall report to the Township Council, in writing, the findings of the investigation, including any criminal record of the individuals investigated, together with any other information regarding the applicant or the application that the Director of Public Safety may deem relevant.

§90-22. Restrictions.

A. It shall be unlawful for any licensee or any officer, director, trustee, partner, principal or employee of a licensee to violate any of the provisions of N.J.S.A. 33, any regulation of the New Jersey Division of Alcoholic Beverage Control, any of the gambling laws of this state or any ordinance of the Township of Willingboro or to knowingly permit the violation thereof on any premises subject to the control of the licensee.

B. No plenary retail distribution licensee shall allow, permit or suffer the sale, service or delivery of any alcoholic beverages, or the removal of any alcoholic beverages from the licensed premises before 9:00 AM or after 10:00 PM, prevailing time, on any day of the week. Nothing in this provision shall prohibit or restrict the use of the licensed premises for other activities at other times, provided that no alcoholic beverages are sold, served or delivered during the prohibited times.

C. Every licensee shall be subject to all other state statutes and Township ordinances, including but not specifically limited to the Building Code, the Fire Prevention Code, health regulations, zoning ordinances, food-handling ordinances and noise control ordinances.

D. No plenary retail distribution license shall be issued, renewed or transferred for or to any location or building where the use is not permitted by the specific terms of Chapter 370, Zoning, of the Code of the Township of Willingboro.

E. A Plenary Retail Distribution License may only be issued within the B-1 Primary Business District and only to a store selling alcoholic beverages as an accessory use, in or upon premises in which other mercantile business is carried on, and such store must be a minimum of 15,000 square feet in size.

§90-23. License Fee.

The annual license fee for each license shall be as provided in § 150-9B of the Code of the Township of Willingboro and shall be payable upon the filing of the application for the license or for the renewal thereof.

§90-24. Costs.

The applicant for a license shall be responsible for and shall reimburse the Township of Willingboro for all direct charges paid by the Township of Willingboro to state or federal governmental agencies in connection with the application or the investigation

§90-25. Violations and penalties.

Any person violating the provisions of this article shall, upon conviction, be punishable as provided in Chapter 1, Article II, General Penalty.

§90-26. Title 33. In the event that Title 33 the Revised Statutes is modified or amended in such a way as to impact these provisions, the State Statute and Administrative Regulations shall control where inconsistent with local Ordinance.

II. Chapter 150 is hereby amended to add the following language:

§150-9.B. is amended to add:

(3) Plenary retail distribution license: \$2,500.

III. Chapter 370 is hereby amended in that §370-51, entitled "Permitted Accessory Uses" is hereby amended to add subparagraph G as follows: "The retail sale of liquor pursuant to Chapter 90, Article IV may be permitted as a conditional accessory use to a principal retail use that has a minimum floor area of 15,000 square feet located on the same parcel in the B-1 Primary Business District."

IV. Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

First Reading:

Councilmember	Motion	2 nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson	✓		✓				
Councilwoman Perrone		✓	✓				
Councilwoman Whitfield			✓				
Deputy Mayor McIntosh			✓				
Mayor Worthy			✓				

Second Reading:

Councilmember	Motion	2 nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson							
Councilwoman Perrone							
Councilwoman Whitfield							
Deputy Mayor McIntosh							
Mayor Worthy							

Township of Willingboro

Dr. Tiffani A. Worthy, Mayor

Attest:

Sarah Wooding, RMC, Township Clerk

TOWNSHIP OF WILLINGBORO

ORDINANCE 2020-14

**AN ORDINANCE OF THE TOWNSHIP OF WILLINGBORO ESTABLISHING
CHAPTER 362 ENTITLED “VEHICLES, OFF-ROAD”**

WHEREAS, the Mayor and Township Council of the Township of Willingboro have determined that it is important to the residents of the Township of Willingboro that regulations governing off-road vehicles within the limits of the Township be authorized and established.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Township Council of the Township of Willingboro, County of Burlington and State of New Jersey that the Township Code hereby established to Chapter 362 entitled “Vehicles, Off-Road” which shall read as follows:

§362-1. Title

This Chapter shall be known and cited as “Vehicles, Off-Road.”

§362-2. Purposes

The purpose of this chapter shall be to set standards for the operation of motor-driven off-road vehicles within the Township of Willingboro to minimize the impact of operation of such vehicles on residents of the Township, the public at large, the environment and assure minimum standards of safety.

