

Public Agenda - March 16, 2021

Attention

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

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

Subsequent to the packet posting, should you require additional information or a copy of a public document that is the subject of the meeting that was not available at the time of the packet posting, but is available prior to the meeting, you may contact the Township Clerk's office via email at bbligen@willingboronj.gov or by calling 609.877.2200 x1028.

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

Thank you,

Brenda Bligen, MBA
Acting Township Clerk

**WILLINGBORO TOWNSHIP COUNCIL MEETING
AGENDA
March 16, 2021**

To Join Zoom Meeting.

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

Telephone Users May Dial In:

1-646-558-8656

Password: 531748

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

PROCLAMATION

MUNICIPAL UPDATE REPORT

PUBLIC COMMENT *AGENDA ITEMS ONLY*

ORDINANCE

ORD 2021- 1

TABLED MARCH 2 FOR APRIL 6, 2021 MTG.

TABLED - FIRST READING - JANUARY 19, 2021: AN ORDINANCE AUTHORIZING AMENDMENTS TO THE TOWNSHIP OF WILLINGBORO MUNICIPAL CODE TO ADD A NEW CHAPTER 180, TO BE ENTITLED “FOOD VENDING VEHICLES” AND AMENDING CHAPTER 150 OF THE WILLINGBORO TOWNSHIP MUNICIPAL CODE ENTITLED “FEES”

ORD 2021-6

FINAL READING: ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

RESOLUTIONS

Res 2021 – 26

TABLED ON FEB 9, 2021 FOR MAR 16TH MTG: A RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT OF COOPER LEVENSON, P. A. FOR LEGAL SERVICES AS THE TOWNSHIP OF WILLINGBORO PLANNING BOARD GENERAL COUNSEL

Res 2021 – 43

TABLED- MARCH 2, 2021: ACCEPTANCE OF TAX COLLECTOR’S 2020 ANNUAL REPORT

Res 2021 - 48

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR WILLINGBORO FIRE DEPARTMENT RECRUITMENT SERVICES

WILLINGBORO TOWNSHIP COUNCIL MEETING

AGENDA

March 16, 2021

Res 2021 – 49 **RESOLUTION AUTHORIZING EXECUTION OF RIGHTS-OF-WAY USE AGREEMENT WITH CROSS RIVER FIBER, LLC**

Res 2021 -50 **RESOLUTION AUTHORIZING THE AWARD OF A NONFAIRAND OPEN CONTRACT FOR MULTI-LICENSED UNIFORM CONSTRUCTION CODE (U.C.C.) INSPECTORS (Delgado)**

Res 2021 – 51 **RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR MULTI-LICENSED UNIFORM CONSTRUCTION CODE (U.C.C.) INSPECTORS (Wallace)**

Res 2021 – 52 **RESOLUTION TO TRANSFER APPROPRIATION RESERVES**

Res 2021 – 53 **RESOLUTION AUTHORIZING THE FUNDING OF WILLINGBORO TOWNSHIP'S SHARE OF THE MACCS CONTRACT**

Res 2021 – 54 **RESOLUTION AUTHORIZING THE TOWNSHIP TO APPLY FOR THE 2021 RECYCLING TONNAGE GRANT**

Res 2021 – 55 **RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH GRANICUS SOLUTIONS, TO UPDATE AND IMPROVE THE TOWNSHIPS WEBSITE**

NEW BUSINESS:

OLD BUSINESS:

Edmunds Software Access for Council Boards and Commissions

PUBLIC COMMENT

COUNCIL COMMENT

Res 2021- 56 **AUTHORIZING AN EXECUTIVE SESSION OF THE TOWNSHIP COUNCIL (NEEDED)**

ADJOURNMENT

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

ORDINANCE NO. 2021 - 1

TOWNSHIP OF WILLINGBORO

AN ORDINANCE AUTHORIZING AMENDMENTS TO THE TOWNSHIP OF WILLINGBORO MUNICIPAL CODE TO ADD A NEW CHAPTER 180, TO BE ENTITLED “FOOD VENDING VEHICLES” AND AMENDING CHAPTER 150 OF THE WILLINGBORO TOWNSHIP MUNICIPAL CODE ENTITLED “FEES”

WHEREAS, the Mayor and Council for the Township of Willingboro have performed a full review of the fees listed under Chapter 150, entitled “FEES,” and other Chapters of the Willingboro Municipal Code Book.

WHEREAS, the purpose of this Ordinance is to permit Food Vending Vehicles during specified limited times and dates, in the Township of Willingboro (“Township”), and this Ordinance is adopted with the intent to encourage business in the Township and to provide a unique culinary experience in an outdoor setting for Township residents and visitors, while providing standards and regulations for Food Vending Vehicles and the operators of same within the Township.

WHEREAS, the Mayor and Council for the Township now desire to amend said chapter to change some of the requisite fee amounts listed therein and add an additional chapter to the Willingboro Municipal Code Book for Food Vending Vehicles.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and the Council of the Township of Willingboro, County of Burlington and State of New Jersey that the Township of Willingboro Municipal Code Book shall be amended as follows:

***SECTION 1:** The Township of Willingboro Municipal Code Book shall, in pertinent part, be amended to add Chapter 180, entitled “Food Vending Vehicles” as follows:*

Chapter 180: Food Vending Vehicles

- § 180-1 *Definitions.*
- § 180-2 *License and permit required.*
- § 180-3 *Fees.*

- § 180-4 *Display of license and other requirements.*
- § 180-5 *Violations and penalties.*

§ 180-1 *Definitions.*

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

FOOD VENDING VEHICLE

Includes all vehicles and carts from which food and foodstuffs are offered for retail sale or delivery to consumers or other persons on the public sidewalk, streets, and highways, also including peddlers and hawkers within the scope of Chapter 257.

§180-2 *License and Permit required.*

- A. *No person shall offer any food for sale from a Food Vending Vehicle in the Township without first obtaining a license therefor from the Burlington County Health Department, and providing a copy of same to the Township Clerk, and a permit from the Township as set forth herein.*
- B. *Any person offering any food for sale from a Food Vending Vehicle in the Township pursuant to a license therefor from the Burlington County Health Department. Every such person shall further be required to present to the Township a certificate of registration from the Director of the Division of Taxation of the New Jersey Department of Treasury. Finally, every such person who possessed a license during the preceding year shall present proof to the Township of payment of New Jersey sales tax required pursuant to N.J.S.A. 54:32B-1, et seq.*
- C. *All persons operating a Food Vending Vehicle must have a valid New Jersey Driver's License or a valid Driver's License from another state in the United States.*
- D. *Any person offering any food for sale from a Food Vending Vehicle in the Township pursuant to a license therefor from the Burlington County Health Department shall cause to be furnished to the Township:*
 - 1. *A description of the vending unit, including three photographs representing a side view, a frontal view and rear view.*
 - 2. *If a motor vehicle, as defined under N.J.S.A. 39:1-1, is to be utilized as the vending unit, the applicant shall provide the following:*
 - (a)*Vehicle model.*
 - (b)*Vehicle registration number.*
 - (c)*License plate number.*
 - (d) *Proof of motor vehicle liability insurance coverage equal to or greater than the amounts required of a New Jersey motor vehicle, as prescribed*

- E. *A Food Vending Vehicle license and permit issued under this chapter shall not be assignable nor transferable and may be used only in the operation of the vending vehicle described in the application.*

§180-3 Fees.

The fees to be collected by the Township Clerk for the permit for operation of a Food Vending Vehicle in the Township are set forth in Chapter 150 of the Township Municipal Code.

