

Public Agenda – August 3, 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

August 3, 2021

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

7:00PM

Call to order

Roll Call

Prayer: Rev. Geralda Aldajuste, St. Paul United Methodist Church, 201 Levitt Pkwy

Flag Salute

Statement

In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner: On December 21, 2020 advance written notice of this meeting was posted on the bulletin board in the Municipal Complex, emailed to the Burlington County Times, and filed with the Township Clerk.

The Clerk is directed to enter into the minutes of this meeting this public announcement.

PUBLIC COMMENT AGENDA ITEMS ONLY

ORDINANCE

ORD 2021 – 10 AN ORDINANCE AUTHORIZING AMENDMENTS TO THE TOWNSHIP OF WILLINGBORO MUNICIPAL CODE BOOK TO AMEND CHAPTER 150 ENTITLED "FEES" (HVAC)

ORD 2021 –11 **PUBLIC HEARING/ FINAL READING**
ORDINANCE CREATING WILLINGBORO TOWNSHIP CODE, TO BE ENTITLED "CANNABIS LICENSING AND OPERATING"

ORD 2021 – 12 AN ORDINANCE AUTHORIZING AMENDMENTS TO THE TOWNSHIP OF WILLINGBORO MUNICIPAL CODE BOOK TO AMEND CHAPTER 150 ENTITLED "FEES" (2ND Trash Carts)

ORD 2021 – 13 AN ORDINANCE REQUIRING INSPECTION AND REPAIR OF PRIVATE SEWER LATERAL SERVICE UPON THE SALE OR TRANSFER OF PROPERTY

RESOLUTION

Res 2021 – 99 Need to be seconded (July 6 Agenda) -AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS UNDER THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT FOR ONE (1) EXMARK 96 LASER MOWER

WILLINGBORO TOWNSHIP COUNCIL MEETING AGENDA

August 3, 2021

- Res 2021 – 120** ***A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING AN EMERGENCY CONTRACT PURSUANT TO N.J.S.A. 40A:11-6 FOR EMERGENCY REPAIRS TO THE INTERSECTION AT TIFFANY AND TORRINGTON LANES***
- Res 2021 – 121** ***AUTHORIZING THE APPROVAL OF VOUCHERS FOR PAYMENT & RATIFICATION***
- Res 2021 – 122** ***A RESOLUTION AUTHORIZING REFUNDS FOR OVERPAYMENTS OF TAXES***
- Res 2021-123** ***RESOLUTION APPROVING CHANGE ORDER NO. 1 CONTRACT NO. C2000010 2020 ROAD improvement PROGRAM RECONSTRUCTION PROGRAM***
- Res 2021 – 124** ***A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING THE RELEASE OF PERFORMANCE BOND TO ASPHALT PAVING SYSTEM AND ACCEPTANCE OF ITS TWO YEAR MAINTENANCE BOND FOR THE 2020 ROAD IMPROVEMENT PROGRAM***
- Res 2021 – 125** ***RESOLUTION AUTHORIZING THE EXECUTION OF PUBLIC DONOR AGREEMENT BETWEEN PROVIDENCE HOUSE AND WILLINGBORO TOWNSHIP FOR THE YEAR 2021***
- Res 2021 – 126** ***RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO AWARD A CONTRACT TO GALLS PARENT HOLDINGS LLC DBA SAMZIE'S UNIFORMS A CONTRACTED PARTICIPANT IN THE NJ STATE APPROVED PURCHASING COOPERATIVE***
- Res 2021 – 127** ***RESOLUTION APPROVING PAYMENT TO ATC CORPORATION***
- Res 2021 -128** ***GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT***
- Res 2021 – 129** ***RESOLUTION ACCEPTING THE AWARD OF THE 2021 SFY21 BODY WORN CAMERA GRANT PROGRAM FROM THE STATE OF NEW JERSEY***
- Res 2021 – 130** ***RESOLUTION PROVIDING FOR THE COMBINATION OF \$14,241,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, INTO A SINGLE ISSUE OF GENERAL IMPROVEMENT BONDS.***

WILLINGBORO TOWNSHIP COUNCIL MEETING AGENDA

August 3, 2021

Res 2021 – 131 ***RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$14,241,000 GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AND PROVIDING FOR THEIR SALE.***

Res 2021 – 132 **RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR MOLD REMEDIATION IN THE OFFICE OF EMERGENCY MANAGEMENT**

Res 2021 – 133 **RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH AXON ENTERPRISES, INC., A CONTRACTED PARTICIPANT IN THE NJ STATE APPROVED PURCHASING COOPERATIVE CONTRACT T-0106, VENDOR ID V00001512, TO PROVIDE AN AUDIO/VIDEO RECORDING AND STORAGE SYSTEM FOR THE WILLINGBORO POLICE DEPARTMENT INTERVIEW ROOMS.**

Res 2021- 134 ***RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO CONTRACTS WITH THOMAS J MORRIS JR, DBA/EAGLE POINT GUN SHOP A CONTRACTED PARTICIPANT IN THE NJ STATE APPROVED PURCHASING COOPERATIVE CONTRACT T0106, PO# 17-FLEET-00721, TO PURCHASE BALLISTIC POLICE EQUIPMENT.***

Res 2021 – 135 **RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO AWARD A CONTRACT TO HAINESPORT ENTERPRISES, DBA/HAINESPORT AUTO AND TRUCK REPAIR CENTER TO REPAIR TRUCKS, AUTOS, AND EQUIPMENT.**

Approval of Treasurer Report

Approval of Minutes

- 020921 & 021621
- 030221 & 031621
- 040621 & 042021
- 050421 & 051821
- 060121 & 060921 & 061521 (Resolution 2021 – 99)
- 070621 & 071621

MUNICIPAL UPDATE

MUNICIPAL CLERK UPDATE

NEW BUSINESS

WILLINGBORO TOWNSHIP COUNCIL MEETING AGENDA
August 3, 2021

UNFINISHED BUSINESS

- Municipal Clerk performance evaluation Process
- RFQ Results Executive Search Firm for Township Manager
- Strategic Plan update
- Credit Card capability update for Pools
- Handicap Parking in front of resident update
- Custodial in house hiring update; 5 year financial plan for outsourcing & in house
- Country Club Golf Course update

PUBLIC COMMENT

COUNCIL COMMENT

Res 2021 - 136 EXECUTIVE SESSION (IF NEEDED)

ADJOURNMENT

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

TOWNSHIP OF WILLINGBORO

ORDINANCE NO. 2021 - 10

**AN ORDINANCE AUTHORIZING AMENDMENTS TO THE TOWNSHIP OF
WILLINGBORO MUNICIPAL CODE BOOK TO AMEND CHAPTER 150 ENTITLED
“FEES”**

WHEREAS, the Construction Official for the Township of Willingboro has determined that the Willingboro Township Code requires an amendment under Chapter 150, entitled “FEES”

WHEREAS, the purpose of this amendment is to add a new fee schedule for the installation of Solar/Photovoltaic systems and the installation of ductwork for an HVAC system in an existing single family dwelling; and

WHEREAS, the Mayor and Council for the Township now desire to amend said Chapter to add the requisite fee amounts listed therein; and

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 to reflect Chapter 150 as follows:

SECTION 1: The Township of Willingboro Municipal Code Book shall, in pertinent part, be amended as follows:

Chapter 150. Fees

150-6. Uniform Construction Code Fees

150-6B(4)

(j) The fee for Solar/Photovoltaic systems shall be charged a flat fee of \$100.00 for Use Groups R-3, R-4 and R-5. All other use groups shall be charged a flat fee of \$300.00.

150-6B(6)

(a) The fee to install ductwork for an HVAC system in an existing single-family dwelling shall be 125.

<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>							

ATTEST

Brenda Bligen , MBA
A., Township Clerk

Dr. Tiffani Worthy
Mayor

ORDINANCE 2021 - 11

**ORDINANCE CREATING WILLINGBORO TOWNSHIP CODE
TO BE ENTITLED
“CANNABIS LICENSING AND OPERATING”**

WHEREAS, the Willingboro Township Council now wishes to create incensing and operating requirements for regulated Cannabis establishments that also protect the health, safety and general welfare of the community; and

WHEREAS, on November 3, 2020, the citizens of New Jersey voted to approve Public Question No. 1, amending and supplementing Section VII of Article IV of the New Jersey Constitution to authorize the growth, cultivation, processing, manufacturing, preparing, packaging, transferring, and retail purchasing and consumption of Cannabis, or products created from or which include Cannabis for persons twenty-one (21) years or older in New Jersey, and further authorized municipalities to enact an additional municipal tax of up to two (2) percent on the receipts from each sale of Cannabis or products created from or which include Cannabis; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), now codified as N.J.S.A. 24:6I-31 et seq., which legalizes the recreational use of Cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) Cannabis operations, use and possession; and

WHEREAS, the Act at N.J.S.A. 24:6I-45 authorizes municipalities by ordinance to prohibit the operation of any one or more classes of Cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, the same provision of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (i.e., by August 21, 2021); and

WHEREAS, the same provision further states that the failure to do so shall mean that for a period of five years thereafter “the growing, cultivating, manufacturing, and selling and reselling of cannabis and cannabis items, and operations to transport in bulk cannabis items by a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, or as a cannabis distributor or cannabis delivery service shall be permitted uses in all industrial zones of the municipality,” and “the selling of cannabis items to consumers from a retail store by a cannabis retailer shall be a conditional use in all commercial zones or retail zones, subject to meeting the conditions set forth in any applicable zoning ordinance or receiving a variance”; and

WHEREAS, the same provision further states that at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting Cannabis businesses, but any such ordinance would be prospective only and would not apply to any Cannabis business already operating within the municipality; and

WHEREAS, the Township finds, given the Schedule I status of Cannabis under the federal Controlled Substance Act, complexities with access to banking and the level of cash transactions in Cannabis related businesses, and other concerns associated with Cannabis-related businesses, that only qualified operators should be permitted to safely operate strictly regulated Cannabis facilities in the municipality on a limited basis and subject to reasonable time, manner, and place restrictions, in order to balance applicable Statutes, consumers’ interests, and the creation of jobs and economic opportunity within the Township with public safety; and

WHEREAS, the Township desires to enact an Ordinance permitting all classes of licenses established by the Act, subject to the Act and the Rules, Regulations, and requirements of this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBO as follows:

SECTION I: Chapter 000 of the Willingboro Township Code shall be hereby be created, to be entitled "Cannabis Licensing and Operating," to state as follows:

ORDINANCE CREATING WILLINGBORO TOWNSHIP CODE
CHAPTER 000, TO BE ENTITLED
“CANNABIS LICENSING AND OPERATING”

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§ 000-1 **Definitions**

Class 1 – Cannabis Cultivator. A Cannabis Cultivator is defined as any licensed person or entity that grows, cultivates, or produces Cannabis in this State, and sells, and may transport, this Cannabis to other Cannabis cultivators, or usable Cannabis to Cannabis manufacturers, Cannabis wholesalers, or Cannabis retailers, but not to consumers.

Class 2 – Cannabis Manufacturer. A Cannabis Manufacture is defined as any licensed person or entity that processes Cannabis items in this State by purchasing or otherwise obtaining usable Cannabis, manufacturing, preparing, and packaging Cannabis items, and selling, and optionally transporting, these items to other Cannabis manufacturers, Cannabis wholesalers, or Cannabis retailers, but not to consumers.

Class 3 – Cannabis Wholesaler. A Cannabis Wholersaler is defined as means any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, Cannabis items for the purpose of resale or other transfer to either to another Cannabis wholesaler or to a Cannabis retailer, but not to consumers.