§362-3. Definitions

As used in this chapter, the following terms shall have the meanings indicated:

MOTOR VEHICLE

Any vehicle that is propelled other than by human or animal power.

OFF-ROAD VEHICLE (“ORV”)

Motor vehicles which are capable of human transport and designed or used for the purpose of recreation off of the public right-of-way including, but not limited to, all-terrain vehicles (ATV), trail/dirt bikes, minibikes, go-carts and snowmobiles. This chapter shall not apply to lawn mowers, tractors or farm, lawn, garden or similar equipment for residential use, or business or agricultural/farming activities when used for purposes for which each was designed.

PUBLIC PROPERTY

Lands owned, leased or under the jurisdiction of the Township of Willingboro, Willingboro Board of Education, and the Willingboro Municipal Utilities Authority.

§362-4 Operation regulations/prohibited acts.

A. It shall be unlawful to operate any ORV under the following circumstances:

- (1) On the property of another person or party, unless the operator of the ORV has written permission of the owner or legal occupant of said property to operate the ORV thereon or said property owner is present. Said written permission must be exhibited to police officers upon request.
- (2) On any public street, sidewalk or bike path within the Township of Willingboro unless the operator is fully dismounted and the engine is not running.
- (3) On any public property.
- (4) Within 450 feet of an occupied dwelling, other than the operator's, or on other permitted property, in a manner creating:
 - (a) Any harsh, objectionable or unreasonable noise so as to disturb or interfere with the peace and quiet of other persons or which produces noise in violation of Chapter 231 of the Code of the Township of Willingboro, titled "Noise."
 - (b) The presence in the outdoor atmosphere of airborne dust, dirt or debris or in an unsafe manner creating a physical hazard beyond the property line on which the ORV operates such that it interferes with the enjoyment of life or property of the adjoining property occupant.
- (5) At any time when the New Jersey Forest Fire Service has rated the Wildfire Danger Levels at "High", "Very High", or "Extreme".

B. It shall be unlawful for the owner or person having control or custody of an ORV to allow or enable a minor (under age 18) to operate said ORV in manner violating any section of this chapter.

- (1) When a minor operates an ORV in violation of this chapter, it shall be a rebuttable presumption that the parent or guardian enabled the ORV to be so operated.

C. Exemptions:

- (1) ORVs used in or related to agricultural/farm activities, gardening, yard work and for snow removal.
- (2) Necessary limited operational testing of ORVs in conjunction with maintenance and repair activities between the hours of 8:00 a.m. and 8:00 p.m.
- (3) ORVs authorized by the Willingboro Township Director of Public Safety for use in public safety or emergency functions included but not limited to utility repair, search and rescue operations, police operations, firefighting, and/or EMS operations.

§362-5. Evidence of violation.

- A. Reports of the prohibited acts from two or more persons who are in general agreement as to the times and duration of the prohibited acts and who reside in separate residences, including apartments and condominiums located within 200 feet of a property line (boundary) from the property on which the source of prohibited acts occur, shall be evidence of a violation.
- B. Nothing in this chapter shall preclude a single individual from registering a complaint for any violation of this chapter.

§362-6. Equipment/ORV standards.

- A. It shall be unlawful for any ORV to be operated within the Township of Willingboro which does not conform to current federal or state standards for the type of ORV in question. If no such standard exists, then current recognized standards-setting bodies or industry trade association standards shall be used, if available.
- B. It shall be unlawful for any ORV to be operated within the Township unless the ORV is equipped with the original factory exhaust and muffler system or equivalent equipment. For two-cycle engines, a United States Forest Service approved muffler/spark arrester combination is required.

§362-7. Violations and penalties.

A. The violation of any section of this chapter shall constitute a separate and distinct offense independent of the violation of any other section or of any order issued pursuant to this chapter. Each day of violation shall constitute an additional, separate and distinct offense.

B. In the case of the first violation of any section of this chapter, the maximum penalty shall, upon conviction of such violation, be a fine not exceeding \$500.00, provided, however:

(1) In cases where a minor is involved, a verbal first warning and copy of this chapter may be provided to both the minor and the parent or legal guardian in lieu of a summons, at the discretion of the police officer.

(2) If the ORV in question is again operated in a manner which is found to be in violation of this chapter (not necessarily the same offense), the parent or guardian of the operator shall be cited for violation of this chapter and subject to the penalties described in §362-7 above.