§180-4 Display of permit and license and other requirements

- A. *Any person offering any food for sale from a Food Vending Vehicle in the Township pursuant to a license therefor from the Burlington County Health Department and the permit issued by the Township pursuant to this Ordinance shall post such permit and license in a conspicuous place on the Food Vending Vehicle.*
- B. *Clean-up and removal of litter generated by the Food Vending Vehicle and its patrons shall be the responsibility of the Food Vending Vehicle owner/operator.*
- C. *All food items must be approved for sale by the Burlington County Health Department and shall be prepared according to Burlington County Health Department specifications and in accordance with N.J.A.C. 8:24, et seq.*
- D. *All machinery used in the preparation of food items must be approved by the Burlington County Health Department All vehicles must be equipped with an inverter generator for noise control, with a maximum decibel rating to be established by the Township Manager or the Manager's designee and periodically updated based on experience with Food Vending Vehicles in the Township.*
- E. *All products sold, disposed of or offered for sale under this article shall comply with all state laws and ordinances of the Township relating to food and food products.*
- F. *The hours of operation for Food Vending Vehicles subject to the provisions of this chapter shall not be earlier than 10:00 a.m. and no later than 9:00 p.m. the same day, and only on days specified by the Township Manager pursuant to the permit issued pursuant to Section H of this chapter.*
- G. *The sale or attempted sale of goods from a Food Vending Vehicle shall be prohibited except in areas permitted and specified by the Township Manager, or his or her designee, pursuant to the permit issued pursuant to Section H of this chapter. In no event shall a Food Vending Vehicle be located on a residential street or on a portion of a sidewalk or roadway abutting a restaurant or food licensee within the Township.*

H. *The Township Manager, or his or her designee, shall establish the dates, hours of operation and permitted location of all Food Vending Vehicles in the permit issued pursuant to this Chapter, and subject to the following conditions:*

- a. *The maximum number of Food Vending Vehicles to be permitted at any one time or event in the Township shall be . The Township Manager, or his or her designee shall have the authority to amend the number of permissible Food Vending Vehicles on a case by case basis, and each Food Vending Vehicle shall serve a different variety of food;*
- b. *In the event that more Food Vending Vehicle operators seek to apply for a permit on a day than permitted by the Township Manager in subsection (b) above, or if more than one operator offering the same variety of food seeks to apply for a permit, the Township shall maintain a rotating list of Food Vending Vehicles, and permits shall be issued on a rotating basis, provided that any food vending operator violating any term, condition or provision of this Chapter shall thereafter be prohibited from applying for a permit.*

§180-5 *Violations and penalties.*

- A. *Any person who violates any provisions of this chapter shall, upon conviction thereof, be punished by a fine of not less than \$100.00 and not exceeding \$1,000.00, by imprisonment for a term not exceeding 90 days or by a period of community service not for more than 90 days, or any combination thereof. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.*
- B. *In addition to the penalties set forth herein, any person operating a Food Vendor Vehicle or cart who violates any provisions of this Chapter, or applicable provisions of Chapter 24 of the New Jersey State Sanitary Code, the Food Vending Vehicle shall be deemed a public safety hazard by the Township. Accordingly, in the instance of such violation, the Food Vending Vehicle in question may be impounded (and, in the instance of an operator not bearing the required license, shall be impounded) by either the Willingboro Township Police Department or Burlington County Health Department. In the event that any such vehicle is impounded, the Food Vending Vehicle may be redeemed by the person upon payment of the cost of impounding and any applicable storage charges. The said storage charge and cost of impounding shall be the same as are established for the impounding of motor vehicles.*

SECTION 2: *Chapter 150, entitled “FEES,” of the Township of Willingboro Municipal*

Code Book shall, in pertinent part, be amended as follows:

NOTE: Deletions have been ~~struck through~~ and additions in italics. Large portions of text which are unchanged by this ordinance have been removed and indicated via “...”

§150-1 *General regulations and procedures.*

....

§150-18 *Food Vending Vehicle Fees*

A. *The annual operating permit fee for owners/operators of Food Vending Vehicles shall be \$50.00 per Food Vending Vehicle, payable to the Township Clerk.*

OR

B. *The daily operating permit fee for owners/operators of Food Vending Vehicles shall be \$20.00 per day per Food Vending Vehicle, payable to the Township Clerk.*

SECTION 3: *All Township ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies; and*

SECTION 4: *In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudicated by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered; and*

SECTION 5: *This Ordinance shall take effect immediately upon final passage and publication as provided by law.*

First Reading:

<i>Councilmember</i>	<i>Motion</i>	<i>2nd</i>	<i>Yea</i>	<i>Nay</i>	<i>Recuse</i>	<i>Abstain</i>	<i>Absent</i>
<i>Councilman Anderson</i>			<i>X</i>				
<i>Councilwoman Perrone</i>	<i>X</i>		<i>X</i>				
<i>Councilwoman Whitfield</i>			<i>X</i>				
<i>Deputy Mayor McIntosh</i>		<i>X</i>	<i>X</i>				
<i>Mayor Worthy</i>			<i>X</i>				

Second Reading:

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

Dr. Tiffani A. Worthy, Mayor

Attest:

Brenda Bligen, MBA
Acting Township Clerk

TABLED MARCH 2, 2021

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Willingboro in the County of Burlington finds it advisable and necessary to increase its 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 1,236,173.41 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Willingboro, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2021 budget year, the final appropriations of the Township of Willingboro shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$ 1,236,173.41 and that the 2021 municipal budget for the Township of Willingboro be approved and adopted in accordance with this ordinance; and,

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

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

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

Ordinance 2021- 6

Councilmember	Motion	2nd	Yea	Nay	Recuse	Abstain	Absent
<i>Councilman Anderson</i>							X
<i>Councilwoman Perrone</i>			X				
<i>Councilwoman Whitfield</i>	X		X				
<i>Deputy Mayor McIntosh</i>		X	X				
<i>Mayor Worthy</i>			X				

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

 Dr. Tiffani Worthy
 Mayor

 Brenda Bligen, MBA
 Acting Township Clerk

A RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT OF COOPER LEVENSON, P. A. FOR LEGAL SERVICES AS THE TOWNSHIP OF WILLINGBORO PLANNING BOARD GENERAL COUNSEL

WHEREAS, in March 2020 the Township of Willingboro Planning Board (the “Planning Board”) entered into a professional services agreement with Cooper Levenson, P. A. to serve as the General Counsel to the Planning Board from March 2020 through December 2020: and

WHEREAS, the not to exceed contract amount authorized by Resolution 2020-7 of \$5,100.00; and

WHEREAS, Resolution 2020-166, increased the not to exceed contract amount by \$1,000.00; and

WHEREAS, there exists a continuing need for the services of Cooper Levenson, P.A. as General Counsel to the Planning Board; and

WHEREAS, it has been recommended that the Township Council increase the not to exceed contract amount by an additional \$ 6,000.00 due to ongoing professional services, in which their services are required;

WHEREAS, the Township of Willingboro Chief Financial Officer has certified that sufficient funds are available for the requested increase of the not to exceed amount from \$6,100.00 to \$12,100.00: and

NOW, THEREFORE BE IT RESOLVED, on this 2nd day of February, 2021 in open public session, by the Township Council of the Township of Willingboro that it hereby authorizes an increase of \$6,000.00 for a not to exceed amount of \$12, 100.00 for the contract term through December 31, 2020 for the firm Cooper Levenson, P. A. for professional services as the Planning Board General Counsel.

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION 2021 - 43

ACCEPTANCE OF TAX COLLECTOR'S 2020 ANNUAL REPORT

WHEREAS, N.J.S.A.54:4-91 requires that the Tax Collector shall submit an annual statement of receipts to the governing body.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Willingboro that the following Collector's Annual Report of Receipts for the Year Ending December 31, 2020, be hereby acknowledged and accepted as submitted.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 2ND day of March 2021 that this resolution be adopted.

**TAX COLLECTION OFFICE
FOR THE YEAR ENDING DECEMBER 31, 2020**

Tax Searches	\$3,642.72
In Lieu of Taxes	282,792.88
Return Check Fee	260.00
Interest	795,083.77
2020 Taxes Prepaid	598,614.49
Outside Liens (Paid in full)	1,561,751.03
Premium Collected from Tax Sale	2,526,200.00
6% Penalty (delinquencies over \$10,000)	67,097.83
Total	5,835,442.72
Delinquent Taxes	2,062,282.25
Canceled (Exemptions)	99,356.38-
Canceled (Appeals)	18,788.87-

Dr. Tiffani Worthy, Mayor

I hereby certify this a true and exact copy of a resolution adopted by the Willingboro Township Council on March 2, 2021.