Class 4 – Cannabis Distributor. A Cannabis Distributor is defined as any licensed person or entity that transports Cannabis in bulk intrastate from one licensed Cannabis cultivator to another licensed Cannabis cultivator, or transports Cannabis items in bulk intrastate from any one class of licensed Cannabis establishment to another class of licensed Cannabis establishment, and may engage in the temporary storage of Cannabis or Cannabis items as necessary to carry out transportation activities

Class 5 – Cannabis Retailer. A Cannabis Retailer is defined as any licensed person or entity that purchases or otherwise obtains usable Cannabis from Cannabis cultivators and Cannabis items from Cannabis manufacturers or Cannabis wholesalers, and sells these to consumers from a retail store, and may use a Cannabis delivery service or a certified Cannabis handler for the off-premises delivery of Cannabis items and related supplies to consumers. A Cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a Cannabis delivery service which will be delivered by the Cannabis delivery service to that consumer.

Class 6 – Cannabis Delivery Service. A Cannabis Delivery Service is defined as any licensed person or entity that provides courier services for consumer purchases of Cannabis items and related supplies fulfilled by a Cannabis retailer in order to make deliveries of the Cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the Cannabis items directly through the Cannabis delivery service, which after presenting the purchase order to the Cannabis retailer for fulfillment, is delivered to that consumer.

Legal Residence. A structure in which one or more persons actually reside in conformance with State and Local law, or which has a certificate of occupancy permitting residency. The structure may be exclusively or partially residential.

Legal Walking Distance. To be measured in the normal way that a pedestrian would properly walk from the nearest entrance of the cannabis licensee to the nearest entrance of the site whose proximity from the licensee is being measured. The said method of measurement, which is also found in N.J.S.A. 33:1-76, shall be interpreted consistent with administrative and other case law addressing the issue of measurement under the said statute.

§ 000-2 **License Classes, and Certain Class-Related Requirements**

A. Generally. The Township hereby establishes that the following Cannabis License Classes, as defined above, are permissible in the Township subject to the licensing requirements, rules, and regulations established herein and by State law:

**ORDINANCE CREATING WILLINGBORO TOWNSHIP CODE
CHAPTER 000, TO BE ENTITLED
“CANNABIS LICENSING AND OPERATING”**

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Class 1 Cannabis Cultivator
Class 2 Cannabis Manufacturer
Class 3 Cannabis Wholesaler
Class 4 Cannabis Distributor
Class 5 Cannabis Retailer
Class 6 Cannabis Retailer.

B. Certain Class Related Requirements.

1. The maximum number of licenses available for each Class is as follows:

Class 1-Cultivator ??????? Licenses.
Class 2-Manufacturer- ??????? Licenses.
Class 3-Wholesaler- ??????? Licenses.
Class 4-Distributor- ??????? Licenses.
Class 5-Retailer- ??????? Licenses.
Class 6-Delivery- ??????? Licenses.

2. No Class 5 Retail License may operate within eight hundred (800) feet legal walking distance as defined above of another Class 5 Retail License operation.
3. Nothing herein obligates the local licensing authority to issue all licenses available in any class.
4. Licensure in all classes may be, but are not required to be, held by the same entity or individual, but an entity may not hold more than one cannabis retailer license. Any license conditionally issued by the Township is contingent upon the locally licensed entity's or individual's subsequent recipient of a State permit or license of the same class or type of regulated cannabis activity.

§ 000-3 Tax

- A. Transfer Tax Imposed.** There is hereby imposed a transfer tax of two percent on receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator; receipts from the sale of cannabis items from one cannabis manufacturer to another cannabis establishment; and receipts from the retail sales of cannabis items by a cannabis retailer to retail consumers who are 21 years of age or older; and a tax of one percent of the receipts from each sale by a cannabis wholesaler. Such tax shall be collected or paid, and remitted to the municipality by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis item, or from the consumer at the point of sale, on behalf of the municipality by the cannabis retailer selling the cannabis item to that consumer. The transfer tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt, or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item. No cannabis establishment required to collect a transfer tax imposed hereunder shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax will be refunded to the cannabis establishment or the consumer.
- B. Tax Liability.** Every cannabis establishment required to collect a transfer tax imposed by ordinance pursuant to this section shall be personally liable for the transfer tax or user tax imposed, collected, or required to be collected under this section. Any cannabis establishment shall have the same right with respect to collecting the transfer tax from another cannabis establishment or the consumer as if the transfer tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer tax or user tax by the cannabis establishment or consumer, as if the transfer tax was a part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided, however, that

**ORDINANCE CREATING WILLINGBORO TOWNSHIP CODE
CHAPTER 000, TO BE ENTITLED
“CANNABIS LICENSING AND OPERATING”**

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the chief fiscal officer of the municipality shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

C. Collection of Taxes, and Liens. All revenues collected from a transfer tax imposed by ordinance pursuant to this section shall be remitted to the chief financial officer in the manner prescribed herein. The chief financial officer shall collect and administer any transfer tax imposed by ordinance pursuant to this chapter. The municipality may enforce the payment of delinquent taxes or transfer fees imposed by ordinance pursuant to this section in the same manner as provided for municipal real property taxes. In the event that the transfer tax imposed by ordinance pursuant to this section is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment’s premises in the same manner as all other unpaid municipal taxes, fees, or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year. The municipality shall file in the office of its tax collector a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment’s premises. The lien shall be enforced as a municipal lien in the same manner as all other municipal liens are enforced

D. Certain Powers and Duties of Chief Financial Officer

1. General Powers and Duties. The chief financial officer is charged with the administration and enforcement of the provisions of this chapter, and is empowered to prescribe, adopt, promulgate and enforce rules and regulations relating to any matter pertaining to the administration and enforcement of this chapter, including provisions for the reexamination and corrections of declarations and returns, and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, and to prescribe forms necessary for the administration of this chapter. Should a cannabis establishment fail or refuse to provide adequate information to the chief financial officer to determine the amount of tax due, the chief financial officer may use information provided to the chief financial officer from other sources (i.e., the Commission or Department of Treasury) to determine the amount of tax liability.

2. Other Powers and Duties. It shall be the duty of the chief financial officer to collect and receive the taxes, fines, and penalties imposed by this chapter. It shall also be the duty of the chief financial officer to keep a record showing the date of such receipt. The chief financial officer is authorized to enter into agreements with the State of New Jersey to obtain information to facilitate administration of the tax. The chief financial officer is authorized to issue a ruling upon written request of a taxpayer or upon its own volition.

3. Examination of Taxpayer Records. The chief financial officer is hereby authorized to examine the books, papers and records of any taxpayer to verify the accuracy of any declaration or return, or if no declaration or return was filed, to ascertain the tax due. Every taxpayer is hereby directed and required to give to the chief financial officer, or to any agent designated by him/her, the means, facilities and opportunity for such examinations and investigations, as are hereby authorized.

E. Taxpayer Records, Returns, and Audits

1. Taxpayer Recordkeeping. Taxpayers liable for the transfer tax are required to keep such records as will enable the filing of true and accurate returns or the tax and such records shall be preserved for a period of not less than three (3) years

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from the filing date or due date, whichever is later, in order to enable the chief financial officer or any agent designated by him to verify the correctness of the declarations or returns filed. If records are not available in the municipality to support the returns which were filed or which should have been filed, the taxpayer will be required to make them available to the chief financial officer either by producing them at a location in the municipality or by paying for the expenses incurred by the chief financial officer or his agent in traveling to the place where the records are regularly kept.

2. **Returns.** All cannabis establishments operating in the municipality are required to file a transfer tax return with the chief financial officer to report their sales during each calendar quarter and the amount of tax in accordance with the provisions of this chapter. Returns shall be filed and payments of tax imposed for the preceding calendar quarter shall be made on or before the last day of April, July, October, and January, respectively. A taxpayer who has overpaid the transfer tax, or who believes it is not liable for the tax, may file a written request on an amended tax return with the chief financial officer for a refund or a credit of the tax. For amounts paid as a result of a notice asserting or informing a taxpayer of an underpayment, a written request for a refund shall be filed with the chief financial officer within two (2) years of the date of the payment.
3. **Confidentiality.** The returns filed by taxpayers, and the records and files of the chief financial officer respecting the administration of the transfer tax, shall be considered confidential and privileged and neither the municipality nor any employee or agent engaged in the administration thereof or charged with the custody of any such records or files, nor any former officer or employee, nor any person who may have secured information therefrom, shall divulge, disclose, use for their own personal advantage, or examine for any reason other than a reason necessitated by the performance of official duties any information obtained from the said records or files or from any examination or inspection of the premises or property of any person. Neither the chief financial officer nor any employee engaged in such administration or charged with the custody of any such records or files shall be required to produce any of them for the inspection of any person or for use in any action or proceeding except when the records or files or the facts shown thereby are directly involved in an action or proceeding under the provisions of the State Uniform Tax Procedure Law or of the tax law affected, or where the determination of the action or proceeding will affect the validity or amount of the claim of the municipality under the tax provisions of this chapter.
4. **Audit and Assessment.** The chief financial officer may initiate an audit by means of an audit notice. If, as a result of an examination conducted by the chief financial officer, a return has not been filed by a taxpayer or a return is found to be incorrect and transfer taxes are owed, the chief financial officer is authorized to assess and collect any tax due. If no return has been filed and tax is found to be due, the tax actually due may be assessed and collected with or without the formality of obtaining a return from the taxpayer. Deficiency assessments (i.e., where a taxpayer has filed a return but is found to owe additional tax) shall include taxes for up to three (3) years to the date when the deficiency is assessed. Where no return was filed, there shall be no limit to the period of assessment.
5. **Notice; Hearing** Upon proposing an assessment, the chief financial officer shall send the taxpayer an interim notice which advises the taxpayer of additional taxes that are due. Should the taxpayer wish to dispute the assessment administratively by requesting a hearing with the chief financial officer, it must do so within thirty (30) days of the date of such interim notice. If, after the chief financial officer sends an interim notice, a taxpayer fails to timely request a hearing with the Chief financial officer or requests a hearing and after

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conducting a hearing, the chief financial officer determines that the taxes are due, the chief financial officer shall send the taxpayer a final notice.

§ 000-4 Distance Requirements; Statutory Zoning

A. Distance. No Class of License or Cannabis business shall operate within two hundred (200) feet legal walking distance as defined above from any Place of Worship or a School providing education for grades Kindergarten through Twelve (12) , or of any Legal Residence as defined above. However, if there were no such Places of Worship, Schools, or Legal Residences with the said distance at the time of licensure, then subsequent construction or conversion shall not affect the licensee’s right to operate.

B. Statutory Zoning The above distance standards are not intended to supersede or in any way limit the legal effect of the State zoning standards for such businesses under N.J.S.A. 24:6I-45, which provide:

The growing, cultivating, manufacturing, and selling and reselling of cannabis and cannabis items, and operations to transport in bulk cannabis items by a cannabis cultivator, cannabis manufacturer, cannabis wholesaler, or as a cannabis distributor or cannabis delivery service shall be permitted uses in all industrial zones of the municipality.

The selling of cannabis items to consumers from a retail store by a cannabis retailer shall be a conditional use in all commercial zones or retail zones, subject to meeting the conditions set forth in any applicable zoning ordinance or receiving a variance.

§ 000-5 Licensee Duties and Restrictions

A. No Mobile Sites. No cannabis establishment shall be housed in a vehicle or any movable or mobile structure.

B. Odor. Cannabis establishments shall have equipment to mitigate odor. The building shall be equipped with a ventilation system with carbon filters sufficient in type and capacity to mitigate cannabis odors emanating from the interior of the premises.

C. Noise. Outside generators and other mechanical equipment used for any kind of power supply, cooling, or ventilation shall be enclosed and have appropriate baffles, mufflers, and/or other noise reduction systems to mitigate noise pollution.

D. Security. All classes of Cannabis licensees shall be secured in accordance with State of New Jersey statutes and regulations; shall have a round-the-clock video surveillance system, 365 days a year; and shall have trained security personnel onsite at all times during operating hours.

E. Hours. No Cannabis retailer may open to customers for business before 8:00 am or remain open to customers for business after 10:00 pm.

F. No Sale or Use of Alcohol or Tobacco. There shall be no on-site sales of alcohol or tobacco products, and no on-site consumption, alcohol or tobacco.