C. In the case of a second violation of this chapter, the maximum penalty shall, upon conviction of such violation, be a fine not exceeding \$1,000.00 or imprisonment in the county jail for a period not exceeding 30 days or a period of community service not exceeding 30 days.

D. A third violation of this chapter shall, upon conviction, be punishable as provided in Chapter 1, Article II, General Penalty of the Code of the Township of Willingboro.

E. In the case of violations of trespassing, the police may, in addition to issuing a summons, also immediately impound the ORV used or operated in violation of this chapter. The ORV will be returned upon payment of any towing or removal costs, storage fees, and any court-ordered fines.

IV. Repealer, Severability and Effective Date.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

First Reading:

Councilmember	Motion	2 nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson							
Councilwoman Perrone							
Councilwoman Whitfield							
Deputy Mayor McIntosh							
Mayor Worthy							

Second Reading:

Councilmember	Motion	2 nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson							
Councilwoman Perrone							
Councilwoman Whitfield							
Deputy Mayor McIntosh							
Mayor Worthy							

Township of Willingboro

Attest:

Dr. Tiffani A. Worthy, Mayor

Sarah Wooding, RMC, Township Clerk

TOWNSHIP OF WILLINGBORO

ORDINANCE 2020-15

AN ORDINANCE OF THE TOWNSHIP OF WILLINGBORO AMENDING CHAPTER 231 ENTITLED "NOISE"

WHEREAS, there presently exists within the Township of Willingboro (the "Township") an ordinance controlling certain noise within the Township; and

WHEREAS, changes under the New Jersey Explosives and Fireworks Act (N.J.S.A. 21:2-1 et seq., as amended by P.L. 2017, C.92) give rise to certain excessive noise within the Township; and

WHEREAS, the Mayor and Township Council of the Township of Willingboro have determined that it is important to the residents of the Township of Willingboro to modify such noise regulations as a result of the changes under the New Jersey Explosives and Fireworks Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Mayor and Township Council of the Township of Willingboro, County of Burlington and State of New Jersey as follows:

I. Chapter 231 of the Code of the Township of Willingboro is hereby amended as follows:

a. §231-3, entitled "Loud, disturbing and unnecessary noise" is hereby amended to add the following:

S. Sparkling Devices and Novelties. The using, operating, or permitting of any sparkling devices and novelties between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel, motel or other type of residence or any persons in the vicinity. For purposes of this section, N.J.S.A. 21:2-2 defines "Fireworks" to include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation, but shall not include sparkling devices and novelties and further defines "sparkling devices and novelties" to mean: (a) wood sticks or wire sparklers of not more than 100 grams of pyrotechnic mixture per item; (b) hand held or ground based sparkling devices which are non-explosive and non-aerial, which may produce a crackling or whistling effect, and contain 75 grams or less of pyrotechnic composition per tube or a total of 500 grams or less for multiple tubes; and (c) snakes and glow worms, smoke devices, and trick noisemakers, which include party poppers, snappers, and drop pops, each consisting of 25/100 grains or less of explosive mixture. Sparkling devices and novelties are legal to use, possess, store, sell or offer for sale to any person that is 16 year of age or

older. The sale, possession and use of Fireworks are illegal and require a valid permit pursuant to N.J.S.A. 21:2-1 et seq.

- b. §231-5, entitled “Violations and penalties” is hereby deleted in its entirety and replaced with the following:

A. The violation of any section of this chapter shall constitute a separate and distinct offense independent of the violation of any other section or of any order issued pursuant to this chapter. Each day of violation shall constitute an additional, separate and distinct offense.

B. In the case of the first violation of any section of this chapter, the maximum penalty shall, upon conviction of such violation, be a fine not exceeding \$500.00, provided, however:

(1) In cases where a minor is involved, a verbal first warning and copy of this chapter may be provided to both the minor and the parent or legal guardian in lieu of a summons, at the discretion of the police officer.

(2) If the same minor in question is again found to be in violation of this chapter (not necessarily the same offense), the parent or guardian of the minor shall be cited for violation of this chapter and subject to the penalties described in §231-5 above.

C. In the case of a second violation of this chapter, the maximum penalty shall, upon conviction of such violation, be a fine not exceeding \$1,000.00 or imprisonment in the county jail for a period not exceeding 30 days or a period of community service not exceeding 30 days.

D. A third violation of this chapter shall, upon conviction, be punishable as provided in Chapter 1, Article II, General Penalty of the Code of the Township of Willingboro.