Brenda Bligen, MBA
Acting Township Clerk

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

Willingboro Township Summary

The total assessed value is broken down as follows:

Taxable Properties

TYPE	NUMBER	ASSESSED VALUE
Residential	10,746	1,694,233,500
Vacant Land	97	10,176,000
Commercial	188	130,298,400
Industrial	10	9,583,400
Apartment	5	30,260,100
Farms (regular)	2	393,400
Farms (qualified)	2	5,900
Public Utility	1	100
Total	11,073	1,874,950,800

Exempt Properties

TYPE	NUMBER	ASSESSED VALUE
Public School	17	118,095,000
Other School	1	1,468,400
Public Property	144	75,954,300
Charitable	84	85,172,100
Cemetery	0	0
Miscellaneous	352	95,966,300
Total	577	376,656,100

Taxpayers Receiving Deductions per Tax Duplicate

TYPE	NUMBER	ASSESSED VALUE
Senior Citizen	134	33,500
Disabled Person	16	4,000
Surviving Spouse	3	750
Veteran	783	195,750
Widow of a Veteran	154	38,500
Total	1,163	272,500

RESOLUTION No. 2021- 48

TOWNSHIP OF WILLINGBORO

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR WILLINGBORO FIRE DEPARTMENT RECRUITMENT SERVICES

WHEREAS, in order to maximize the use of eligible grant funds, the Township of Willingboro intends to procure advertisement and recruiting services for the Willingboro Fire Department through the award of a non-fair and open contract to a qualified vendor, pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the contract for those services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for twenty four months (24), with the option for the Township to extend the contract for up to an additional twenty four months; and

WHEREAS, the Communication Solutions Group, with offices located at 200 Old York Road, Jenkintown, Pennsylvania 19046, submitted a proposal on February 15, 2021 stating they will provide the Willingboro Fire Department with advertisement and recruitment services for the sum of \$26,300.00, with the contract amounts as follows: \$22,300.00 in year one and two, and, if the Township exercises the option to extend the contract, \$2000.00 in Year Three, and \$2000.00 in Year Four; and

WHEREAS, the Township has determined that the Communications Solutions Group is qualified to provide the required services for this contract; and

WHEREAS, the Communication Solutions Group has completed and submitted a Business Entity Disclosure Certification which certifies that The Communication Solutions Group has not made any reportable contributions to a political or candidate committee in Willingboro Township in the previous one year, and that the contract will prohibit The Communication Solutions Group from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Clerk is in receipt of a Certificate of Availability of Funds from the Chief Finance Officer; and

NOW THEREFORE, BE IT RESOLVED, on this 16th day of March, 2021, that the Township Council of the Township of Willingboro authorizes the Mayor to execute a contract with The Communication Solutions Group for the services that are the subject of this Resolution; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value shall be placed on file along with this Resolution.

RESOLUTION No. 49

**RESOLUTION AUTHORIZING EXECUTION OF
RIGHTS-OF-WAY USE AGREEMENT WITH CROSS RIVER FIBER,
LLC**

WHEREAS, Cross River Fiber, LLC, (“Cross River”), is a public utility and telecommunications carrier as defined by N.J.S.A 48:2-13 with offices located at 461 Headquarters Plaza, Morristown, NJ 07960; and

WHEREAS, Cross River is authorized to provide services throughout the State of New Jersey pursuant to an Order issued by the New Jersey Board of Public of Utilities in Docket No. TE11050320 on July 14, 2011, Docket No. TE12040297 on June 18, 2012, and Docket No. TM14080906; and

WHEREAS, Cross River has requested the consent of the Township for permission to construct, install, operate, repair and maintain telecommunications facilities on utility poles or within underground conduits located in the public rights-of-way in the Township of Willingboro (“Township”) in order to provide telecommunications services to the public; and

WHEREAS, N.J.S.A 48:17-10 through 48:17-12 permits municipalities to enter into a Rights-of-Way Use Agreement with a telecommunications carrier; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies, but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

WHEREAS, Cross River desires to enter into a Rights-of Way Use Agreement with the Township that sets forth the terms of use, occupancy and manner in which Cross River will utilize the municipal Rights-of-Way (“Use Agreement”); and

WHEREAS, the Use Agreement shall be effective for an initial ten (10) year term and contain three (3) additional renewable ten (10) year terms.

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

1. Council hereby authorizes entry into a Use Agreement, in a mutually-agreeable form, which shall be subject to the approval of the Township and its professionals, for the non-exclusive right of Cross River to occupy municipal rights-of-way within the Township for the purpose of constructing, installing, operating, maintaining, and replacing a telecommunications system for an initial ten (10) year term, with an option to renew for an additional ten (10) year term, provided notice is provided by Cross River to the Township no less than ninety (90) days prior to the termination of the initial ten (10) year term.

2. The within granted permission is conditioned upon Cross River entering into an appropriate form of Rights-of-Way Use Agreement with the Township, which generally requires liability and property damage insurance coverage, and subject to all local ordinances governing the performance of work by public utilities anywhere in the Township.

3. The Mayor and the Municipal Clerk be and hereby are authorized and directed to execute an appropriate form of mutually-agreeable Rights-of Way Use Agreement between the Township and Cross River Fiber, LLC on this 16th day of March 2021.

4. A copy of this Resolution and the executed Rights-of-Way Use Agreement shall be kept on file in the Office of the Municipal Clerk.

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION 2021 – 50

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR MULTI-LICENSED UNIFORM CONSTRUCTION CODE (U.C.C.) INSPECTORS

WHEREAS, the Township of Willingboro requires the services of Uniform Construction Code (U.C.C.) inspectors, each of whom possesses licenses in several disciplines of code inspection, in order to obtain the maximum available inspection services, and in the most efficient and cost-effective manner; and

WHEREAS, each such inspector shall be required to possess a valid NJ Business Registration Certificate, and shall be licensed by the Department of Community Affairs under the Uniform Construction Code, and shall hold the below licenses;

Construction Official	Building Subcode Official
Plumbing Subcode Official	Building Inspector (RCS)
Plumbing Inspector (HHS)	Mechanical Inspector

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the contract of the per diem multi-licensed U.C.C. inspector shall not exceed \$44,000.00; and

WHEREAS, the Township intends to award contracts to such inspectors, pursuant to a non-fair and open process, and where the value of each such contract will exceed the sum of \$17,500.00, as has been determined by the Township’s qualified purchasing agent, but that each such contract shall not exceed the total sum of \$44,000.00; and

WHEREAS, the term of each such contract is shall be one (1) year, and each contract may be extended for an additional one (1) year, through March 16, 2022, if approved by the Township Council; and

WHEREAS, in response to requests for proposals that the Township published for each contract, Juan Delgado submitted a proposal dated March 2, 2021 stating he will provide the required inspection services for the sum of \$250.00 per day, for no more than four (4) calendar days per week, and in a total amount not exceeding \$44,000 for the term of the contract; and

WHEREAS, Juan Delgado has submitted a Business Entity Disclosure Certification which certifies that Juan Delgado has not made any reportable contributions to a political or candidate committee in Willingboro Township in the previous one year, and that the award of the contract will prohibit Juan Delgado from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Clerk is in receipt of a Certificate of Availability of Funds from the Chief Finance Officer; and

RESOLUTION 2021 – 50

NOW THEREFORE, BE IT RESOLVED, on this 16th day of March, 2021, that the Township Council of the Township of Willingboro authorizes the Mayor to execute a contract with Juan Delgado for the services that are the subject of this Resolution; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value shall be placed on file along with this Resolution.

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION NO 2021 -51

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR MULTI-LICENSED UNIFORM CONSTRUCTION CODE (U.C.C.) INSPECTORS

WHEREAS, the Township of Willingboro requires the services of Uniform Construction Code (U.C.C.) inspectors, each of whom possesses licenses in several disciplines of code inspection, in order to obtain the maximum available inspection services, and in the most efficient and cost-effective manner; and

WHEREAS, each such inspector shall be required to possess a valid NJ Business Registration Certificate, and shall be licensed by the Department of Community Affairs under the Uniform Construction Code, and shall hold the below licenses;

Construction Official	Building Subcode Official
Plumbing Subcode Official	Building Inspector (HHS)
Electrical Subcode Official	Mechanical Inspector
Electrical Inspector (HHS)	Housing Subcode Official
Inspector of Hotel and Multiple Dwelling	Fire Protection Subcode Official
Fire Protection Inspector (ICS)	Plumbing Inspector (ICS)

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the contract of the per diem multi-licensed U.C.C. inspector shall not exceed \$33,000.00; and

WHEREAS, the Township intends to award contracts to such inspectors, pursuant to a non-fair and open process, and where the value of each such contract will exceed the sum of \$17,500.00, as has been determined by the Township’s qualified purchasing agent, but that each such contract shall not exceed the total sum of \$33,000.00; and

WHEREAS, the term of each such contract is shall be one (1) year, and each contract may be extended for an additional one (1) year, through March 16, 2022, if approved by the Township Council; and

WHEREAS, in response to requests for proposals that the Township published for each contract, Dwayne Wallace submitted a proposal dated March 2, 2021 stating he will provide the required inspection services for the sum of \$250.00 per day, for no more than three (3) calendar days per week, and in a total amount not exceeding \$33,000 for the term of the contract; and