G. Cameras. All sites must be equipped with security cameras covering all exterior parking and loading areas, points of entry, and interior spaces which are either open to the public or used for the storage or processing of Cannabis products. Footage must be maintained for the duration required under State law. All licensed facilities must provide the Township of Willingboro Township Police with access to security footage immediately upon request.

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H. **Signage Promoting Excessive Consumption.** No Cannabis business shall display signage containing text and/or images intended to promote excessive consumption of legal Cannabis products.

§ 000-6 The Licensing Process

A. **Local licensing authority.** The Municipal Clerk or their Designee (hereinafter referred to as “Clerk,” also referencing such Designee in each instance) is hereby designated to act as the local licensing authority for the Township for all Cannabis classes of licenses. Under all circumstances in which State law requires communication to the Township by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of Cannabis establishments by the State, or in which State law requires any review or approval by the Township of any action taken by the State licensing authority or for the grant of any class of license by the Township, the exclusive authority for receiving such communications and granting such approvals for any class of license shall be exercised by and through the Clerk. Under no circumstances shall a local license for a Cannabis establishment issued by the Township be effective until or unless the State has issued the requisite permits or licenses to operate such a facility. It is the intent of this Chapter that no Cannabis establishment may lawfully operate in the Township without the issuance of a State permit or license and full regulatory oversight of the Cannabis establishment by the Cannabis Regulatory Commission or other State licensing authority as well as oversight and issuance of a license by the Township.

B. **Application.** Persons wishing to obtain any classification of Cannabis license shall file a license application with the Clerk, on a standardized form established by the Municipal Clerks Office. The Clerk shall establish an application period and deadline for all applications. An application shall be deemed incomplete, and shall not be processed by Clerk, until all documents are submitted and fees paid. The Office of the Clerk may grant or deny any application in its sole discretion. To be deemed complete, all applications shall be accompanied by the following:

1. The Applicant has submitted a completed application.
2. The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the Cannabis establishment with the permitted locations as established herein, which proof may consist of: a deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.
3. The applicant shall submit an affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.
4. The location proposed for licensing by the applicant shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Ordinance.
5. The applicant shall submit, to the satisfaction of the Clerk, proof of financial capability to open and operate the Cannabis establishment for which the applicant is seeking a license. Standards for proof of financial capability shall be determined by the Department of Economic Development.
6. The applicant shall submit all required fees, which are nonrefundable, for the application and license, conditioned upon State issuance of license/authority to operate in accordance with the following fee schedule:

**ORDINANCE CREATING WILLINGBORO TOWNSHIP CODE
CHAPTER 000, TO BE ENTITLED
“CANNABIS LICENSING AND OPERATING”**

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- a. Classes 1, 2, 3, 4, and 6: \$40,000.00
- b. Class 5: \$10,000.00 Cannabis retailer license

7. The applicant shall submit all annual registration fees required in accordance with the following fee schedule, which shall be refunded in the event the applicant does not receive a license:

- a. Annual Registration fees:

Classes 1, 2, 3, 4, and 6: \$60,000.00
Class 5: \$20,000.00

- b. Reduction of Fees.

- i. Any business that can provide a Minority Business Enterprise Certification from the State of New Jersey shall be entitled to a 25% reduction of the licensure fee or annual registration fee, or remaining fee if a reduction has already been applied under this section.
- ii. Any business that can provide a Women's Business Enterprise Certification from the State of New Jersey shall be entitled to a 25% reduction of the licensure fee or annual registration fee, or remaining fee if a reduction has already been applied under this section.
- iii. Any business that can provide proof that at least 1/3 of its employees are residents of the Township of Willingboro Township shall be entitled to a 50% reduction of the licensure fee and annual registration fee, or remaining fee if a reduction has already been applied under this section. In order to receive a reduction under this section, the business entity must provide adequate proof of employment and residency, in the form of payroll history (amounts redacted) and proof of residency demonstrating at least nine (9) months of both residency and active employment. The Township reserves the right and the applicant agrees to permit the Township to contact any employees referenced in order to verify employment and residency.
- iv. Any business that can provide proof that it relies on local goods and services, in the form of at least two (2) ancillary service contracts the business has awarded to other businesses located within the Township of Willingboro Township, shall be entitled to a 25% reduction of the licensure fee and annual registration fee, or remaining fee if a reduction has already been applied under this section. In order to receive a reduction under this section, the licensed business entity must provide proof of an ancillary service contract with other local businesses valued over \$5,000 for goods or services provided to the business the previous year, and proof of payment. The Township of Willingboro Township shall confirm that each ancillary service company is a business entity located within the Township of Willingboro Township, and possesses a valid business license in good standing. Ancillary services shall include, but shall not be limited to, mechanical services, auto repair services, custodial services, office furniture and/or

**ORDINANCE CREATING WILLINGBORO TOWNSHIP CODE
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supplies, labor, food, advertisement, IT services, and construction and/or repair services.

8. In addition to complying with any State requirement related to good character and criminal background, any person proposed to have an ownership interest in the license shall not have had any Cannabis license or permit revoked for a violation affecting public safety in the State of New Jersey or a subdivision thereof within the preceding five (5) years. The applicant and the application shall otherwise comply with any, and all qualification standards set forth in the State and Township laws or regulations.

9. The Clerk shall consider and give preference to the following criteria in awarding any Class of License:

- a. The Applicant's ties to the Willingboro Township, demonstrated by at least one individual applicant or shareholder's proof of residency in Willingboro Township or at least one shareholder's or individual's continuous ownership of a business based in Willingboro Township, or the intent to relocate and reside in Willingboro Township, or a intent to relocate or establish a business in Willingboro Township; and
- b. The Applicant's demonstrated commitment to diversity in its ownership composition and hiring practices, including a plan to hire residents of Willingboro Township, and whether the applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business.

10. Notwithstanding the foregoing application process, a notification of award and conditional municipal license shall entitle the recipient applicant to pursue a State permit or license in the appropriate classification for up to 3 months, which may be extended in the Township Council's discretion for an additional time period. No license to operate shall issue until the applicant has received a State permit and satisfied other prerequisites of municipal licensure. If the recipient of a notice of award and conditional license has not received a State permit or license within 6 months from issuance, unless extended, the preliminary approval may be revoked.

11. The Clerk may waive or amend any requirement or implement any requirement, extend any time period, and otherwise modify the application process.

B. Term of license and license renewals.

1. Any local license issued pursuant to this Ordinance shall be valid for a period of three (3) years from the date of issuance and shall be renewed in accordance with the provisions of this Chapter.
2. In Order to renew the licenses, the Applicant shall pay a non-refundable application fee and submit a new application to the Municipal Clerks office, who shall then consider whether to renew the license. In any renewal application, the Clerk shall give weights to any applicant that has increased the diversity of its workforce during its years of operation and/or increased the number of Willingboro Township residents who were hired during the preceding three years. The failure to increase diversity or hire additional Willingboro Township residents is cause to deny the application for renewal. To the extent that an application for renewal has increased the diversity of its workforce/ownership, and/or increased the number of Willingboro Township residents employed by more than 20%, the application for renewal shall be granted provided that the applicant has complied with all terms of this Ordinance, paid all fees, and is not in violation of any Laws, Rules or Regulations.

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3. The Clerk, may, at his/her discretion, adjust the renewal date of the local license to correlate with an applicant's State licensing and renewal schedule.
4. Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed.
5. Transfer of ownership of any local license or change of location of any license or modification to expand a licensed premise shall be submitted to the Department of Economic Development's review and approval, which may be conditioned or denied.
6. Except where the Municipal Clerks office has received a complete renewal application along with the paid nonrefundable requisite fees, and has issued a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove Cannabis or Cannabis products from the premises of any license after the expiration date recorded on the face of the license.

§ 000-7 Nuisance and Discipline

- A. **Nuisance.** With respect to the operation any Cannabis license, the following is hereby declared to be an unlawful public nuisance:
 1. Odors or noise which are disturbing to people of reasonable sensitivity who may be residing near or present on nearby property, including areas open to the public.
 2. Repeated dispatches to the property by law enforcement.
 3. Disruption to and/or obstruction of the free passage of persons and/or vehicles in the immediate vicinity of the property.
 4. Any other condition or act which may be deemed a violation of this Chapter.
- B. **Disciplinary actions.** Procedures for investigation of license violations and for suspension, revocation, or other licensing sanctions as a result of any such violation shall be as follows:
 1. First offense: Up to \$250 per violation per day;
 2. Second offense: Up to \$500 per violation per day;
 3. Third violation shall result in summary suspension.
- C. **Summary suspension.** Notwithstanding the foregoing section, when the Department of Code Enforcement has grounds to believe that a licensee has engaged in a violation of any applicable law or regulation, created a nuisance, dangerous, or unsanitary condition, or that the public health, safety, and/or general welfare has been jeopardized, the Department of Code Enforcement may enter a summary suspension order for the immediate suspension of such license pending further investigation. License holder consents to jurisdiction of the Department of Code Enforcement and to suspension of same as decided by the Department of Code Enforcement.
 1. The summary suspension order shall be in writing and shall state the reasons therefor. The licensee shall be afforded an opportunity for a hearing as outlined herein.
 2. The Department of Code Enforcement shall convene a review panel consisting of the Township Solicitor, a second administrative officer designated by the

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Mayor, and the Chief of Police. The hearing shall be scheduled within 30 days of the date of the order.

3. The review panel is authorized to impose any fines, conditions, restrictions, suspensions, or combination thereof authorized by the State of New Jersey. In the absence of State specified penalties, the Township may issue fines up to, but not to exceed, \$2,000 per offense and/or suspension of license for a period not to exceed 6 months.

D. **Inactive licenses.** Following the commencement of retail sales of Cannabis or Cannabis products, the Township may suspend or revoke any license if the licensed premises have been inactive or unoccupied by the licensee for at least 6 months.

E. **State license.** The Township may suspend or revoke any license if the corresponding State license or permit for the subject location is expired, surrendered, suspended, or revoked.

SECTION II: All Ordinances or portions of Ordinances inconsistent herewith are hereby repealed to the extent of their inconsistency only.

SECTION III: If any part of this Ordinance shall be declared to be invalid or inoperative, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION IV: The Township Clerk shall have this Ordinance codified and incorporated in the official copies of the Code of Willingboro Township.

SECTION V: This Ordinance shall take effect upon passage, approval and publication as required by law.

SECTION VII: The Clerk may correct any clerical errors in the printing, publication and codification of this Ordinance, provided both concur with the correction being made and both certify in writing to the Township Council as to the specifics of the clerical correction no later than seven (7) days before the correction is made, or, where a legal deadline for publication applies, no later than the date of the next Regular Meeting. The said certifications shall also be prominently posted no later than the date of the next Regular Meeting, and thereafter shall be annexed to the corrected original Ordinance and retained by the Township Clerk.

STATEMENT OF PURPOSE

The purpose of this Ordinance is to create various local laws governing cannabis, as authorized by N.J.S.A. 24:6I-45. More specifically, following a short definitional section, the cannabis-related subject matters addressed herein include:

- License classes, and class-related requirements.
- Local taxation of cannabis.
- Distance requirements.
- Licensee duties.
- The licensing process.
- Nuisance and

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>							

TOWNSHIP OF WILLINGBORO

ORDINANCE NO. 2021 - 12

**AN ORDINANCE AUTHORIZING AMENDMENTS TO THE TOWNSHIP OF
WILLINGBORO MUNICIPAL CODE BOOK TO AMEND CHAPTER 150 ENTITLED
“FEES” (2ND Trash Carts)**

WHEREAS, the Township of Willingboro has determined that the Willingboro Township Code requires an amendment under Chapter 150, entitled “FEES”

WHEREAS, the purpose of this amendment is to add a new fee schedule for the purchase of an additional 96 gallon trash cart and a collection fee for the second trash cart of \$120.00 per year, billed annually in April; and

WHEREAS, the Mayor and Council for the Township now desire to amend said Chapter to add the requisite fee amounts listed therein; and

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 to reflect Chapter 150 as follows:

SECTION 1: The Township of Willingboro Municipal Code Book shall, in pertinent part, be amended as follows:

Chapter 150. Fees

150-16. Public Works Fees

150-16(C)

The fee for a second 96 gallon trash cart shall be 75.00.