II. Repealer, Severability and Effective Date.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

[Amendment to Noise Ordinance Chapter 231]

First Reading:

Councilmember	Motion	2nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson							
Councilwoman Perrone							
Councilwoman Whitfield							
Deputy Mayor McIntosh							
Mayor Worthy							

Second Reading:

Councilmember	Motion	2nd	Yea	Nay	Recuse	Abstain	Absent
Councilman Anderson							
Councilwoman Perrone							
Councilwoman Whitfield							
Deputy Mayor McIntosh							
Mayor Worthy							

Township of Willingboro

Tiffani A. Worthy, Mayor

Attest:

Sarah Wooding, RMC, Township Clerk

Authorizing the Approval of Vouchers for Payment & Ratification

Whereas, Willingboro Township Council received the June 2020, 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 8th day of July, 2020 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.

Dr. Tiffani Worthy
Mayor

Attest:

Sarah Wooding, RMC
Township Clerk

Recorded Vote	Motion	2 nd .	Yes	No	Abstain	Absent
Councilman Anderson	_____					
Councilwoman Perrone	_____					
Councilwoman Whitfield	_____					
Deputy Mayor McIntosh	_____					
Mayor Worthy	_____					

RESOLUTION NO. 2020-- 95
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 8th day of July, 2020, 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.

Dr. Tiffani Worthy
Mayor

Attest:

Sarah Wooding, RMC
Township Clerk

Recorded Vote	Motion	2 nd .	Yes	No	Abstain	Absent
Councilman Anderson	_____					
Councilwoman Perrone	_____					
Councilwoman Whitfield	_____					
Deputy Mayor McIntosh	_____					
Mayor Worthy	_____					

OVERPAYMENT FOR TAXES

LERETA, LLC 1123 PARK VIEW DRIVE COVINA, CA 91724 BLOCK 408 LOT 4 16 COURTLAND LANE OVERPAYMENT TAXES	\$1,731.11
PAUL A VOISINE 9 BALFOUR LANE WILLINGBORO, NJ 08046 BLOCK 215 LOT 3 9 BALFOUR LANE OVERPAYMENT TAXES	\$1,728.13
CORELOGIC TAX SERVICES ATTN: REFUNDS DEPT. PO BOX 9202 COPPELL, TX 75019-9208 BLOCK 414 LOT 19 9 CRESCENT ROAD OVERPAYMENT TAXES	\$2,721.88

BURLINGTON COUNTY
MUTUAL AID AND ASSISTANCE AGREEMENT
BETWEEN PARTICIPATING UNITS

RESOLUTION 2020 96

AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT
WITH PARTICIPATING UNITS

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, Emergency Medical Service, fire departments, fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD- 5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App.A9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:75A et. seq., and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality and/or fire district to enter into a mutual aid and assistance agreement with the County of Burlington and other municipalities including, but not limited to, municipal police, Emergency Medical Service or fire departments, volunteer fire companies or EMS organizations and/or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED, by the Willingboro Township Council of the Township of Willingboro, County of Burlington, and State of New Jersey as follows:

- A. That the TOWNSHIP OF WILLINGBORO hereby authorized and directed to enter into the Burlington County Mutual Aid and Assistance Agreement Between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
- B. That the MAYOR and COUNCIL OF WILLINGBORO TOWNSHIP of the TWP. OF WILLINGBORO are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the TWP. OF WILLINGBORO
- C. That the CLERK is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the Agreement with the Burlington County Department of Public Safety Services, Office of Emergency Management. Said Office shall serve as the central repository and shall maintain a master listing of all Participating Units to the Mutual Aid and Assistance Agreement.

RESOLUTION NO. 2020- 97

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER #1 FINAL FOR FIRE BARRIER AND EGRESS DOOR IMPROVEMENTS AT THE JFK COMMUNITY CENTER BY LEVY CONSTRUCTION COMPANY, INC.