WHEREAS, Dwayne Wallace has submitted a Business Entity Disclosure Certification which certifies that Dwayne Wallace has not made any reportable contributions to a political or candidate committee in Willingboro Township in the previous one year, and that the award of the contract will prohibit Dwayne Wallace from making any reportable contributions through the term of the contract, and

RESOLUTION NO 2021 -51

WHEREAS, the Township Clerk is in receipt of a Certificate of Availability of Funds from the Chief Finance Officer; and

NOW THEREFORE, BE IT RESOLVED, on this 16th day of March, 2021, that the Township Council of the Township of Willingboro authorizes the Mayor to execute a contract with Dwayne Wallace for the services that are the subject of this Resolution; and

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

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION 2021- 52

RESOLUTION TO TRANSFER APPROPRIATION RESERVES

WHEREAS, various 2020 bills have been presented for payment this year, Which bills represent obligations of the prior fiscal year and were not covered by order number and /or recorded at the time of transfers between the 2020 Budget in the last two months of 2020; and

WHEREAS, N. J. S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those who are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE BE IT RESOLVED by the Council of the Township of Willingboro, in the County of Burlington in the State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$ 5,000.00 be made between the 2020 Budget Appropriation Reserves as follows:

	<i>From:</i>	<i>To:</i>
0-01-20-155-000-131 Twp. Atty Special Projects	\$5,000.00	
0-01-21-180-000-132 Planning Board contractual		\$5,000.00

CONTACT INFORMATION: _____ ediggs@willingboronj.gov (609) 877-2200 ext 1001

SUPPORTING DOCUMENTS

HOW TO USE THIS FORM: Complete this form and include supporting documents. Submit completed packet to the Township Manager. The packet will be provided to the Municipal Clerk for distribution to Council.

RESOLUTION NO: 2021- 53

**RESOLUTION AUTHORIZING THE FUNDING OF
WILLINGBORO TOWNSHIP'S
SHARE OF THE MACCS CONTRACT**

WHEREAS the Governing Body of the Township of Willingboro, County of Burlington, State of New Jersey, agreed to participate in a Joint Purchasing Program **with other municipalities** for the collection of and disposal of solid waste and bulk waste from apartments and condominiums within the municipality; and

WHEREAS, the Township of Willingboro entered into a Joint Purchasing Agreement for the program, known as “Municipal Apartment and Condominium Collection Services” (“MACCS”), which agreement designates Maple Shade Township as the Lead agency for the program; and

WHEREAS, Central Jersey Waste & Recycling, Inc. was awarded a contract to provide collection services for the MACCS program, beginning June 1, 2017, for a three-year term, and further providing for two one-year renewal options for collection services, **with the charges for those services** based on current level of service, as follows:

- Basic Service and fuel (subject to 3% administrative fee)
 - 2021 portion, in an amount not to exceed \$3,163.94
- Bulk Collection
 - 2021 portion, in an amount not to exceed \$15,934.96
- Roll Off/Compactors
 - 2021 portion, in an amount not to exceed \$80,310.88; and

WHEREAS, if approved, the MAACS contract renewal with Central Jersey Waste and Recycling, Inc. services will be for the second, and final, one-year renewal of that contract; and

WHEREAS, AVR Resource Group, Inc. was awarded a contract to provide contract administrator services for the MACCS program, beginning May 1, 2018, for a three-year term, and further providing for two one-year renewal options for contract administrator services, **based on current number of units serviced, and in an** amount not to exceed \$10,238.91 for 2021 portion of the MACCS contract; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq. and the regulations promulgated there under, more specifically, N.J.A.C. 5:34-7.14, prior to the award of a contract, each member of a joint purchasing system must issue a purchase order and certification of funds for its share of the contract amount; and

WHEREAS, it is in the best interest of Township of Willingboro to fund its portion of the **contracts with Central Jersey Waste & Recycling and AVR Resource Group, Inc. for the period from January 1, 2021 through December 31, 2021, and;**

RESOLUTION NO: 2021- 53

WHEREAS, the Chief Financial Officer of Township of Willingboro, as required by N.J.A.C. 5:30-1, has certified that there are sufficient funds for this purpose for the period said, certification being attached hereto and made a part hereof.

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

1. Township of Willingboro hereby authorizes the renewal of the above-referenced MACCS contracts, for the time periods set forth above, and the Township authorizes the payment of the sum of \$99,409.78, subject to adjustment for changes in level of service for calendar year 2021, for solid waste collection services provided by Central Jersey Waste and Recycling, Inc., and the Township further authorizes the payment of the sum of \$10,238.91 to AVR Resource Group, Inc. for contract administrator services for calendar year 2021, and in the total amount not to exceed \$115,351.18 for both contracts.
2. The Chief Financial Officer is hereby authorized to issue all required purchase orders funding Township of Willingboro's 2021 portion of the MACCS trash collection contract.

**RESOLUTION AUTHORIZING THE TOWNSHIP TO APPLY FOR THE 2020
RECYCLING TONNAGE GRANT**

WHEREAS, Recycling Enhancement Act, N.J.S.A. 13:1E-96 et seq., Mandatory Source Separation and Recycling Act P.L. 1987, c.102, as amended, and N.J.S.A. 13:1E-99.16, et seq., as amended, (collectively cited hereinafter as “Recycling Act”) have established a recycling fund from which tonnage grants may be made to municipalities, in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township to apply for the tonnage grants; and

WHEREAS, a resolution authorizing the Township to apply for the 2020 Recycling Tonnage Grant will memorialize the commitment of the Township to recycling and indicate the assent of the Township Council to efforts undertaken by the Township and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, this resolution acknowledges Patti Conrad, Brian Wood, and Lawrence Hardy are *Certified Recycling Professionals* to ensure that the application is properly completed and timely filed under the law.

NOW THEREFORE BE IT resolved on this 16th day of March 2021 in open public session that that the Township Council hereby authorizes and endorses the Tonnage Grant Application to the New Jersey Department of Environmental Protection; and

RESOLUTION NO. 2021 – 54

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant shall be deposited into a dedicated recycling trust fund to be used solely for the purposes of recycling.

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION 2021 - 55

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH GRANICUS SOLUTIONS, TO UPDATE AND IMPROVE THE TOWNSHIPS WEBSITE

WHEREAS, the Township of Willingboro (“Township”) has identified a need to update the government website by improving the information architecture (IA), the user experience (UX), simplify content discoverability, and improve navigation architecture, especially in the mobile platform. and is seeking to award a contract pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (“LPCL”); and

WHEREAS, on or about January 31, 2021, Granicus Solutions submitted a quote to update and improve the Townships website; and

WHEREAS, pursuant to N.J.S.A. 40A:11-2(19), “aggregate” is defined as “the sums expended or to be expended for the provision or performance of any goods or services in connection with the same immediate purpose or task, or the furnishing of similar goods or services, during the same contract year through a contracted awarded by a contracting agent”; and

WHEREAS, N.J.S.A. 40A:11-5 provides certain exceptions to the LPCL that allows the Township to solicit goods or services without public advertising for bids and other requirements set forth in N.J.S.A. 40A:11-4; specifically, any contract the amount of which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding if the subject matter consists of the type identified in N.J.S.A. 40A:11-5; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(dd), the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software is an exception to the requirement for public advertisement for bids and bidding; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1.a, for all contracts that are in the aggregate less than the bid threshold but fifteen (15) percent or more of that amount, and for those contracts that are subject to the exceptions under N.J.S.A. 40A:11-5, including proprietary software and/or hardware under N.J.S.A. 40A:11-5(1)(dd), the contracting agent must award the contract after soliciting at least two competitive quotations, if practicable; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1.b, when such contracts are above the bid threshold, and after documented effort by the contracting agent to secure competitive quotations, such contracts may be awarded upon a written determination by the contract the contract agent that the solicitation of competitive quotations is impracticable; and

WHEREAS, the offer by Granicus Solutions is proprietary computer hardware and/or software pursuant to N.J.S.A. 40A:11-5(1)(dd), not requiring the solicitation of public bids, but the cost of the Software in the aggregate, as defined under N.J.S.A. 40A:11-2(19), is less than the bid threshold for the contract year, but is fifteen (15) percent or more of that amount, and as such, pursuant to N.J.S.A. 40A:11-6.1(a), the Township is required to solicit at least two competitive quotations, if practicable; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1.a., after soliciting at least two competitive quotations, if practicable, the award of the contract shall be made to a vendor whose response is most advantageous, price and other factors considered;

WHEREAS, the quote from Granicus Solutions includes a sixty (60) month commitment, with an option for the Township to cancel the agreement within a 60-day pilot period by written notice of the Township’s intention to cancel to Granicus Software; and

WHEREAS, the quote from Granicus Solutions requires a one-time fee of \$25,000.00 and a cost of \$6,400.00 for Year Two, \$6,720.00; for year 3, \$7,056.00; for year 4 and \$7,408.80; and

WHEREAS, the Township seeks to enter into an agreement with Granicus Solutions, 1999 Broadway, Suite 2600, Denver, CO 80202 to purchase the Software; and

WHEREAS, the Township’s Chief Financial Officer has certified, attached, that the funds are available for this purpose; and

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, on this 16th day of March 2021, in open public session that the Township Council authorizes the Mayor to execute an agreement with Granicus Solutions, that is consistent with this resolution, and

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

BE IT FURTHER RESOLVED That certified copies of this Resolution shall be provided to Granicus Software, 1999 Broadway, Suite 2600, Denver, CO 80202 and the Finance Director for their information and attention.