150-16(D)

The annual collection fee for a second trash cart shall be \$120.00 per year. This fee shall be billed annually in April.

TOWNSHIP OF WILLINGBORO

ORDINANCE NO. 2021 - 13

AN ORDINANCE REQUIRING INSPECTION AND REPAIR OF PRIVATE SEWER LATERAL SERVICE UPON THE SALE OR TRANSFER OF PROPERTY

WHEREAS, the Township of Willingboro seeks to establish and implement regulations governing the maintenance of private sewer laterals and the transfer of ownership of any real property; and

WHEREAS, the new regulations in general, will require a certified inspections report from a Master Plumber to indicate whether the private sewer lateral is in satisfactory condition; and

WHEREAS, if it is determined that the sewer lateral needs to be repaired, such repairs must be completed prior to the issuance of a certificate of occupancy.

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 to add Chapter 292 as follows:

Chapter 292-Sewer Lateral Inspection

- A. No owner or agent shall transfer ownership of any real property without first undergoing a sewer lateral inspection in connection with obtaining a use and occupancy certificate or a temporary use and occupancy certificate; and
- B. Upon completion of the sewer lateral inspection, the Inspections Department shall review the results and note any deficiencies or defects with the sewer lateral investigations that could permit inflow and infiltration, or any other prohibited substance, from entering into the sanitary sewer, in violation of the Willingboro Township Code, or the rules and regulations of any local, state or federal regulatory agency. Any deficiencies or defects will be recorded on a form designated for such a purpose, and a copy of the form will be provided to the owner or owner's agent.
- C. It will be the responsibility of the owner of the real property to repair and/or replace all or a portion of the sewer lateral that was found to be deficient or defective.
- D. If repairs to the sewer lateral are required, the owner shall provide documentation to the Township that upon completion of the repairs the sewer lateral is in compliance with the

requirements and specifications of any local, state or federal regulatory agency and the Township of Willingboro. Reinspection of the sewer lateral shall be at the discretion of the Township.

<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>							

ATTEST

 Brenda Bligen , MBA
 A., Township Clerk

 Dr. Tiffani Worthy
 Mayor

RESOLUTION NO. 2021-120

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING THE
AWARD OF A CONTRACT FOR EMERGENCY ROAD REPAIRS AT THE
INTERSECTION AT TIFFANY AND TORRINGTON LANES**

WHEREAS, the Township of Willingboro solicited quotes for the performance of road repairs, on an emergency basis, following the collapse of curbing and the roadway at the intersection of Tiffany and Torrington Lanes on April 4, 2021, where the road and curbing had been undermined after an underground water main was struck by a utility contractor; and

WHEREAS, upon the recommendation and with the assistance of Pennoni Associates, the Municipal Engineer, on April 13, 2021 the Township solicited quotes from qualified vendors to perform the required road and curbing repair and replacement work, on an emergency basis, which the Municipal Engineer estimated would cost \$24,460.00; and

WHEREAS, the Township received quotes from Command Co., Inc., in the amount of \$23,310.00, and from AP Construction, in the amount of \$26,750.00, and

WHEREAS, the Municipal Engineer determined that the quote received by Command Co., Inc., was the lowest dollar amount, and that Command Co., Inc. was qualified to perform the required work, and the Municipal Engineer recommended that the Township award the contract to Command Co., Inc., in the amount of \$23,310.00, and

WHEREAS, Council has reviewed and accepts the recommendations of the Municipal Engineer; and

WHEREAS, funds are available for this purpose, as indicated by the attached Treasurer's Certification.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, that the Township hereby awards a contract to Command Co., Inc., in the amount of Twenty-Three Thousand Three Hundred and Ten Dollars and 00/100 (\$23,310.00), for the performance of the required road and curbing repair work on an emergency basis; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be provided to Pennoni Associates, the Finance Department, and the Public Works Department, for their attention and information.

Attest:

Dr Tiffani Worthy, Mayor

**Brenda Bligen
Acting Township Clerk**

RESOLUTION NO. 2021 - 121

Authorizing the Approval of Vouchers for Payment & Ratification

Whereas, Willingboro Township Council received the July 2021, 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 3rd day of August, 2021 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.

<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>							

Attest:

Dr. Tiffani A. Worthy
Mayor

Brenda Bligen, MBA
Acting Township Clerk

RESOLUTION NO. 2021 - 122

**A RESOLUTION AUTHORIZING REFUNDS FOR
OVERPAYMENTS OF TAXES**

WHEREAS, the records of the Tax Collector of the Township of Willingboro indicate July 2021 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 3rd day of Aug 2021, 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:

Brenda Bligen, MBA
Acting Township Clerk

Recorded Vote	Motion	2nd	Yea	No	Abstain	Absent
<i>Councilman Anderson</i>						
<i>Councilwoman Perrone</i>						
<i>Councilwoman Whitfield</i>						
<i>Deputy Mayor McIntosh</i>						
<i>Mayor Worthy</i>						

OVERPAYMENT FOR TAXES

HOWARD & SHARON A. JACKSON
66 BALFOUR LANE
WILLINGBORO, NJ 08046
BLOCK 214
LOT 13
66 BALFOUR LANE
OVERPAYMENT TAXES

\$947.78

RESOLUTION NO. 2021- 123

RESOLUTION APPROVING CHANGE ORDER NO. 1

CONTRACT NO. C2000010

2020 ROAD IMPROVEMENT PROGRAM RECONSTRUCTION PROGRAM

WHEREAS, upon the recommendation of the Township's consulting engineer, a copy of which is attached, the Township has determined that Change Order No.1 for Contract No. **C2000010**, 2020 Road Improvement Reconstruction Program, is necessary as a final adjustment of as-built quantities and contract costs; and

WHEREAS, the Township has determined that Change Order No. 1 is necessary and reasonable for the completion of said contract; and

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

1. Change Order No. 1 for Contract **C2000010**, 2020 Road Improvement Reconstruction Program with a cost of (\$-54,741.22) is approved, resulting in an adjusted contract amount of \$357,395.00. There is no time extension associated with this Change Order. A Certificate of Availability of Funds is attached to, and made part of, this Resolution.
2. Pursuant to N.J.A.C. 5:30-5.4(a)(2) the maximum dollar value of this contract is \$357,395.00.00 and the contract will be charged against line item appropriation(s) **C-04-55-917-001-002** , **C-04-55-919-001-002** , **C-04-55-920-001-002** of the Township's official budget.

Dated: August 3, 2021

WILLINGBORO TOWNSHIP

Attest:

Dr. Tiffani A. Worthy, Mayor

Brenda Bligen, Acting Township
Clerk

RESOLUTION NO. 2021- 124

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING THE RELEASE OF PERFORMANCE BOND TO ASPHALT PAVING SYSTEM AND ACCEPTANCE OF ITS TWO YEAR MAINTENANCE BOND FOR THE 2020 ROAD IMPROVEMENT PROGRAM

WHEREAS, the Township of Willingboro’s Engineer, Remington & Vernick Engineers, Inc., has inspected the Project; 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 Asphalt Paving Systems Performance Surety Bond No. 13BCSIJ7288 in the amount of Four Hundred Twelve Thousand One Hundred Thirty Six and 22/100 Dollars (\$412,136.22) in consideration for Asphalt Paving Systems posting of two-year Maintenance Bond No. 13BCSIJ7288 in the amount of Three Hundred Ninety Seven Thousand Three Hundred Ninety Five and 00/100 Dollars (\$397,395.00), 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 2020 Road Improvement Program 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 6th day of April 2021, that the Township Council of the Township of Willingboro shall hereby release Asphalt Paving Performance Surety Bond No. 13BCSIJ7288 in the amount of Four Hundred Twelve Thousand One Hundred Thirty Six and 22/100 Dollars (\$412,136.22) in considerations for Asphalt Pavings Systems posting of Maintenance Bond No. 13BCSIJ7288 in the amount of Three Hundred Ninety Seven Thousand Three Hundred Ninety Five and 00/100 Dollars (\$397,395.00), 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 Asphalt Paving Systems.

Attest:

Dr. Tiffani A. Worthy, Mayor

Brenda Bligen, Acting Township Clerk

RESOLUTION 2021 - 125

RESOLUTION AUTHORIZING THE EXECUTION OF PUBLIC DONOR AGREEMENT BETWEEN PROVIDENCE HOUSE AND WILLINGBORO TOWNSHIP FOR THE YEAR 2021

WHEREAS, the New Jersey Department of Children and Families administers and supervises social service programs in communities throughout the State of New Jersey, and the Department desires that public entities such as the Township of Willingboro, as Donors, provide resources to Provider Agencies in support of their efforts to deliver social services; and

WHEREAS, the Township of Willingboro has previously participated, as a Donor, with the Providence House Domestic Violence Services program, (hereinafter "Providence House"), as a Provider Agency, by way of a Public Donor Agreement, whereby the Township donates resources, in both cash and in-kind services, including ownership of the Providence House Willingboro Shelter Property, to the Provider Agency to help defray the costs of assistance to victims of domestic violence in Willingboro Township; and

WHEREAS, the Township and Providence House wish to continue their relationship and to execute a new Public Donor Agreement for calendar year 2021, whereby the Township will donate \$25,000.00 cash and another \$12,060.00 in in-kind services to Providence House, for a total of \$37,060, and the Township and Providence House intend to execute a formal written agreement setting forth the terms of each parties' participation in a 2021 Public Donor Agreement; and

WHEREAS, the Township wishes to formally authorize the execution of a 2021 Public Donor Agreement with Providence House by way of a duly-adopted Resolution of the Township Council;

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session the 3rd day of August 2021, that entry into a 2021 Public Donor Agreement with Providence House is approved, and that the Mayor is hereby authorized to execute an appropriate form of Public Donor Agreement with Providence House in this matter.

Brenda Bligen, Acting Township Clerk

Dr. Tiffani A. Worthy, Mayor

RESOLUTION 2021- 126

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO AWARD A CONTRACT TO GALLS PARENT HOLDINGS LLC DBA SAMZIE'S UNIFORMS A CONTRACTED PARTICIPANT IN THE NJ STATE APPROVED PURCHASING COOPERATIVE

WHEREAS, the Township of Willingboro is a member in good standing with the NJ State Approved Cooperative Purchasing System per Willingboro Township Resolution 2021-98; and

WHEREAS, Galls Parent Holdings LLC, dba/Samzies Uniforms, of 1595 Reed Road., Pennington, NJ 08534 has been awarded the NJ State Approved Contract # T0106, PO# 17-FLEET-00721 which expires on May 14, 2023; and

WHEREAS, the Township of Willingboro wishes to enter into contracts with Galls Parent Holdings LLC, dba/Samzies Uniforms in an amount not to exceed Forty Five Thousand Dollars and 00/100 (\$45,000) for the purchase of purchase Police uniforms and equipment necessary to maintain Police operations; and

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

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best pricing available; and

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, on this 3rd day of August 2021, in open public session that the Township Council authorizes the Mayor to execute an agreement with Galls Parent Holdings LLC, dba/Samzies Uniforms, that is consistent with this resolution; and

BE IT FURTHER RESOLVED, funds have been appropriated through the 2021 budget; and

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

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be provided to Galls Parent Holdings LLC, dba/Samzies Uniforms of 1595 Reed Road., Pennington, NJ 08534 and the Finance Director for their information and attention.