WHEREAS, on April 30, 2019, the Township Council of the Township of Willingboro entered into entered into a contract with Levy Construction Company, Inc., located at 134 Cuthbert Boulevard, Audubon, New Jersey 08106, for the Fire Barrier and Egress Door Improvements at the JFK Community Center pursuant to the Local Public Contracts Law, N.J.S.A. 40:11-1, et seq.; and

WHEREAS, the original contract amount between the Township of Willingboro and Levy Construction Company, Inc. was awarded for \$475,900.00; and

WHEREAS, on or about May 5, 2020, the Township of Willingboro and Levy Construction Company, Inc. amended the contract to \$439,944.00 pursuant to Change Order #1 Final; and

WHEREAS, the amended final contract amount between the Township of Willingboro and Levy Construction Company, Inc. is \$439,944.00, representing a reduction in the final adjustment of as-built quantities and contracts costs of \$35,956.00; and

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

WHEREAS, the Township Council has reviewed the Township Engineer's recommendation for the Change Order #1 Final, amending the final contract amount to Four Hundred, Thirty-nine Thousand, Nine Hundred, Forty-four and 00/100 Dollars (\$439,944.00).

NOW THEREFORE, BE IT RESOLVED that in open public session on this 8th day of July 2020, that the Township Council of the Township of Willingboro hereby accepts Change Order #1 Final for the Fire Barrier and Egress Door Improvements at the JFK Community Center and amends the contract amount for this project to \$439,944.00 with Levy Construction Company, Inc.

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

Dr. Tiffani A. Worthy, Mayor

Attest:

Sarah Wooding, RMC, Township Clerk

Recorded Vote	Aye	Nay	Abstain	Absent
Councilman Anderson				
Councilwoman Perrone				
Councilwoman Whitfield				
Deputy Mayor McIntosh				
Mayor Worthy				

RESOLUTION NO. 2020- 98

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING THE RELEASE OF PERFORMANCE BOND TO LEVY CONSTRUCTION COMPANY, INC. AND ACCEPTANCE OF ITS TWO YEAR MAINTENANCE BOND FOR THE FIRE BARRIER AND EGRESS DOOR IMPROVEMENTS AT THE JFK COMMUNITY CENTER

WHEREAS, the Township of Willingboro's Engineer, Remington & Vernick Engineers, Inc., has inspected the fire barrier and egress door improvements at the JFK Community Center; and

WHEREAS, the Township Engineer has determined that the improvements are satisfactory; and

WHEREAS, it is the recommendation of the Township Engineer that the Township of Willingboro release Levy Construction Company, Inc.'s Performance Surety Bond No. 3013863 in the amount of Four Hundred, Seventy-five Thousand, Nine Hundred and 00/100 Dollars (\$475,900.00) in consideration for Levy Construction Company, Inc. posting of a two-year Maintenance Bond No. 3013863 in the amount of Four Hundred Thirty-nine Thousand, Nine Hundred, Ninety-four and 00/100 Dollars (\$439,994.00), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices; and

WHEREAS, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the Performance Bond and accept the two-year Maintenance Bond for the fire barrier and egress door improvements at the JFK Community Center in the amounts referenced herein, contingent upon the payment of all outstanding escrow invoices, in accordance with the Township Engineer's recommendations;

NOW THEREFORE, BE IT RESOLVED that in open public session on this 8th day of July 2020, that the Township Council of the Township of Willingboro shall hereby release Levy Construction Company, Inc.'s Performance Bond No. 3013863 in the amount Four Hundred, Seventy-five Thousand, Nine Hundred and 00/100 Dollars (\$475,900.00) for the fire barrier and egress door improvements at the JFK Community Center and hereby accepts the two-year Maintenance Bond No. 3013863 in the amount of Four Hundred Thirty-nine Thousand, Nine Hundred, Ninety-four and 00/100 Dollars (\$439,994.00), provided that the release of the Performance Bond is contingent upon the payment of all outstanding escrow invoices.

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

Attest:

Dr. Tiffani A. Worthy, Mayor

Sarah Wooding, RMC, Township Clerk

	Aye	Nay	Abstain	Absent
Councilman Anderson				
Councilwoman Perrone				
Councilwoman Whitfield				
Deputy Mayor McIntosh				
Mayor Worthy				

RESOLUTION NO. 2020- 99

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING CHANGE ORDER #1 FINAL FOR STORM SEWER REHABILITATION AT 47 & 49 BALFOUR LANE BY DIVERSIFIED INFRASTRUCTURE SERVICES, INC.