Attest:

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

**WILLINGBORO TOWNSHIP COUNCIL MEETING
AGENDA
March 16, 2021**

To Join Zoom Meeting.

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

Telephone Users May Dial In:

1-646-558-8656

Password: 531748

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

PROCLAMATION

MUNICIPAL UPDATE REPORT

PUBLIC COMMENT *AGENDA ITEMS ONLY*

ORDINANCE

ORD 2021- 1

TABLED MARCH 2 FOR APRIL 6, 2021 MTG.

TABLED - FIRST READING - JANUARY 19, 2021: AN ORDINANCE AUTHORIZING AMENDMENTS TO THE TOWNSHIP OF WILLINGBORO MUNICIPAL CODE TO ADD A NEW CHAPTER 180, TO BE ENTITLED “FOOD VENDING VEHICLES” AND AMENDING CHAPTER 150 OF THE WILLINGBORO TOWNSHIP MUNICIPAL CODE ENTITLED “FEES”

ORD 2021-6

FINAL READING: ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

RESOLUTIONS

Res 2021 – 26

TABLED ON FEB 9, 2021 FOR MAR 16TH MTG: A RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT OF COOPER LEVENSON, P. A. FOR LEGAL SERVICES AS THE TOWNSHIP OF WILLINGBORO PLANNING BOARD GENERAL COUNSEL

Res 2021 – 43

TABLED- MARCH 2, 2021: ACCEPTANCE OF TAX COLLECTOR’S 2020 ANNUAL REPORT

Res 2021 - 48

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR WILLINGBORO FIRE DEPARTMENT RECRUITMENT SERVICES

WILLINGBORO TOWNSHIP COUNCIL MEETING

AGENDA

March 16, 2021

Res 2021 – 49 **RESOLUTION AUTHORIZING EXECUTION OF RIGHTS-OF-WAY USE AGREEMENT WITH CROSS RIVER FIBER, LLC**

Res 2021 -50 **RESOLUTION AUTHORIZING THE AWARD OF A NONFAIRAND OPEN CONTRACT FOR MULTI-LICENSED UNIFORM CONSTRUCTION CODE (U.C.C.) INSPECTORS (*Delgado*)**

Res 2021 – 51 **RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR MULTI-LICENSED UNIFORM CONSTRUCTION CODE (U.C.C.) INSPECTORS (*Wallace*)**

Res 2021 – 52 ***RESOLUTION TO TRANSFER APPROPRIATION RESERVES***

Res 2021 – 53 ***RESOLUTION AUTHORIZING THE FUNDING OF WILLINGBORO TOWNSHIP'S SHARE OF THE MACCS CONTRACT***

Res 2021 – 54 ***RESOLUTION AUTHORIZING THE TOWNSHIP TO APPLY FOR THE 2021 RECYCLING TONNAGE GRANT***

Res 2021 – 55 **RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH GRANICUS SOLUTIONS, TO UPDATE AND IMPROVE THE TOWNSHIPS WEBSITE**

NEW BUSINESS:

OLD BUSINESS:

Edmunds Software Access for Council Boards and Commissions

PUBLIC COMMENT

COUNCIL COMMENT

Res 2021- 56 ***AUTHORIZING AN EXECUTIVE SESSION OF THE TOWNSHIP COUNCIL (NEEDED)***

ADJOURNMENT

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

ORDINANCE NO. 2021 - 1

TOWNSHIP OF WILLINGBORO

AN ORDINANCE AUTHORIZING AMENDMENTS TO THE TOWNSHIP OF WILLINGBORO MUNICIPAL CODE TO ADD A NEW CHAPTER 180, TO BE ENTITLED “FOOD VENDING VEHICLES” AND AMENDING CHAPTER 150 OF THE WILLINGBORO TOWNSHIP MUNICIPAL CODE ENTITLED “FEES”

WHEREAS, the Mayor and Council for the Township of Willingboro have performed a full review of the fees listed under Chapter 150, entitled “FEES,” and other Chapters of the Willingboro Municipal Code Book.

WHEREAS, the purpose of this Ordinance is to permit Food Vending Vehicles during specified limited times and dates, in the Township of Willingboro (“Township”), and this Ordinance is adopted with the intent to encourage business in the Township and to provide a unique culinary experience in an outdoor setting for Township residents and visitors, while providing standards and regulations for Food Vending Vehicles and the operators of same within the Township.

WHEREAS, the Mayor and Council for the Township now desire to amend said chapter to change some of the requisite fee amounts listed therein and add an additional chapter to the Willingboro Municipal Code Book for Food Vending Vehicles.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and the Council of the Township of Willingboro, County of Burlington and State of New Jersey that the Township of Willingboro Municipal Code Book shall be amended as follows:

***SECTION 1:** The Township of Willingboro Municipal Code Book shall, in pertinent part, be amended to add Chapter 180, entitled “Food Vending Vehicles” as follows:*

Chapter 180: Food Vending Vehicles

- § 180-1 *Definitions.*
- § 180-2 *License and permit required.*
- § 180-3 *Fees.*

- § 180-4 *Display of license and other requirements.*
- § 180-5 *Violations and penalties.*

§ 180-1 *Definitions.*

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

FOOD VENDING VEHICLE

Includes all vehicles and carts from which food and foodstuffs are offered for retail sale or delivery to consumers or other persons on the public sidewalk, streets, and highways, also including peddlers and hawkers within the scope of Chapter 257.

§180-2 *License and Permit required.*

- A. *No person shall offer any food for sale from a Food Vending Vehicle in the Township without first obtaining a license therefor from the Burlington County Health Department, and providing a copy of same to the Township Clerk, and a permit from the Township as set forth herein.*
- B. *Any person offering any food for sale from a Food Vending Vehicle in the Township pursuant to a license therefor from the Burlington County Health Department. Every such person shall further be required to present to the Township a certificate of registration from the Director of the Division of Taxation of the New Jersey Department of Treasury. Finally, every such person who possessed a license during the preceding year shall present proof to the Township of payment of New Jersey sales tax required pursuant to N.J.S.A. 54:32B-1, et seq.*
- C. *All persons operating a Food Vending Vehicle must have a valid New Jersey Driver's License or a valid Driver's License from another state in the United States.*
- D. *Any person offering any food for sale from a Food Vending Vehicle in the Township pursuant to a license therefor from the Burlington County Health Department shall cause to be furnished to the Township:*
 - 1. *A description of the vending unit, including three photographs representing a side view, a frontal view and rear view.*
 - 2. *If a motor vehicle, as defined under N.J.S.A. 39:1-1, is to be utilized as the vending unit, the applicant shall provide the following:*
 - (a)*Vehicle model.*
 - (b)*Vehicle registration number.*
 - (c)*License plate number.*
 - (d) *Proof of motor vehicle liability insurance coverage equal to or greater than the amounts required of a New Jersey motor vehicle, as prescribed*

- E. *A Food Vending Vehicle license and permit issued under this chapter shall not be assignable nor transferable and may be used only in the operation of the vending vehicle described in the application.*

§180-3 Fees.

The fees to be collected by the Township Clerk for the permit for operation of a Food Vending Vehicle in the Township are set forth in Chapter 150 of the Township Municipal Code.