Attest:

Brenda Bligen, Acting Township Clerk

Dr. Tiffany Worthy, Mayor

TOWNSHIP OF WILLINGBORO

RESOLUTION 2021- 127

RESOLUTION APPROVING PAYMENT TO ATC CORPORATION

WHEREAS, the Township of Willingboro previously entered into a contract with ATC Corporation (“ATC”) in connection with the Millcreek Park Tennis Court Project (“Project”); and

WHEREAS, by letter dated July 21, 2021, attached hereto and made a part hereof, the Township Engineer has recommended that final payment be released to ATC for the Project in the amount of Seventy-Seven Thousand Three Hundred and Forty-Nine Dollars and 00/100 (\$77,349.00).

NOW, THEREFORE, BE IT RESOLVED on this 3rd day of August, 2021, by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, that final payment to ATC for the Project in the amount of Seventy-Seven Thousand Three Hundred and Forty-Nine Dollars and 00/100 (\$77,349.00) is hereby approved. A Certificate of Availability of Funds is attached, and made part of, this Resolution.

Dated: August 3, 2021

Willingboro Township

Attest:

Dr. Tiffani A. Worthy, Mayor

Brenda Bligen, Acting Township Clerk

This Resolution was adopted at a meeting of the Willingboro Township Council held on August 3, 2021.

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
FORM OF RESOLUTION**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Clerk of Township Council pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Schedule of Findings and Recommendations", and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Schedule of Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Council of the Township of Willingboro, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON 3RD August 2021.

Clerk of the Township Council

RESOLUTION 2021 -129

**RESOLUTION ACCEPTING THE AWARD OF THE
2021 SFY21 BODY WORN CAMERA GRANT PROGRAM
FROM THE STATE OF NEW JERSEY**

WHEREAS, The Township of Willingboro, Police Department has been awarded the SFY21 Body-Worn Camera Grant Program, award from the Department of Law & Public Safety, with the award period of January 1, 2021, thru December 31, 2025; and

WHEREAS, The Grant consists of a total of \$150,812.00 (One Hundred Fifty Thousand, Eight Hundred Twelve Dollars and Zero cents), where no matching funds are required; and

WHEREAS, the Grant award incorporates all conditions and representations contained or made in the application and notice of award; and

WHEREAS, the Willingboro Police Department has submitted an application for the Grant Award that has been required by the State of New Jersey Department of Law & Public Safety for the award period of January 1, 2021, through December 31, 2025; and

NOW, THEREFORE, BE IT RESOLVED, The Township Council of the Township of Willingboro, accepts and authorizes the Willingboro Township Police Department to accept the award of SFY21 Body-Worn Camera Grant Program in the amount of \$150,812.00 for the purposes described in the application; and

BE IT FURTHER RESOLVED, the sum of \$150,812.00 is hereby appropriated under the caption SFY21 Body-Worn Camera Grant Program.

BE IT FURTHER RESOLVED copies of this resolution shall be forwarded to the New Jersey, Department of Law & Public Safety, Willingboro Chief of Police, Township Manager and Township Chief Financial Officer.

Resolution 2021 - 130

EXTRACT from the minutes of a regular meeting of the Township Council of the Township of Willingboro, in the County of Burlington, New Jersey, held [INSERT PHYSICAL OR REMOTE MEETING DETAILS], on August 3, 2021.

PRESENT:

ABSENT:

* * * * *

_____ introduced and moved the adoption of the following resolution and _____ seconded the motion:

RESOLUTION PROVIDING FOR THE COMBINATION OF \$14,241,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, INTO A SINGLE ISSUE OF GENERAL IMPROVEMENT BONDS.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the General Improvement Bonds (as hereinafter defined) of the Township of Willingboro, in the County of Burlington, New Jersey (the "*Township*"), authorized pursuant to the Bonds ordinances of the Township heretofore finally adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds, in the aggregate principal amount of \$14,241,000 (the "*Bonds*").

Section 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as provided in Section 1 hereof, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Principal Amount of Bonds	Bonds Ordinance Number	Description of Improvement and Date of Adoption of Bonds Ordinance	Useful Life
\$500,000	2015-4, as re-appropriated by 2018-4 and 2018-9	Construction of an emergency services building, finally adopted April 21, 2015, as re-appropriated June 16, 2018 and October 16, 2018.	30 years
\$704,500	2015-5, as amended by 2016-11, as re-appropriated by 2019-8	Various capital improvements, finally adopted April 21, 2015, as amended October 18, 2016, as re-appropriated September 17, 2019.	10 years

Principal Amount of Bonds	Bonds Ordinance Number	Description of Improvement and Date of Adoption of Bonds Ordinance	Useful Life
\$2,213,500	2016-8, as amended and re-appropriated by 2019-3, as re-appropriated by 2019-5 and 2019-21	Various capital improvements, finally adopted October 18, 2016, as amended and re-appropriated June 5, 2019, as re-appropriated July 2, 2019 and December 3, 2019.	9.51 years
\$1,740,400	2017-4, as amended and re-appropriated by 2019-3, as re-appropriated by 2019-5	Various capital improvements, finally adopted June 7, 2017, as amended and re-appropriated June 5, 2019, as re-appropriated July 2, 2019.	10.11 years
\$1,814,500	2018-5, as re-appropriated by 2019-10	Various capital improvements, finally adopted June 19, 2018, as re-appropriated October 1, 2019.	8.96 years
\$2,803,925	2019-1	Various capital improvements, finally adopted April 2, 2019.	14.58 years
\$2,565,000	2020-12	Various capital improvements, finally adopted June 2, 2020.	14.25 years
\$1,899,175	2021-9	Various capital improvements, finally adopted May 4, 2021.	11.94 years

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of the Bonds presently authorized to be issued pursuant to each of the bond ordinances set forth in Section 2 hereof and the respective periods or average period of usefulness therein determined, is not less than 12.43 years.

b. The Bonds of the combined issue shall mature within the average period of usefulness set forth in Section 3(a) hereof.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bonds Law applicable to the sale and issuance of Bonds authorized by a single Bonds ordinance and accordingly may be sold with other issues of Bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. No part of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 hereof have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances set forth in Section 2 hereof.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which Bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This resolution shall take effect immediately.

Resolution 2021 - 130

CERTIFICATE

I, BRENDA BLIGEN, Acting Clerk of the Township of Willingboro, in the County of Burlington, New Jersey, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on August 3, 2021 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of August, 2021.

BRENDA BLIGEN, Acting Clerk

[SEAL]

RESOLUTION 2021 - 131

EXTRACT from the minutes of a regular meeting of the Township Council of the Township of Willingboro, in the County of Burlington, New Jersey, held [INSERT PHYSICAL OR REMOTE MEETING DETAILS], on August 3, 2021.

PRESENT:

ABSENT:

_____ introduced and moved the adoption of the following resolution and _____ seconded the motion:

**RESOLUTION DETERMINING THE FORM AND OTHER
DETAILS OF \$14,241,000 GENERAL IMPROVEMENT BONDS
OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF
BURLINGTON, NEW JERSEY, AND PROVIDING FOR THEIR
SALE.**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AS FOLLOWS:

Section 1. (a) The \$14,241,000 General Improvement Bonds of the Township of Willingboro, in the County of Burlington, New Jersey (the "Township"), referred to and described in a resolution of the Township adopted on August 3, 2021, and entitled, "Resolution Providing for the Combination of \$14,241,000 General Improvement Bonds of the Township of Willingboro, in the County of Burlington, New Jersey, Into a Single Issue of General Improvement Bonds" and in the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds" (the "Bonds").

(b) The Bonds shall mature in the principal amounts on September 1 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2023	\$1,241,000	2029	\$1,300,000
2024	\$1,300,000	2030	\$1,300,000
2025	\$1,300,000	2031	\$1,300,000
2026	\$1,300,000	2032	\$1,300,000
2027	\$1,300,000	2033	\$1,300,000
2028	\$1,300,000		

(c) The actual principal amounts may be adjusted by the Township, at its option, in accordance with N.J.S.A. 40A:2-26(g). Any such adjustment shall not exceed 10% of the principal for any maturity with the aggregate adjustment to maturity not to exceed 10% of the principal for the overall issue.

(d) At the discretion of the Township Chief Financial Officer, to the extent a premium is received as part of the bid, it may be applied to any purpose permitted under the Internal Revenue Code, including the costs of other capital projects previously authorized.

(e) The Bonds shall be subject to redemption prior to their stated maturity in accordance with the full Notice of Sale attached hereto as Exhibit A (the "Full Notice of Sale").

(f) The Bonds shall be eleven in number, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-11, inclusive.

(g) The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the first day of March and September in each year until maturity or prior redemption, commencing on March 1, 2022, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1%, proposed by the successful bidder in accordance with the Full Notice of Sale.

(h) The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 2. (a) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of the Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases of the Bonds may be made in the principal amount of \$5,000 or any integral multiple thereof except that those Bonds in excess of the largest principal amount not equaling a multiple of \$5,000 may be purchased in amounts of \$1,000 or any multiple thereof through book-entries made on the books and records of The Depository Trust Company and its participants.

(b) The principal of and interest on the Bonds will be paid to the Securities Depository by the Township on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of each next preceding February 15 and August 15 (the "Record Dates" for the Bonds).

Section 3. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Township to market the Bonds, including in accordance with the requirements of the Securities Depository:

[Form of Bond begins on next page]

REGISTERED
NUMBER GI- ____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF BURLINGTON

TOWNSHIP OF WILLINGBORO

GENERAL IMPROVEMENT BOND

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DATED DATE:

MATURITY DATE:

RATE OF INTEREST PER ANNUM:

INTEREST PAYMENT DATES:

INITIAL INTEREST PAYMENT DATE:

RECORD DATES:

CUSIP NUMBER:

TOWNSHIP OF WILLINGBORO, a public body corporate and politic of the State of New Jersey (the "Township"), hereby acknowledges itself indebted and for value received promises to pay to the REGISTERED OWNER, or registered assigns, on the MATURITY DATE, upon presentation and surrender of this bond, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE until it matures at the RATE OF INTEREST PER ANNUM specified above semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAYMENT DATE. Principal of and interest due on this bond will be paid to the REGISTERED OWNER by the Township or its designated paying agent and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the RECORD DATES next preceding the respective INTEREST PAYMENT DATES. The principal of and interest on this bond are payable in lawful money of the United States of America.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to September 1, 2029 are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after September 1, 2029 are redeemable at the option of the City, in whole or in part, on any date on

or after September 1, 2028 at 100% of the principal amount outstanding (the "Redemption Price") plus interest accrued to the date of redemption upon notice as required herein.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than 30 days nor more than 60 days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the City or a duly appointed bond registrar. Any failure of the securities depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the City determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the City; the bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the redeemed bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.

So long as Cede & Co., as nominee for DTC, is the registered owner of the Bonds, the City shall send redemption notices only to Cede & Co.

So long as Cede & Co., as nominee for DTC, is the registered owner of the Bonds, the Township shall send redemption notices only to Cede & Co.

This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Township duly adopted on August 3, 2021 , and entitled, "Resolution Providing for the Combination of \$14,241,000 General Improvement Bonds of the Township of Willingboro, in the County of Burlington, New Jersey, Into a Single Issue of General Improvement Bonds" and the bond ordinances referred to therein, each in all respects duly approved and published as required by law.

The full faith and credit of the Township are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the Township, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the TOWNSHIP OF WILLINGBORO has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Township Clerk, and this bond to be dated the DATED DATE as specified above.

TOWNSHIP OF WILLINGBORO

[SEAL]

By: [executed upon issuance]
Mayor

ATTEST:

By: [executed upon issuance]
Clerk

By: [executed upon issuance]
Chief Financial Officer

[End of Form of Bond]

Section 4. (a) The Bonds shall be sold on August 17, 2021, or such other date as may be determined by the Chief Financial Officer, via the "PARITY Electronic Bid System" ("PARITY") upon the terms and conditions set forth and described in the Full Notice of Sale for the Bonds. The Full Notice of Sale shall be posted on MuniHub.