WHEREAS, on May 21, 2019, the Township Council of the Township of Willingboro entered into an emergency award with Diversified Infrastructure Services, Inc., located at 1604 Thomaston Avenue, Unit J. Waterbury, Connecticut 06704, for emergency storm sewer rehabilitation at 47 and 49 Balfour Lane, pursuant to the Local Public Contracts Law, N.J.S.A. 40:11-6, which authorizes the award of a contract without public bidding; and

WHEREAS, the original contract amount between the Township of Willingboro and Diversified Infrastructure Services, Inc. was awarded for \$38,575.00; and

WHEREAS, on or about March 26, 2020, the Township of Willingboro and Diversified Infrastructure Services, Inc. amended the contract to \$25,722.00 pursuant to Change Order #1 Final; and

WHEREAS, the amended final contract amount between the Township of Willingboro and Diversified Infrastructure Services, Inc. is \$25,722.00, representing a reduction in the final adjustment of as-built quantities and contracts costs of \$12,853.00; and

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

WHEREAS, the Township Council has reviewed the Township Engineer's recommendation for the Change Order #1 Final, amending the final contract amount to Twenty-five Thousand, Seven Hundred, Twenty-two and 00/100 Dollars (\$25,722.00).

NOW THEREFORE, BE IT RESOLVED that in open public session on this 8th day of July 2020, that the Township Council of the Township of Willingboro hereby accepts Change Order #1 Final for the Storm Sewer Rehabilitation at 47 & 49 Balfour Lane and amends the contract amount for this project to \$25,722.00 with Diversified Infrastructure Services, Inc.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be provided to the Township Engineer, Finance Director, and Diversified Infrastructure Services, Inc.

Dr. Tiffani A. Worthy, Mayor

Attest:

Sarah Wooding, RMC, Township Clerk

Recorded Vote	Aye	Nay	Abstain	Absent
Councilman Anderson				
Councilwoman Perrone				
Councilwoman Whitfield				
Deputy Mayor McIntosh				
Mayor Worthy				

RESOLUTION NO. 2020- 100

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY 2021 NJDOT BIKEWAY IMPROVEMENT GRANT TO FUND THE TOWNSHIP OF WILLINGBORO BIKEWAY FROM MILL CREEK PARK TO NOTTINGHAM DRIVE PROJECT

WHEREAS, the State of New Jersey Department of Transportation announced that it is accepting grant applications for the 2021 NJDOT Bikeway Program that must be completed and submitted through the System for Administering Grants Electronically (SAGE); and

WHEREAS, Remington & Vernick Engineers, Inc. prepared and submitted an electronic application identified as BIKE-2021-FY 2021 NJDOT Bikeway Improvements-00049; and

WHEREAS, the Township of Willingboro is requesting State aid funding from the New Jersey Department of Transportation to implement improvements for safe on road and off-road bicycle paths within the Township limits.

NOW THEREFORE, BE IT RESOLVED that in open public session on this 8th day of July 2020, that the Mayor and Clerk of the Township of Willingboro, County of Burlington, State of New Jersey, are hereby authorized to submit an electronic grant application identified as BIKE-2021-FY 2021 NJDOT Bikeway Improvements-00049 to the New Jersey Department of Transportation on behalf of the Township of Willingboro; and

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

Dr. Tiffani A. Worthy, Mayor

Attest:

Sarah Wooding, RMC, Township Clerk

Recorded Vote	Aye	Nay	Abstain	Absent
Councilman Anderson				
Councilwoman Perrone				
Councilwoman Whitfield				
Deputy Mayor McIntosh				
Mayor Worthy				

RESOLUTION NO. 2020- 101

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY 2021 NJDOT TRUST FUND RESURFACING GRANT TO FUND THE TOWNSHIP OF WILLINGBORO RESURFACING OF PENNYPACKER DRIVE (PHASE II) PROJECT

WHEREAS, the State of New Jersey Department of Transportation announced that it is accepting grant applications for the 2021 NJDOT Trust Fund Resurfacing Program that must be completed and submitted through the System for Administering Grants Electronically (SAGE); and

WHEREAS, Remington & Vernick Engineers, Inc. prepared and submitted an electronic application identified as MA-2021-FY 2021 NJDOT Trust Fund Resurfacing - 00433; and

WHEREAS, the Township of Willingboro is requesting State aid funding from the New Jersey Department of Transportation to implement improvements to improve the condition of roadway infrastructure relating to Pennypacker Drive (Phase II).