§180-4 Display of permit and license and other requirements

- A. *Any person offering any food for sale from a Food Vending Vehicle in the Township pursuant to a license therefor from the Burlington County Health Department and the permit issued by the Township pursuant to this Ordinance shall post such permit and license in a conspicuous place on the Food Vending Vehicle.*
- B. *Clean-up and removal of litter generated by the Food Vending Vehicle and its patrons shall be the responsibility of the Food Vending Vehicle owner/operator.*
- C. *All food items must be approved for sale by the Burlington County Health Department and shall be prepared according to Burlington County Health Department specifications and in accordance with N.J.A.C. 8:24, et seq.*
- D. *All machinery used in the preparation of food items must be approved by the Burlington County Health Department All vehicles must be equipped with an inverter generator for noise control, with a maximum decibel rating to be established by the Township Manager or the Manager's designee and periodically updated based on experience with Food Vending Vehicles in the Township.*
- E. *All products sold, disposed of or offered for sale under this article shall comply with all state laws and ordinances of the Township relating to food and food products.*
- F. *The hours of operation for Food Vending Vehicles subject to the provisions of this chapter shall not be earlier than 10:00 a.m. and no later than 9:00 p.m. the same day, and only on days specified by the Township Manager pursuant to the permit issued pursuant to Section H of this chapter.*
- G. *The sale or attempted sale of goods from a Food Vending Vehicle shall be prohibited except in areas permitted and specified by the Township Manager, or his or her designee, pursuant to the permit issued pursuant to Section H of this chapter. In no event shall a Food Vending Vehicle be located on a residential street or on a portion of a sidewalk or roadway abutting a restaurant or food licensee within the Township.*

H. *The Township Manager, or his or her designee, shall establish the dates, hours of operation and permitted location of all Food Vending Vehicles in the permit issued pursuant to this Chapter, and subject to the following conditions:*

- a. *The maximum number of Food Vending Vehicles to be permitted at any one time or event in the Township shall be . The Township Manager, or his or her designee shall have the authority to amend the number of permissible Food Vending Vehicles on a case by case basis, and each Food Vending Vehicle shall serve a different variety of food;*
- b. *In the event that more Food Vending Vehicle operators seek to apply for a permit on a day than permitted by the Township Manager in subsection (b) above, or if more than one operator offering the same variety of food seeks to apply for a permit, the Township shall maintain a rotating list of Food Vending Vehicles, and permits shall be issued on a rotating basis, provided that any food vending operator violating any term, condition or provision of this Chapter shall thereafter be prohibited from applying for a permit.*

§180-5 *Violations and penalties.*

- A. *Any person who violates any provisions of this chapter shall, upon conviction thereof, be punished by a fine of not less than \$100.00 and not exceeding \$1,000.00, by imprisonment for a term not exceeding 90 days or by a period of community service not for more than 90 days, or any combination thereof. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.*
- B. *In addition to the penalties set forth herein, any person operating a Food Vendor Vehicle or cart who violates any provisions of this Chapter, or applicable provisions of Chapter 24 of the New Jersey State Sanitary Code, the Food Vending Vehicle shall be deemed a public safety hazard by the Township. Accordingly, in the instance of such violation, the Food Vending Vehicle in question may be impounded (and, in the instance of an operator not bearing the required license, shall be impounded) by either the Willingboro Township Police Department or Burlington County Health Department. In the event that any such vehicle is impounded, the Food Vending Vehicle may be redeemed by the person upon payment of the cost of impounding and any applicable storage charges. The said storage charge and cost of impounding shall be the same as are established for the impounding of motor vehicles.*

SECTION 2: *Chapter 150, entitled “FEES,” of the Township of Willingboro Municipal*

Code Book shall, in pertinent part, be amended as follows:

NOTE: Deletions have been ~~struck through~~ and additions in italics. Large portions of text which are unchanged by this ordinance have been removed and indicated via “...”

§150-1 *General regulations and procedures.*

....

§150-18 *Food Vending Vehicle Fees*

A. *The annual operating permit fee for owners/operators of Food Vending Vehicles shall be \$50.00 per Food Vending Vehicle, payable to the Township Clerk.*

OR

B. *The daily operating permit fee for owners/operators of Food Vending Vehicles shall be \$20.00 per day per Food Vending Vehicle, payable to the Township Clerk.*

SECTION 3: *All Township ordinances inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistencies; and*

SECTION 4: *In the event that any section paragraph, clause phrase, term, provision or part of this Ordinance shall be adjudicated by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered; and*

SECTION 5: *This Ordinance shall take effect immediately upon final passage and publication as provided by law.*

First Reading:

<i>Councilmember</i>	<i>Motion</i>	<i>2nd</i>	<i>Yea</i>	<i>Nay</i>	<i>Recuse</i>	<i>Abstain</i>	<i>Absent</i>
<i>Councilman Anderson</i>			<i>X</i>				
<i>Councilwoman Perrone</i>	<i>X</i>		<i>X</i>				
<i>Councilwoman Whitfield</i>			<i>X</i>				
<i>Deputy Mayor McIntosh</i>		<i>X</i>	<i>X</i>				
<i>Mayor Worthy</i>			<i>X</i>				

Second Reading:

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

Dr. Tiffani A. Worthy, Mayor

Attest:

Brenda Bligen, MBA
Acting Township Clerk

TABLED MARCH 2, 2021

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Willingboro in the County of Burlington finds it advisable and necessary to increase its 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 1,236,173.41 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Willingboro, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2021 budget year, the final appropriations of the Township of Willingboro shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$ 1,236,173.41 and that the 2021 municipal budget for the Township of Willingboro be approved and adopted in accordance with this ordinance; and,

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

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

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

Ordinance 2021- 6

Councilmember	Motion	2nd	Yea	Nay	Recuse	Abstain	Absent
<i>Councilman Anderson</i>							X
<i>Councilwoman Perrone</i>			X				
<i>Councilwoman Whitfield</i>	X		X				
<i>Deputy Mayor McIntosh</i>		X	X				
<i>Mayor Worthy</i>			X				

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

 Dr. Tiffani Worthy
 Mayor

 Brenda Bligen, MBA
 Acting Township Clerk

A RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT OF COOPER LEVENSON, P. A. FOR LEGAL SERVICES AS THE TOWNSHIP OF WILLINGBORO PLANNING BOARD GENERAL COUNSEL

WHEREAS, in March 2020 the Township of Willingboro Planning Board (the “Planning Board”) entered into a professional services agreement with Cooper Levenson, P. A. to serve as the General Counsel to the Planning Board from March 2020 through December 2020: and

WHEREAS, the not to exceed contract amount authorized by Resolution 2020-7 of \$5,100.00; and

WHEREAS, Resolution 2020-166, increased the not to exceed contract amount by \$1,000.00; and

WHEREAS, there exists a continuing need for the services of Cooper Levenson, P.A. as General Counsel to the Planning Board; and

WHEREAS, it has been recommended that the Township Council increase the not to exceed contract amount by an additional \$ 6,000.00 due to ongoing professional services, in which their services are required;

WHEREAS, the Township of Willingboro Chief Financial Officer has certified that sufficient funds are available for the requested increase of the not to exceed amount from \$6,100.00 to \$12,100.00: and

NOW, THEREFORE BE IT RESOLVED, on this 2nd day of February, 2021 in open public session, by the Township Council of the Township of Willingboro that it hereby authorizes an increase of \$6,000.00 for a not to exceed amount of \$12, 100.00 for the contract term through December 31, 2020 for the firm Cooper Levenson, P. A. for professional services as the Planning Board General Counsel.

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION 2021 - 43

ACCEPTANCE OF TAX COLLECTOR'S 2020 ANNUAL REPORT

WHEREAS, N.J.S.A.54:4-91 requires that the Tax Collector shall submit an annual statement of receipts to the governing body.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Willingboro that the following Collector's Annual Report of Receipts for the Year Ending December 31, 2020, be hereby acknowledged and accepted as submitted.

BE IT FURTHER RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 2ND day of March 2021 that this resolution be adopted.

**TAX COLLECTION OFFICE
FOR THE YEAR ENDING DECEMBER 31, 2020**

Tax Searches	\$3,642.72
In Lieu of Taxes	282,792.88
Return Check Fee	260.00
Interest	795,083.77
2020 Taxes Prepaid	598,614.49
Outside Liens (Paid in full)	1,561,751.03
Premium Collected from Tax Sale	2,526,200.00
6% Penalty (delinquencies over \$10,000)	67,097.83
Total	5,835,442.72
Delinquent Taxes	2,062,282.25
Canceled (Exemptions)	99,356.38-
Canceled (Appeals)	18,788.87-

Dr. Tiffani Worthy, Mayor

I hereby certify this a true and exact copy of a resolution adopted by the Willingboro Township Council on March 2, 2021.