(b) Pursuant to N.J.S.A. 40A:2-34, the Township hereby designates the Chief Financial Officer to sell and award the Bonds in accordance with the Full Notice of Sale with such changes as to the date or the terms as deemed advisable or necessary by Phoenix Advisors, LLC, the Township's Municipal Advisor, and McManimon, Scotland & Baumann, LLC, the Township's Bond Counsel, to access effectively the market for the sale of the Bonds, and such Chief Financial Officer shall report in writing the results of the sale to this Township Council as required by law. The Chief Financial Officer is hereby authorized and directed, consistent with the terms of the Full Notice of Sale, to retain the good faith deposit of the successful bidder and to return immediately such good faith deposits, whether by wire or check, to the unsuccessful bidders.

Section 5. The Full Notice of Sale shall be substantially in the form attached hereto as Exhibit A with such additions, deletions and omissions as may be necessary for the Township to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY. The Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B with such additions, deletions and omissions as may be necessary for the

Township to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY. The Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C with such additions, deletions and omissions as may be necessary for the Township to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY. The Township Clerk is hereby directed to arrange for the publication of the Short Notice of Sale authorized in Exhibit B in the form provided herein in Burlington County Times or such other authorized newspaper of the Township and any actions taken by the Clerk prior to the date of adoption of this resolution in connection with the publication of the Short Notice of Sale are hereby ratified, confirmed and approved. McManimon, Scotland & Baumann, LLC is hereby directed to arrange for the publication of the Summary Notice of Sale authorized in Exhibit C in the form provided herein in The Bond Buyer, a financial newspaper published and circulating in the Township of New York, New York, such publication to be not less than seven days prior to the date of sale.

Section 6. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC, complete except for omission of its date.

Section 7. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Bonds and the Official Statement to be prepared by McManimon, Scotland & Baumann, LLC, Phoenix Advisors, LLC and Township officials. The Mayor and the Chief Financial Officer are hereby authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Township by the Mayor or by the Chief Financial Officer. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds.

Section 8. The Township hereby covenants that it will comply with any conditions subsequently imposed by the Internal Revenue Code of 1986, as amended, in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 9. (a) The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with the Securities Depository as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

(b) In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the Township and if no successor securities depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered Bonds in denominations of \$1,000 or any integral multiple in excess thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the registered Bonds. The Township shall be obligated to provide for the execution and delivery of the registered Bonds in certificated form.

Section 10. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Township shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to September 30 of each year, beginning September 30, 2021, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market

Access ("EMMA") system or such other repository designated by the Securities and Exchange Commission to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (i) the Township indebtedness, (ii) property valuation information and (iii) tax rate, levy and collection data. The audited financial information will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.

(b) If any of the following events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of such event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Township;
- (13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

- (15) Incurrence of a Financial Obligation of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Bonds, if material; and
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Township, if any such event reflects financial difficulties.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); *provided, however*, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(c) Notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Township prior to their offering. Such Chief Financial Officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Township fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Township shall not be liable for

monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 11. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYS:

CERTIFICATE

I, BRENDA BLIGEN, Acting Clerk of the Township of Willingboro, in the County of Burlington, New Jersey (the "Township"), **HEREBY CERTIFY** that the foregoing annexed extract from the minutes of a meeting of the governing body of the Township duly called and held on August 3, 2021 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of August, 2021.

[SEAL]

BRENDA BLIGEN, Acting Clerk

Exhibit A

(Full Notice of Sale to be Posted on MuniHub)

NOTICE OF SALE
\$14,241,000*
GENERAL IMPROVEMENT BONDS
OF THE TOWNSHIP OF WILLINGBORO, IN THE
COUNTY OF BURLINGTON, NEW JERSEY
(Book-Entry-Only Bonds) (Callable)

SUMMARY

ISSUER: Township of Willingboro, in the County of Burlington, New Jersey

PAR AMOUNT: \$14,241,000*

SECURITY: General Obligations of the Township

TAX-EXEMPT: Yes

RATING: Rating to be assigned.

TYPE OF SALE: Electronic proposals via PARITY Electronic Bid System (PARITY) of I-Deal, LLC ("I-Deal"). See "Bidding Details" herein.

AGENT: PARITY – Electronic proposals will be received via the PARITY Electronic Bid System ("PARITY") of I-Deal

SALE DATE & BID TIME: August 17, 2021 until 11:00 a.m. local time, at which time they will be publicly opened, received and announced. Award by 3:00 p.m.

DATED DATE: Date of Delivery

DELIVERY DATE: September 1, 2021

INTEREST PAYMENT DATES: March 1 and September 1, commencing March 1, 2022

CALL DATE: September 1, 2028 @ par for Bonds maturing on or after September 1, 2029

MINIMUM BID: \$14,241,000 (Par)

MAXIMUM BID: \$15,237,870 (Par plus 7% bid premium)

BID SECURITY: **Good Faith Check, wire transfer or Financial Surety Bond in the amount of \$284,820 received by Township (prior to bidding)**

BASIS OF AWARD: True Interest Cost

LEGAL OPINION: McManimon, Scotland & Baumann, LLC, Roseland, New Jersey

OFFERING STATEMENT: Preliminary Official Statement available at www.munihub.com

*Preliminary, subject to change.

NOTICE

NOTICE IS HEREBY GIVEN that bids will be received by the Township of Willingboro, in the County of Burlington, New Jersey (the "Township"), for the purchase of \$14,241,000* original principal amount of the Township's General Improvement Bonds (the "Bonds"). **All Bids (as defined below) must be submitted in their entirety via "PARITY Electronic Bid System" (PARITY) prior to 11:00 a.m., New Jersey time, on August 17, 2021 (the "Sale Date"). To bid, Bidders (as defined below) must have submitted a good faith check, wire transfer or Financial Surety Bond, if available, payable to the Township, in the amount of \$284,820 by no later than 10:30 a.m. on the Bid Date (see Bidding Details below).**

Preliminary and Final Official Statement

The Township's Preliminary Official Statement (the "POS") is available for viewing in electronic format on MuniHub's website located at www.munihub.com. In addition, broker-dealers registered with the Financial Industry Regulatory Authority and dealer banks with The Depository Trust Company ("DTC") clearing arrangements may either: (a) print out a copy of the POS on their own printer or (b) at any time prior to the Sale Date, elect to receive a photocopy of the POS in the mail by requesting it by calling the Township's bond counsel, Edward J. McManimon, III, Esq., of McManimon, Scotland & Baumann, LLC ("Bond Counsel"), 75 Livingston Avenue, Roseland, New Jersey 07068 (telephone no. 973-622-5028), or attention of Elizabeth A. Manuel, Paralegal (telephone no. 973-622-5280) or the Township's Municipal Advisor, Phoenix Advisors, LLC (the "Municipal Advisor"), Sherry L. Tracey, 625 Farnsworth Avenue, Bordentown, New Jersey 08505 (telephone no. 609-291-0130). All Bidders must review the POS and certify that they have done so prior to participating in the bidding.

The POS is deemed by the Township to be final as of its date for purposes of SEC Rule 15c2-12(b)(1) under the Securities Exchange Act of 1934, except for the omission of information concerning the offering price(s), interest rate(s), selling compensation, aggregate principal amount of the Bonds and any other terms or provisions to be determined from the successful Bid(s) or depending on such matters, and the identity of the underwriter(s). The POS is, however, subject to such further revisions, amendments and completion in a Final Official Statement (the "Final Official Statement") as may be necessary.

The Township, at its own expense, will make available to the winning Bidder a reasonable number of Final Official Statements within seven (7) business days following the date of acceptance of the Bid.

Types of Bids Allowed

Subject to the Bid requirements described below, Bids for the Bonds must be submitted on an "All-or-None" ("AON") basis for the entire amount of \$14,241,000*. There will be only one CUSIP assigned to each annual maturity of the issue. First, a Bidder must submit a conforming Bid for the entire issue, and if such Bid is accepted by the Township, such winning Bidder will be required to purchase the entire issue in accordance with such Bid.

*Preliminary, subject to change.

Interest Payment Dates; Description of the Bonds

The Bonds will be dated their date of delivery and will bear interest from such date payable semiannually on each March 1 and September 1, commencing on March 1, 2022. Interest shall be computed on the basis of a 30-day month/360-day year.

Principal Amortization

The Bonds shall mature in the principal amounts on September 1 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2023	\$1,241,000	2029	\$1,300,000
2024	\$1,300,000	2030	\$1,300,000
2025	\$1,300,000	2031	\$1,300,000
2026	\$1,300,000	2032	\$1,300,000
2027	\$1,300,000	2033	\$1,300,000
2028	\$1,300,000		

The Township may, and expects to, after the receipt and opening of bids, adjust the maturity schedule of the Bonds; *provided, however*, that (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of Bonds, as specified herein, and the aggregate principal amount of Bonds, as adjusted, will not exceed \$14,241,000. The dollar amount bid by the winning bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of the Bonds to be issued. The adjusted Bid price will reflect changes in the dollar amount of the underwriter's discount and the original issue premium or discount, but will not change the per bond underwriter's discount, as calculated from the original Bid, and the initial public offering prices required to be delivered to the Township, as stated herein.

Book-Entry-Only

The Bonds will be issued in book-entry-only form, initially in the name of Cede & Co., as nominee for DTC. Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$1,000 or any integral multiple in excess thereof. Payments of principal, interest and redemption premium, if any, will be made by the paying agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

*Preliminary, subject to change

Terms of PARITY

Each electronic proposal must be submitted via PARITY. No bidder will see any other bidder's Bid, nor will any bidder see the status of its Bid relative to other Bids (e.g., whether its Bid is a leading bid). To the extent any instructions or directions set forth on PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact PARITY at I-Deal at (212) 404-8102. The Township may, but is not obligated to, acknowledge its acceptance in writing of any Bid submitted electronically via PARITY. In the event that a Bid for the Bonds is submitted via PARITY, the bidder further agrees that: the Township may regard the electronic transmission of the Bid via PARITY (including information about the purchase price of the Bonds, the interest rate or rates to be borne by the various maturities of the Bonds specified, the initial public offering price of each maturity of the Bonds and any other information included in such transmission) as though the same information were submitted on the official "Proposal for Bonds" provided by the Township and executed by a duly authorized signatory of the bidder. If a Bid submitted electronically via PARITY is accepted by the Township, the terms of the official "Proposal for Bonds" and this Notice of Sale and the information that is electronically transmitted via PARITY shall form a contract, and the successful bidder shall be bound by the terms of such contract.

PARITY is not an agent of the Township, and the Township shall have no liability whatsoever based on any bidder's use of PARITY, including, but not limited to, any failure by PARITY to correctly or timely transmit information provided by the Township or information provided by the bidder.

The Township may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 10:00 a.m., Eastern Time, on the Sale Date.

Once the bids are communicated electronically via PARITY to the Township, each Bid will constitute an official "Proposal for Bonds" and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all "Proposals for Bonds", whether electronically or sealed, the time as maintained on PARITY shall constitute the official time.

Each bidder shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its Bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Township nor i-Deal shall have any duty or obligation to provide or assure to any bidder, and neither the Township nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY. The Township is using PARITY as a communication mechanism, and not as the Township's agent, to conduct the electronic bidding for the Bonds. By using PARITY, each bidder agrees to hold the Township harmless for any harm or damages caused to such bidder in connection with its use of PARITY for bidding on the Bonds.

Bidding Details

Bidders should be aware of the following bidding details associated with the sale of the Bonds:

- (1) **BIDDERS MUST SUBMIT A GOOD FAITH CHECK, WIRE TRANSFER OR FINANCIAL SURETY BOND IN THE AMOUNT OF \$284,820 PAYABLE TO THE TOWNSHIP NO LATER THAN 10:30 A.M. ON THE SALE DATE. HOWEVER, BIDDERS ARE ENCOURAGED TO SUBMIT CHECKS OR WIRES ON THE DAY PRIOR TO THE SALE DATE TO ASSURE RECEIPT OF PAYMENT BY THE TOWNSHIP AT THE FOLLOWING ADDRESS:**

**Eusebia Diggs
Chief Financial Officer
Township of Willingboro
One Rev. Dr. M. L. King Jr. Drive
Willingboro, NJ 08046**

BIDDERS SUBMITTING GOOD FAITH CHECKS SHOULD ALSO ENCLOSE A RETURN ENVELOPE FOR USE BY THE TOWNSHIP. BIDDERS SUBMITTING A WIRE SHOULD CONTACT THE TOWNSHIP'S MUNICIPAL ADVISOR, SHERRY L. TRACEY (TELEPHONE NO. 609-291-0130), TO OBTAIN THE WIRE INSTRUCTIONS.