NOW THEREFORE, BE IT RESOLVED that in open public session on this 8th day of July 2020, that the Mayor and Clerk of the Township of Willingboro, County of Burlington, State of New Jersey, are hereby authorized to submit an electronic grant application identified as MA-2021-FY 2021 NJDOT Trust Fund Resurfacing - 00433 to the New Jersey Department of Transportation on behalf of the Township of Willingboro; and

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

Dr. Tiffani A. Worthy, Mayor

Attest:

Sarah Wooding, RMC, Township Clerk

Recorded Vote	Aye	Nay	Abstain	Absent
Councilman Anderson				
Councilwoman Perrone				
Councilwoman Whitfield				
Deputy Mayor McIntosh				
Mayor Worthy				

RESOLUTION NO. 2020- 102

RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING THE SALE OF PROPERTY OWNED BY THE TOWNSHIP OF WILLINGBORO NO LONGER NEEDED FOR ANY PUBLIC PURPOSE DESIGNATED AS TAX BLOCK 114, LOT 1 IN THE TOWNSHIP OF WILLINGBORO, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 authorizes the sale by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use by open public sale at auction to the highest bidder after the required newspaper advertisements; and

WHEREAS, the Township of Willingboro is the owner of certain real property located at 201 Sunset Road and known as Block 114 Lot 1 on the Township Tax Maps; and

WHEREAS, said property is not needed for public use, and the Township Council of the Township of Willingboro, has determined that it is in the best interest of the Township to sell the property; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Willingboro, County of Burlington, State of New Jersey, that:

1. The property known as Block 114 Lot 1 shall be offered for sale by open public sale at auction to the highest bidder, pursuant to N.J.S.A. 40A:12-13. Said auction shall be conducted utilizing the online auction services of Municibid located at www.municibid.com on a date to be determined by the Township Manager and to be advertised by way of a public notice.

2. The said property shall be sold subject to the following terms and conditions:

- (a) The said property shall be sold for not less than \$225,000.00.
- (b) The sale shall be made at public auction, after legal advertisement of this Resolution, and shall be to highest bidder.
- (c) The Property is being sold "AS IS" "WHERE IS." The Property is sold subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting the Property. A survey of the Property may be conducted by any prospective bidder, at its discretion, as part of its due diligence.
- (d) The Property is being sold subject to existing zoning.

- (e) The Property shall be sold subject to any and all current covenants to the land.
- (f) The Township will only accept bids calling for an all cash purchase of the Property. Full payment of the purchase price must be received within 30 days of the date of the acceptance of the bid with TIME BEING OF THE ESSENCE. The successful bidder will be required to pay, by either cash, wire transfer or bank check, a deposit equal to ten (10%) percent of minimum price of the bid at the close of bidding pursuant to rules and regulations of the bid as provided by Municibid, with the balance to be paid by either cash, wire transfer or bank check at closing. Pending closing of title, this deposit will be held by the Township of Willingboro in a non-interest bearing escrow account, with the total deposit (excluding interest) to be credited to the purchase price at closing.
- (g) The Township does not warrant or certify title to the property and in no event shall the Township of Willingboro be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Township shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
- (h) The purchaser(s) shall pay any and all realty transfer and "mansion" taxes assessed in connection with the sale of the Property.
- (i) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
- (j) A Bargain and Sale Deed without covenants will be delivered at the office of the Township Clerk on or before thirty (30) days after the date of the sale at which time and place the balance of the purchase price shall be required to be paid in cash or certified check. The Mayor and Clerk are hereby authorized to execute said Deed.
- (k) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Willingboro and reserving an easement for all natural or constructed drainage systems, waterways and water

easements on the premises, if any, and the continued right of maintenance and flow thereof.

- (l) The purchaser shall also pay to the Township of Willingboro the cost of preparation of the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale, the costs and fees of Municibid and all other instruments necessary or required by law at the time of the sale.
- (m) The property will be sold subject to 2020 taxes, pro-rated from the date of sale.
- (n) The successful bidder shall bear the burden of paying any and all required sewer service and/or connection fees associated with the use of the Property.
- (o) The successful bidder shall bear the burden of obtaining any and all approvals from the appropriate municipal, county or government agency, if applicable. The successful bidder shall also bear the burden of obtaining and paying for any and all necessary permits, connections and/or arrangements to provide for water, electric, sewer, or solid waste disposal
- (p) No representation is made by the Township as to the utility, usability or environmental condition of the Property.
- (q) The governing body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

3. In the event that the successful bidder fails to close title to the Property, the bidder shall forfeit all deposit monies made to the Township. No refunds whatsoever will be made by the Township of Willingboro in the event that the successful bidder fails to complete the purchase of the Property within thirty (30) days from the acceptance of the bid.