Brenda Bligen, MBA
Acting Township Clerk

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

Willingboro Township Summary

The total assessed value is broken down as follows:

Taxable Properties

TYPE	NUMBER	ASSESSED VALUE
Residential	10,746	1,694,233,500
Vacant Land	97	10,176,000
Commercial	188	130,298,400
Industrial	10	9,583,400
Apartment	5	30,260,100
Farms (regular)	2	393,400
Farms (qualified)	2	5,900
Public Utility	1	100
Total	11,073	1,874,950,800

Exempt Properties

TYPE	NUMBER	ASSESSED VALUE
Public School	17	118,095,000
Other School	1	1,468,400
Public Property	144	75,954,300
Charitable	84	85,172,100
Cemetery	0	0
Miscellaneous	352	95,966,300
Total	577	376,656,100

Taxpayers Receiving Deductions per Tax Duplicate

TYPE	NUMBER	ASSESSED VALUE
Senior Citizen	134	33,500
Disabled Person	16	4,000
Surviving Spouse	3	750
Veteran	783	195,750
Widow of a Veteran	154	38,500
Total	1,163	272,500

RESOLUTION No. 2021- 48

TOWNSHIP OF WILLINGBORO

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR WILLINGBORO FIRE DEPARTMENT RECRUITMENT
SERVICES**

WHEREAS, in order to maximize the use of eligible grant funds, the Township of Willingboro intends to procure advertisement and recruiting services for the Willingboro Fire Department through the award of a non-fair and open contract to a qualified vendor, pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the contract for those services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is for twenty four months (24), with the option for the Township to extend the contract for up to an additional twenty four months; and

WHEREAS, the Communication Solutions Group, with offices located at 200 Old York Road, Jenkintown, Pennsylvania 19046, submitted a proposal on February 15, 2021 stating they will provide the Willingboro Fire Department with advertisement and recruitment services for the sum of \$26,300.00, with the contract amounts as follows: \$22,300.00 in year one and two, and, if the Township exercises the option to extend the contract, \$2000.00 in Year Three, and \$2000.00 in Year Four; and

WHEREAS, the Township has determined that the Communications Solutions Group is qualified to provide the required services for this contract; and

WHEREAS, the Communication Solutions Group has completed and submitted a Business Entity Disclosure Certification which certifies that The Communication Solutions Group has not made any reportable contributions to a political or candidate committee in Willingboro Township in the previous one year, and that the contract will prohibit The Communication Solutions Group from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Clerk is in receipt of a Certificate of Availability of Funds from the Chief Finance Officer; and

NOW THEREFORE, BE IT RESOLVED, on this 16th day of March, 2021, that the Township Council of the Township of Willingboro authorizes the Mayor to execute a contract with The Communication Solutions Group for the services that are the subject of this Resolution; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value shall be placed on file along with this Resolution.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided to The Communication Solutions Group of 200 Old York Road, Jenkintown, PA 19046 for its information and attention.

Brenda Bligen, Acting Township Clerk

Tiffany Worthy, Mayor

RESOLUTION No. 49

**RESOLUTION AUTHORIZING EXECUTION OF
RIGHTS-OF-WAY USE AGREEMENT WITH CROSS RIVER FIBER,
LLC**

WHEREAS, Cross River Fiber, LLC, (“Cross River”), is a public utility and telecommunications carrier as defined by N.J.S.A 48:2-13 with offices located at 461 Headquarters Plaza, Morristown, NJ 07960; and

WHEREAS, Cross River is authorized to provide services throughout the State of New Jersey pursuant to an Order issued by the New Jersey Board of Public of Utilities in Docket No. TE11050320 on July 14, 2011, Docket No. TE12040297 on June 18, 2012, and Docket No. TM14080906; and

WHEREAS, Cross River has requested the consent of the Township for permission to construct, install, operate, repair and maintain telecommunications facilities on utility poles or within underground conduits located in the public rights-of-way in the Township of Willingboro (“Township”) in order to provide telecommunications services to the public; and

WHEREAS, N.J.S.A 48:17-10 through 48:17-12 permits municipalities to enter into a Rights-of-Way Use Agreement with a telecommunications carrier; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies, but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

WHEREAS, Cross River desires to enter into a Rights-of Way Use Agreement with the Township that sets forth the terms of use, occupancy and manner in which Cross River will utilize the municipal Rights-of-Way (“Use Agreement”); and

WHEREAS, the Use Agreement shall be effective for an initial ten (10) year term and contain three (3) additional renewable ten (10) year terms.

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

1. Council hereby authorizes entry into a Use Agreement, in a mutually-agreeable form, which shall be subject to the approval of the Township and its professionals, for the non-exclusive right of Cross River to occupy municipal rights-of-way within the Township for the purpose of constructing, installing, operating, maintaining, and replacing a telecommunications system for an initial ten (10) year term, with an option to renew for an additional ten (10) year term, provided notice is provided by Cross River to the Township no less than ninety (90) days prior to the termination of the initial ten (10) year term.

2. The within granted permission is conditioned upon Cross River entering into an appropriate form of Rights-of-Way Use Agreement with the Township, which generally requires liability and property damage insurance coverage, and subject to all local ordinances governing the performance of work by public utilities anywhere in the Township.

3. The Mayor and the Municipal Clerk be and hereby are authorized and directed to execute an appropriate form of mutually-agreeable Rights-of Way Use Agreement between the Township and Cross River Fiber, LLC on this 16th day of March 2021.

4. A copy of this Resolution and the executed Rights-of-Way Use Agreement shall be kept on file in the Office of the Municipal Clerk.

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION 2021 – 50

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR MULTI-LICENSED UNIFORM CONSTRUCTION CODE
(U.C.C.) INSPECTORS**

WHEREAS, the Township of Willingboro requires the services of Uniform Construction Code (U.C.C.) inspectors, each of whom possesses licenses in several disciplines of code inspection, in order to obtain the maximum available inspection services, and in the most efficient and cost-effective manner; and

WHEREAS, each such inspector shall be required to possess a valid NJ Business Registration Certificate, and shall be licensed by the Department of Community Affairs under the Uniform Construction Code, and shall hold the below licenses;

Construction Official	Building Subcode Official
Plumbing Subcode Official	Building Inspector (RCS)
Plumbing Inspector (HHS)	Mechanical Inspector

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the contract of the per diem multi-licensed U.C.C. inspector shall not exceed \$44,000.00; and

WHEREAS, the Township intends to award contracts to such inspectors, pursuant to a non-fair and open process, and where the value of each such contract will exceed the sum of \$17,500.00, as has been determined by the Township’s qualified purchasing agent, but that each such contract shall not exceed the total sum of \$44,000.00; and

WHEREAS, the term of each such contract is shall be one (1) year, and each contract may be extended for an additional one (1) year, through March 16, 2022, if approved by the Township Council; and

WHEREAS, in response to requests for proposals that the Township published for each contract, Juan Delgado submitted a proposal dated March 2, 2021 stating he will provide the required inspection services for the sum of \$250.00 per day, for no more than four (4) calendar days per week, and in a total amount not exceeding \$44,000 for the term of the contract; and

WHEREAS, Juan Delgado has submitted a Business Entity Disclosure Certification which certifies that Juan Delgado has not made any reportable contributions to a political or candidate committee in Willingboro Township in the previous one year, and that the award of the contract will prohibit Juan Delgado from making any reportable contributions through the term of the contract, and

WHEREAS, the Township Clerk is in receipt of a Certificate of Availability of Funds from the Chief Finance Officer; and

RESOLUTION 2021 – 50

NOW THEREFORE, BE IT RESOLVED, on this 16th day of March, 2021, that the Township Council of the Township of Willingboro authorizes the Mayor to execute a contract with Juan Delgado for the services that are the subject of this Resolution; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value shall be placed on file along with this Resolution.