UNSUCCESSFUL BIDDERS SUBMITTING THE GOOD FAITH DEPOSIT BY WIRE TRANSFER SHALL, NO LATER THAN THE CLOSE OF BUSINESS ON THE SALE DATE OF THE BONDS, PROVIDE THE CHIEF FINANCIAL OFFICER IN WRITING WITH WIRING INSTRUCTIONS FOR THE RETURN OF SUCH UNSUCCESSFUL BIDDER'S GOOD FAITH DEPOSIT. IN THE EVENT THAT THE TOWNSHIP FAILS TO RETURN ANY GOOD FAITH WIRES IN A TIMELY FASHION, THE TOWNSHIP SHALL NOT BE LIABLE FOR MONETARY DAMAGES, REMEDY BEING HEREBY SPECIFICALLY LIMITED TO SPECIFIC PERFORMANCE.

- (2) All Bids must be submitted on PARITY. **No telephone, telefax, telegraph or personal delivery Bids will be accepted.**
- (3) All Bids for the Bonds must be submitted on an AON basis. Bidders may change and submit Bids as provided for herein, but a submitted Bid may not be withdrawn.
- (4) Bidders may bid to purchase Bonds from the Township with a bid premium in an amount not in excess of seven percent (7%) of the par amount of the Bonds, representing a bid price of not in excess of \$15,237,870. No Bid will be considered if the Bid is to purchase Bonds at a price less than 100% of the principal amount thereof. The Township may, and expects to, after the receipt and opening of bids, adjust the maturity schedule of the Bonds as set forth in more detail under "Principal Amortization" above.
- (5) Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds and the rate or rates named must be multiples of 1/8 or 1/20 of 1%. The difference between the highest and lowest interest rates named in the Bid shall not exceed two percent (2%) per annum. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. Each proposal submitted must state the purchase price, which must be not less than par. The Bonds will be awarded to

the bidder on whose Bid the total loan may be made at the lowest true interest cost ("TIC"). Such TIC shall be calculated as described below. No proposal shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at a TIC higher than the lowest TIC to the Township under any legally acceptable proposal. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price, if applicable.

- (6) Bidders are only permitted to submit Bids for the Bonds during the bidding period.

Definitions

"Bid"	any confirmed purchase offer received by PARITY on or before the proposal submission deadline.
"Bidder"	any firm registered and approved for participation in sale.
"True Interest Cost (TIC)"	true interest cost shall be computed in each instance by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the bonds and to the price bid, excluding interest accrued to the Delivery Date. The TIC serves as the basis for awarding bonds to the winning bidder.
"Winning Bid"	any purchase offer made by a bidder and received by PARITY that, at the end of the bidding time period, results in the lowest TIC that is acceptable to the Township.

Bid Procedure and Basis of Award

Subject to the right reserved by the Township to reject any or all Bids, the Bonds will be sold to the bidder whose Bid produces the lowest TIC for the Township and otherwise complies with the Notice of Sale.

Bids must remain valid until at least 3:00 p.m., prevailing time, on the Sale Date, and if accepted by the Township, prior to such time, shall be irrevocable except as otherwise provided in the Notice of Sale. Upon selection of the winning bidder, the Township will execute an award certificate to award the Bonds and will promptly communicate with the winning bidder by telephone, e-mail or fax.

Bid Security and Method of Payment for Bonds

A good faith deposit (the "Deposit") in the form of a certified or cashier's check or wire transfer (wiring instructions can be obtained from the Township's Bond Counsel or Municipal Advisor) in the amount of \$284,820, payable to the order of the Township, is required for each Bid to be considered. If a check is used, it must be a certified treasurer's or cashier's check and must be provided to the Township prior to 10:30 a.m. on the Sale Date for bids to be submitted. If a wire transfer is used, such wire must be received by the Township prior to 10:30 a.m. on the Sale Date. Each bidder accepts responsibility for delivering such check or wire on time and the Township is not responsible for any check or wire that is not received on time. If a Financial

Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of New Jersey and approved by the Director of the Division of Local Government Services of New Jersey (the "Director") and such bond must be submitted to the Township prior to 10:30 a.m. on the Sale Date at the address referred to above. At present, the Director has approved the use of Sure-Bid, a division of Financial Security Assurance Inc. Use of any other Financial Surety Bond must be approved by the Director prior to the Bid and will not be accepted by the Township unless evidence of such approval is provided prior to the Bid. The Financial Surety Bond must identify the bidder whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to a bidder utilizing a Financial Surety Bond, then that winning bidder is required to submit its Deposit to the Township by wire transfer as instructed by the Township not later than 3:30 p.m. on the next business day following the Sale Date. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the Township to satisfy the Deposit requirement. No interest on the Deposit will accrue to the winning bidder. The Deposit will be applied to the purchase price of the Bonds. In the event the winning bidder fails to honor its accepted Bid, the Deposit will be retained by the Township. Award of the Bonds to the winning bidder or rejection of all Bids is expected to be made within two hours after opening of the bids, but such winning bidder may not withdraw its proposal until after 3:00 p.m. on the Sale Date and then only if such award has not been made prior to the withdrawal. The balance of the purchase price shall be paid in federal funds by wire transfer to the Township on or about the Delivery Date.

Right to Reject Bids; Waive Irregularities

The Township reserves the right to reject any and all Bids and, to the extent permitted by law, to waive any irregularity or informality in any Bid.

Information Required from the Winning Bidder

By making a bid for the Bonds, the winning bidder(s) agrees: (a) to provide to the Township, in writing, immediately upon being unofficially awarded the Bonds, a written confirmation of the Bid, which shall include the purchase price, reoffering yield(s) and other related information necessary for completion of the Final Official Statement by the Municipal Advisor and by Bond Counsel; (b) to disseminate to all members of the underwriting syndicate copies of the Official Statement; (c) to promptly file a copy of the Final Official Statement with the Municipal Securities Rulemaking Board; and (d) to take any and all other actions necessary to comply with applicable Securities and Exchange Commission and Municipal Securities Rulemaking Board rules governing the offering, sale and delivery of the Bonds to alternate purchasers.

Establishment of Issue Price for the Bonds

In the event the Township receives at least three (3) bids for the Bonds, then the issue price for the Bonds shall be established based on the reasonably expected initial offering prices of the Bonds as of the Sale Date (the "Expected Offering Prices"). The Expected Offering Prices shall consist of the prices for each maturity of the Bonds used by the winning bidder in formulating its bid to purchase the Bonds. The winning bidder shall be required to deliver on the Delivery Date a certificate to such effect and to provide to the Township, in writing, the Expected Offering Prices as of the Sale Date.

In the event the Township receives fewer than three (3) bids for the Bonds, then the issue price for the Bonds shall be established based on the following method as selected by the winning bidder on the Sale Date:

10% Sold: The issue price for the Bonds shall be established based on the first price at which at least 10% of each maturity of the Bonds was sold to the Public (as defined below). The winning bidder shall be required to deliver on the Delivery Date a certificate to such effect and to provide to the Township, in writing, evidence satisfactory to Bond Counsel to the Township of such sales prices for each maturity of the Bonds. In the event that the winning bidder has not sold at least 10% of each maturity of the Bonds to the Public as of the Delivery Date (each, an "Unsold Maturity"), the winning bidder shall (i) provide to the Township, in writing, on the Delivery Date, the Expected Offering Prices for each Unsold Maturity and a certificate regarding same and (ii) have a continuing obligation to provide to the Township, in writing, evidence satisfactory to Bond Counsel to the Township of the first price at which at least 10% of each Unsold Maturity is sold to the Public, contemporaneous with each such sale, until at least 10% of all such Unsold Maturities have been sold to the Public.

Hold-the-Price: The issue price for the Bonds shall be established based on the initial offering price of the Bonds to the Public as of the Sale Date, provided that the winning bidder shall, in writing, (i) confirm that the Underwriters have offered or will offer the Bonds to the public on or before the Sale Date at the offering price or prices set forth in the Bid submitted by the Winning Bidder and (ii) agree, on behalf of the Underwriters participating in the purchase of the Bonds, that the Underwriters will neither offer nor sell the Bonds to any person at a price that is higher than the initial offering price to the Public during the period starting on the Sale Date and ending on the earlier of: (1) the close of the fifth (5th) business day after the sale date or (2) the date on which the Underwriters have sold at least 10% of the Bonds to the Public at a price that is no higher than the initial offering price to the Public.

Public means any person (including an individual, trust, estate, partnership, association, company or corporation) other than an Underwriter (as defined herein) or a related party to an Underwriter. The term "related party" generally means any two or more persons who have greater than 50% common ownership, directly or indirectly. Underwriter means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public).

Delivery of the Bonds

The Bonds will be delivered on or about the Delivery Date (UNLESS A NOTICE OF A CHANGE IN THE DELIVERY DATE IS PUBLISHED ON MUNIAUCTION NOT LATER THAN 2 HOURS PRIOR TO ANY ANNOUNCED DATE FOR RECEIPT OF BIDS) in New York City at DTC against payment of the purchase price therefor (less the amount of the good faith deposit) in federal funds.

There will also be furnished the usual closing papers, including (1) a certificate signed by the officials who signed the Bonds stating that no litigation of any kind is now pending or, to their knowledge, threatened to restrain or enjoin the issuance or delivery of the Bonds, or in any manner questioning the proceedings and authorization under which the Bonds are issued or

affecting the validity of the Bonds, and (2) a certificate signed by the Township relating to the Official Statement.

CUSIP Numbers

The Municipal Advisor will apply for CUSIP numbers with respect to the Bonds, but neither the Municipal Advisor nor the Township will assume any obligation for the assignment or printing of such numbers on the Bonds or for the correctness of such numbers, and neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the winning bidder to accept delivery of and make payment for the Bonds. The CUSIP Service Bureau charge for the assignment of the CUSIP numbers shall be the responsibility of and shall be paid for by the winning bidder.

Legal Opinion

The approving opinion of McManimon, Scotland & Baumann, LLC, Bond Counsel to the Township, will be furnished without cost to the winning bidder.

Postponement

The Township reserves the right to postpone, from time to time, the date and time established for receipt of Bids. **ANY SUCH POSTPONEMENT WILL BE PUBLISHED OR POSTED BEFORE 10:00 A.M. ON THE SALE DATE.** If any date fixed for the receipt of Bids and the sale of the Bonds is postponed, an alternative sale date will be announced via PARITY at least forty-eight (48) hours prior to such alternative sale date. On any such alternative sale date, any bidder may submit a Bid for the purchase of the Bonds in conformity in all respects with the provisions of the Notice of Sale, except for the date of sale and except for the changes announced on PARITY at the time the sale date and time are announced.

Additional Information

For further information relating to the Bonds, reference is made to the POS prepared for and authorized by the Township. The Notice of Sale and the POS may be viewed on MuniHub's website located at www.munihub.com. However, the Township makes no assurance or representation with respect to the form of the Notice of Sale and the POS on MuniHub, and no investment decision should be made in reliance thereon. Printed copies of the POS and the Notice of Sale may be obtained from the Municipal Advisor or Bond Counsel at the addresses and phone numbers stated above. For additional information relating to the sale, please contact PARITY at (212) 404-8102. Additional information relating to the Township can be obtained by contacting the undersigned Chief Financial Officer at (609) 877-2200 (Ext. 1001) or at ediggs@willingboronj.gov or by contacting the Township's Municipal Advisor.