4. Any material prepared and distributed in connection with this auction sale is for convenience purposes only and is intended to give prospective bidders a general understanding of the condition, location and size of the Property. The Township of Willingboro is not responsible for errors that may appear in such materials. Each prospective bidder is urged to thoroughly research and examine the Property prior to placing a bid. The Property will be available for inspection by appointment only. Prospective bidders desiring to inspect the Property should contact the Township Clerk at (609) 877-2200 Ext. 1028 between the hours of 9:00 a.m. and 3:00 p.m. to make an appointment.

5. It is suggested and recommended that potential bidders perform title searches and/or last owner and lien searches on the Property in bidding upon prior to the date of bid submission in order that the potential bidder may be adequately apprised of any encumbrances or restrictions of record affecting the use and enjoyment of the property. It is further suggested and recommended that potential bidders exercise due diligence with respect to every state of facts including open permits, local fines, penalties, taxes, assessments, etc., which may not be of record but which may nonetheless affect the use and enjoyment of the property or properties. The Township of Willingboro shall not be responsible for the costs associated with such searches in the event that the Township of Willingboro is unable to convey title and/or if a bid is rejected.

6. The advertisement for bids and sale shall be advertised in the official newspaper of the Township by two insertions, at least one a week during two consecutive weeks, the last publication to be no later than seven (7) days prior to the sale.

NOW THEREFORE, BE IT RESOLVED that in open public session on this 8th day of July 2020, the Township Council of the Township of Willingboro hereby authorizes the sale of real property located at 201 Sunset Road and known as Block 114 Lot 1 on the Township Tax Maps.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Township Manager and the Finance Director for information, attention, and compliance.

Attest:

Dr. Tiffani A. Worthy, Mayor

Sarah Wooding, RMC, Township Clerk

Recorded Vote	Aye	Nay	Abstain	Absent
Councilman Anderson				
Councilwoman Perrone				
Councilwoman Whitfield				
Deputy Mayor McIntosh				
Mayor Worthy				

RESOLUTION NO. 2020- 103

RESOLUTION AUTHORIZING RENEWAL OF LIQUOR LICENSE FOR RUBY TUESDAY, INC.

WHEREAS, Ruby Tuesday Inc., 4366 Route 130 North, has applied for renewal of their Plenary Retail Consumption License; and

WHEREAS, it appears that the application and supporting documents are in proper order and ready for approval;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session 8th day of July, 2020, that the Township Council makes the following findings.

a. The Township Council has reviewed the application and the supporting documents and finds that the submitted application is complete; and

b. The Officers and Directors of the applicant business are qualified to be licensed according to the standards established by Title 33 of the New Jersey Statutes Regulations promulgated there under, as well as pertinent local ordinances or conditions consistent with Title 33; and

c. The business shall maintain all records required; and

d. No officer or member of the governing board of the applicant business have been convicted of a disqualifying offense pursuant to Title 33; and

e. It is appropriate and in the public interest to approve the renewal of a Plenary Retail Consumption License for Ruby Tuesday Inc., #0338-33-005-001, for the period July 1, 2020 through June 30, 2021; and

BE IT FURTHER RESOLVED, that Ruby Tuesday Inc. has complied with the applicable provisions of Title 33, Rules and Regulations of the New Jersey Division of Alcoholic Beverage Control and Ordinance No. 12, 1983, as well as all applicable ordinances of the Township of Willingboro; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be provided to Ruby Tuesday Inc. and the Division of Alcoholic Beverage Control for their information and attention.

Attest:

Dr. Tiffani Worthy, Mayor

Sarah Wooding, RMC
Township Clerk

	MOTION	2 ND	AYE	NAY	ABSTAIN	ABSENT
COUNCILMAN ANDERSON						
COUNCILWOMAN PERRONE						
COUNCILWOMAN WHITFIELD						
DEPUTY MAYOR MCINTOSH						
MAYOR WORTHY						

**RESOLUTION NO. 2020--
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 8th day of July, 2020 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.

Sarah Wooding, RMC
Township Clerk

Dr. Tiffani Worthy, Mayor

Recorded Vote	Motion	2nd.	Yes	No	Abstain	Absent
Councilman Anderson	_____					
Councilwoman Perrone	_____					
Councilwoman Whitfield	_____					
Deputy Mayor McIntosh	_____					
Mayor Worthy	_____					