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION NO 2021 -51

WHEREAS, the Township Clerk is in receipt of a Certificate of Availability of Funds from the Chief Finance Officer; and

NOW THEREFORE, BE IT RESOLVED, on this 16th day of March, 2021, that the Township Council of the Township of Willingboro authorizes the Mayor to execute a contract with Dwayne Wallace for the services that are the subject of this Resolution; and

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

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION 2021- 52

RESOLUTION TO TRANSFER APPROPRIATION RESERVES

WHEREAS, various 2020 bills have been presented for payment this year, Which bills represent obligations of the prior fiscal year and were not covered by order number and /or recorded at the time of transfers between the 2020 Budget in the last two months of 2020; and

WHEREAS, N. J. S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those who are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE BE IT RESOLVED by the Council of the Township of Willingboro, in the County of Burlington in the State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$ 5,000.00 be made between the 2020 Budget Appropriation Reserves as follows:

	<i>From:</i>	<i>To:</i>
0-01-20-155-000-131 Twp. Atty Special Projects	\$5,000.00	
0-01-21-180-000-132 Planning Board contractual		\$5,000.00

RESOLUTION NO: 2021- 53

**RESOLUTION AUTHORIZING THE FUNDING OF
WILLINGBORO TOWNSHIP'S
SHARE OF THE MACCS CONTRACT**

WHEREAS the Governing Body of the Township of Willingboro, County of Burlington, State of New Jersey, agreed to participate in a Joint Purchasing Program **with other municipalities** for the collection of and disposal of solid waste and bulk waste from apartments and condominiums within the municipality; and

WHEREAS, the Township of Willingboro entered into a Joint Purchasing Agreement for the program, known as "Municipal Apartment and Condominium Collection Services" ("MACCS"), which agreement designates Maple Shade Township as the Lead agency for the program; and

WHEREAS, Central Jersey Waste & Recycling, Inc. was awarded a contract to provide collection services for the MACCS program, beginning June 1, 2017, for a three-year term, and further providing for two one-year renewal options for collection services, **with the charges for those services** based on current level of service, as follows:

- Basic Service and fuel (subject to 3% administrative fee)
 - 2021 portion, in an amount not to exceed \$3,163.94
- Bulk Collection
 - 2021 portion, in an amount not to exceed \$15,934.96
- Roll Off/Compactors
 - 2021 portion, in an amount not to exceed \$80,310.88; and

WHEREAS, if approved, the MAACS contract renewal with Central Jersey Waste and Recycling, Inc. services will be for the second, and final, one-year renewal of that contract; and

WHEREAS, AVR Resource Group, Inc. was awarded a contract to provide contract administrator services for the MACCS program, beginning May 1, 2018, for a three-year term, and further providing for two one-year renewal options for contract administrator services, **based on current number of units serviced, and in an** amount not to exceed \$10,238.91 for 2021 portion of the MACCS contract; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11-1 et seq. and the regulations promulgated there under, more specifically, N.J.A.C. 5:34-7.14, prior to the award of a contract, each member of a joint purchasing system must issue a purchase order and certification of funds for its share of the contract amount; and

WHEREAS, it is in the best interest of Township of Willingboro to fund its portion of the **contracts with Central Jersey Waste & Recycling and AVR Resource Group, Inc. for the period from January 1, 2021 through December 31, 2021, and;**

RESOLUTION NO: 2021- 53

WHEREAS, the Chief Financial Officer of Township of Willingboro, as required by N.J.A.C. 5:30-1, has certified that there are sufficient funds for this purpose for the period said, certification being attached hereto and made a part hereof.

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

1. Township of Willingboro hereby authorizes the renewal of the above-referenced MACCS contracts, for the time periods set forth above, and the Township authorizes the payment of the sum of \$99,409.78, subject to adjustment for changes in level of service for calendar year 2021, for solid waste collection services provided by Central Jersey Waste and Recycling, Inc., and the Township further authorizes the payment of the sum of \$10,238.91 to AVR Resource Group, Inc. for contract administrator services for calendar year 2021, and in the total amount not to exceed \$115,351.18 for both contracts.
2. The Chief Financial Officer is hereby authorized to issue all required purchase orders funding Township of Willingboro's 2021 portion of the MACCS trash collection contract.

**RESOLUTION AUTHORIZING THE TOWNSHIP TO APPLY FOR THE 2020
RECYCLING TONNAGE GRANT**

WHEREAS, Recycling Enhancement Act, N.J.S.A. 13:1E-96 et seq., Mandatory Source Separation and Recycling Act P.L. 1987, c.102, as amended, and N.J.S.A. 13:1E-99.16, et seq., as amended, (collectively cited hereinafter as “Recycling Act”) have established a recycling fund from which tonnage grants may be made to municipalities, in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township to apply for the tonnage grants; and

WHEREAS, a resolution authorizing the Township to apply for the 2020 Recycling Tonnage Grant will memorialize the commitment of the Township to recycling and indicate the assent of the Township Council to efforts undertaken by the Township and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, this resolution acknowledges Patti Conrad, Brian Wood, and Lawrence Hardy are *Certified Recycling Professionals* to ensure that the application is properly completed and timely filed under the law.

NOW THEREFORE BE IT resolved on this 16th day of March 2021 in open public session that that the Township Council hereby authorizes and endorses the Tonnage Grant Application to the New Jersey Department of Environmental Protection; and

RESOLUTION NO. 2021 – 54

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant shall be deposited into a dedicated recycling trust fund to be used solely for the purposes of recycling.

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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

RESOLUTION 2021 - 55

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH GRANICUS SOLUTIONS, TO UPDATE AND IMPROVE THE TOWNSHIPS WEBSITE

WHEREAS, the Township of Willingboro (“Township”) has identified a need to update the government website by improving the information architecture (IA), the user experience (UX), simplify content discoverability, and improve navigation architecture, especially in the mobile platform. and is seeking to award a contract pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (“LPCL”); and

WHEREAS, on or about January 31, 2021, Granicus Solutions submitted a quote to update and improve the Townships website; and

WHEREAS, pursuant to N.J.S.A. 40A:11-2(19), “aggregate” is defined as “the sums expended or to be expended for the provision or performance of any goods or services in connection with the same immediate purpose or task, or the furnishing of similar goods or services, during the same contract year through a contracted awarded by a contracting agent”; and

WHEREAS, N.J.S.A. 40A:11-5 provides certain exceptions to the LPCL that allows the Township to solicit goods or services without public advertising for bids and other requirements set forth in N.J.S.A. 40A:11-4; specifically, any contract the amount of which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding if the subject matter consists of the type identified in N.J.S.A. 40A:11-5; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(dd), the provision or performance of goods or services for the support or maintenance of proprietary computer hardware and software is an exception to the requirement for public advertisement for bids and bidding; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1.a, for all contracts that are in the aggregate less than the bid threshold but fifteen (15) percent or more of that amount, and for those contracts that are subject to the exceptions under N.J.S.A. 40A:11-5, including proprietary software and/or hardware under N.J.S.A. 40A:11-5(1)(dd), the contracting agent must award the contract after soliciting at least two competitive quotations, if practicable; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1.b, when such contracts are above the bid threshold, and after documented effort by the contracting agent to secure competitive quotations, such contracts may be awarded upon a written determination by the contract the contract agent that the solicitation of competitive quotations is impracticable; and

WHEREAS, the offer by Granicus Solutions is proprietary computer hardware and/or software pursuant to N.J.S.A. 40A:11-5(1)(dd), not requiring the solicitation of public bids, but the cost of the Software in the aggregate, as defined under N.J.S.A. 40A:11-2(19), is less than the bid threshold for the contract year, but is fifteen (15) percent or more of that amount, and as such, pursuant to N.J.S.A. 40A:11-6.1(a), the Township is required to solicit at least two competitive quotations, if practicable; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1.a., after soliciting at least two competitive quotations, if practicable, the award of the contract shall be made to a vendor whose response is most advantageous, price and other factors considered;

WHEREAS, the quote from Granicus Solutions includes a sixty (60) month commitment, with an option for the Township to cancel the agreement within a 60-day pilot period by written notice of the Township’s intention to cancel to Granicus Software; and

WHEREAS, the quote from Granicus Solutions requires a one-time fee of \$25,000.00 and a cost of \$6,400.00 for Year Two, \$6,720.00; for year 3, \$7,056.00; for year 4 and \$7,408.80; and

WHEREAS, the Township seeks to enter into an agreement with Granicus Solutions, 1999 Broadway, Suite 2600, Denver, CO 80202 to purchase the Software; and

WHEREAS, the Township’s Chief Financial Officer has certified, attached, that the funds are available for this purpose; and

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, on this 16th day of March 2021, in open public session that the Township Council authorizes the Mayor to execute an agreement with Granicus Solutions, that is consistent with this resolution, and

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

BE IT FURTHER RESOLVED That certified copies of this Resolution shall be provided to Granicus Software, 1999 Broadway, Suite 2600, Denver, CO 80202 and the Finance Director for their information and attention.

Attest:

Dr. Tiffani Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

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