TOWNSHIP OF WILLINGBORO
By: Eusebia Diggs, Chief Financial Officer

Dated: _____, 2021

Exhibit B

(Notice of Sale to be Published in Local Newspaper)

NOTICE OF SALE
\$14,241,000*
GENERAL IMPROVEMENT BONDS
OF THE TOWNSHIP OF WILLINGBORO, IN THE
COUNTY OF BURLINGTON, NEW JERSEY
(Book-Entry-Only Bonds) (Callable)

SUMMARY

ISSUER: Township of Willingboro, in the County of Burlington, New Jersey

PAR AMOUNT: \$14,241,000*

SECURITY: General Obligations of the Township

TAX-EXEMPT: Yes

RATING: Rating to be assigned.

TYPE OF SALE: Electronic proposals via PARITY Electronic Bid System (PARITY) of I-Deal, LLC ("I-Deal"). See "Bidding Details" herein.

AGENT: PARITY – Electronic proposals will be received via the PARITY Electronic Bid System ("PARITY") of I-Deal

SALE DATE & BID TIME: August 17, 2021 until 11:00 a.m. local time, at which time they will be publicly opened, received and announced. Award by 3:00 p.m.

DATED DATE: Date of Delivery

DELIVERY DATE: September 1, 2021

INTEREST PAYMENT DATES: March 1 and September 1, commencing March 1, 2022

CALL DATE: September 1, 2028 @ par for Bonds maturing on or after September 1, 2029

MINIMUM BID: \$14,241,000 (Par)

MAXIMUM BID: \$15,237,870 (Par plus 7% bid premium)

BID SECURITY: **Good Faith Check, wire transfer or Financial Surety Bond in the amount of \$284,820 received by Township (prior to bidding)**

BASIS OF AWARD: True Interest Cost

LEGAL OPINION: McManimon, Scotland & Baumann, LLC, Roseland, New Jersey

OFFERING STATEMENT: Preliminary Official Statement available at www.munihub.com

*Preliminary, subject to change.

NOTICE

NOTICE IS HEREBY GIVEN that bids will be received by the Township of Willingboro, in the County of Burlington, New Jersey (the "Township"), for the purchase of \$14,241,000* original principal amount of the Township's General Improvement Bonds (the "Bonds"). **All Bids (as defined below) must be submitted in their entirety via "PARITY Electronic Bid System" (PARITY) prior to 11:00 a.m., New Jersey time, on August 17, 2021 (the "Sale Date"). To bid, Bidders (as defined below) must have submitted a good faith check, wire transfer or Financial Surety Bond, if available, payable to the Township, in the amount of \$284,820 by no later than 10:30 a.m. on the Bid Date (see Bidding Details below).**

Preliminary and Final Official Statement

The Township's Preliminary Official Statement (the "POS") is available for viewing in electronic format on MuniHub's website located at www.munihub.com. In addition, broker-dealers registered with the Financial Industry Regulatory Authority and dealer banks with The Depository Trust Company ("DTC") clearing arrangements may either: (a) print out a copy of the POS on their own printer or (b) at any time prior to the Sale Date, elect to receive a photocopy of the POS in the mail by requesting it by calling the Township's bond counsel, Edward J. McManimon, III, Esq., of McManimon, Scotland & Baumann, LLC ("Bond Counsel"), 75 Livingston Avenue, Roseland, New Jersey 07068 (telephone no. 973-622-5028), or attention of Elizabeth A. Manuel, Paralegal (telephone no. 973-622-5280) or the Township's Municipal Advisor, Phoenix Advisors, LLC (the "Municipal Advisor"), Sherry L. Tracey, 625 Farnsworth Avenue, Bordentown, New Jersey 08505 (telephone no. 609-291-0130). All Bidders must review the POS and certify that they have done so prior to participating in the bidding.

The POS is deemed by the Township to be final as of its date for purposes of SEC Rule 15c2-12(b)(1) under the Securities Exchange Act of 1934, except for the omission of information concerning the offering price(s), interest rate(s), selling compensation, aggregate principal amount of the Bonds and any other terms or provisions to be determined from the successful Bid(s) or depending on such matters, and the identity of the underwriter(s). The POS is, however, subject to such further revisions, amendments and completion in a Final Official Statement (the "Final Official Statement") as may be necessary.

The Township, at its own expense, will make available to the winning Bidder a reasonable number of Final Official Statements within seven (7) business days following the date of acceptance of the Bid.

Types of Bids Allowed

Subject to the Bid requirements described below, Bids for the Bonds must be submitted on an "All-or-None" ("AON") basis for the entire amount of \$14,241,000*. There will be only one CUSIP assigned to each annual maturity of the issue. First, a Bidder must submit a conforming Bid for the entire issue, and if such Bid is accepted by the Township, such winning Bidder will be required to purchase the entire issue in accordance with such Bid.

*Preliminary, subject to change.

Interest Payment Dates; Description of the Bonds

The Bonds will be dated their date of delivery and will bear interest from such date payable semiannually on each March 1 and September 1, commencing on March 1, 2022. Interest shall be computed on the basis of a 30-day month/360-day year.

Principal Amortization

The Bonds shall mature in the principal amounts on September 1 in each of the years as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2023	\$1,241,000	2029	\$1,300,000
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2026	\$1,300,000	2032	\$1,300,000
2027	\$1,300,000	2033	\$1,300,000
2028	\$1,300,000		

The Township may, and expects to, after the receipt and opening of bids, adjust the maturity schedule of the Bonds; *provided, however*, that (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of Bonds, as specified herein, and the aggregate principal amount of Bonds, as adjusted, will not exceed \$14,241,000. The dollar amount bid by the winning bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of the Bonds to be issued. The adjusted Bid price will reflect changes in the dollar amount of the underwriter's discount and the original issue premium or discount, but will not change the per bond underwriter's discount, as calculated from the original Bid, and the initial public offering prices required to be delivered to the Township, as stated herein.

Book-Entry-Only

The Bonds will be issued in book-entry-only form, initially in the name of Cede & Co., as nominee for DTC. Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$1,000 or any integral multiple in excess thereof. Payments of principal, interest and redemption premium, if any, will be made by the paying agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

*Preliminary, subject to change

Terms of PARITY

Each electronic proposal must be submitted via PARITY. No bidder will see any other bidder's Bid, nor will any bidder see the status of its Bid relative to other Bids (e.g., whether its Bid is a leading bid). To the extent any instructions or directions set forth on PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact PARITY at I-Deal at (212) 404-8102. The Township may, but is not obligated to, acknowledge its acceptance in writing of any Bid submitted electronically via PARITY. In the event that a Bid for the Bonds is submitted via PARITY, the bidder further agrees that: the Township may regard the electronic transmission of the Bid via PARITY (including information about the purchase price of the Bonds, the interest rate or rates to be borne by the various maturities of the Bonds specified, the initial public offering price of each maturity of the Bonds and any other information included in such transmission) as though the same information were submitted on the official "Proposal for Bonds" provided by the Township and executed by a duly authorized signatory of the bidder. If a Bid submitted electronically via PARITY is accepted by the Township, the terms of the official "Proposal for Bonds" and this Notice of Sale and the information that is electronically transmitted via PARITY shall form a contract, and the successful bidder shall be bound by the terms of such contract.

PARITY is not an agent of the Township, and the Township shall have no liability whatsoever based on any bidder's use of PARITY, including, but not limited to, any failure by PARITY to correctly or timely transmit information provided by the Township or information provided by the bidder.

The Township may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 10:00 a.m., Eastern Time, on the Sale Date.

Once the bids are communicated electronically via PARITY to the Township, each Bid will constitute an official "Proposal for Bonds" and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all "Proposals for Bonds", whether electronically or sealed, the time as maintained on PARITY shall constitute the official time.

Each bidder shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its Bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Township nor i-Deal shall have any duty or obligation to provide or assure to any bidder, and neither the Township nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY. The Township is using PARITY as a communication mechanism, and not as the Township's agent, to conduct the electronic bidding for the Bonds. By using PARITY, each bidder agrees to hold the Township harmless for any harm or damages caused to such bidder in connection with its use of PARITY for bidding on the Bonds.

Bidding Details

Bidders should be aware of the following bidding details associated with the sale of the Bonds:

- (1) **BIDDERS MUST SUBMIT A GOOD FAITH CHECK, WIRE TRANSFER OR FINANCIAL SURETY BOND IN THE AMOUNT OF \$284,820 PAYABLE TO THE TOWNSHIP NO LATER THAN 10:30 A.M. ON THE SALE DATE. HOWEVER, BIDDERS ARE ENCOURAGED TO SUBMIT CHECKS OR WIRES ON THE DAY PRIOR TO THE SALE DATE TO ASSURE RECEIPT OF PAYMENT BY THE TOWNSHIP AT THE FOLLOWING ADDRESS:**

**Eusebia Diggs
Chief Financial Officer
Township of Willingboro
One Rev. Dr. M. L. King Jr. Drive
Willingboro, NJ 08046**

BIDDERS SUBMITTING GOOD FAITH CHECKS SHOULD ALSO ENCLOSE A RETURN ENVELOPE FOR USE BY THE TOWNSHIP. BIDDERS SUBMITTING A WIRE SHOULD CONTACT THE TOWNSHIP'S MUNICIPAL ADVISOR, SHERRY L. TRACEY (TELEPHONE NO. 609-291-0130), TO OBTAIN THE WIRE INSTRUCTIONS.

UNSUCCESSFUL BIDDERS SUBMITTING THE GOOD FAITH DEPOSIT BY WIRE TRANSFER SHALL, NO LATER THAN THE CLOSE OF BUSINESS ON THE SALE DATE OF THE BONDS, PROVIDE THE CHIEF FINANCIAL OFFICER IN WRITING WITH WIRING INSTRUCTIONS FOR THE RETURN OF SUCH UNSUCCESSFUL BIDDER'S GOOD FAITH DEPOSIT. IN THE EVENT THAT THE TOWNSHIP FAILS TO RETURN ANY GOOD FAITH WIRES IN A TIMELY FASHION, THE TOWNSHIP SHALL NOT BE LIABLE FOR MONETARY DAMAGES, REMEDY BEING HEREBY SPECIFICALLY LIMITED TO SPECIFIC PERFORMANCE.

- (2) All Bids must be submitted on PARITY. **No telephone, telefax, telegraph or personal delivery Bids will be accepted.**
- (3) All Bids for the Bonds must be submitted on an AON basis. Bidders may change and submit Bids as provided for herein, but a submitted Bid may not be withdrawn.
- (4) Bidders may bid to purchase Bonds from the Township with a bid premium in an amount not in excess of seven percent (7%) of the par amount of the Bonds, representing a bid price of not in excess of \$15,237,870. No Bid will be considered if the Bid is to purchase Bonds at a price less than 100% of the principal amount thereof. The Township may, and expects to, after the receipt and opening of bids, adjust the maturity schedule of the Bonds as set forth in more detail under "Principal Amortization" above.
- (5) Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds and the rate or rates named must be multiples of 1/8 or 1/20 of 1%. The difference between the highest and lowest interest rates named in the Bid shall not exceed two percent (2%) per annum. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. Each proposal submitted must state the purchase price, which must be not less than par. The Bonds will be awarded to

the bidder on whose Bid the total loan may be made at the lowest true interest cost ("TIC"). Such TIC shall be calculated as described below. No proposal shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at a TIC higher than the lowest TIC to the Township under any legally acceptable proposal. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price, if applicable.

- (6) Bidders are only permitted to submit Bids for the Bonds during the bidding period.

Definitions

"Bid"	any confirmed purchase offer received by PARITY on or before the proposal submission deadline.
"Bidder"	any firm registered and approved for participation in sale.
"True Interest Cost (TIC)"	true interest cost shall be computed in each instance by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the bonds and to the price bid, excluding interest accrued to the Delivery Date. The TIC serves as the basis for awarding bonds to the winning bidder.
"Winning Bid"	any purchase offer made by a bidder and received by PARITY that, at the end of the bidding time period, results in the lowest TIC that is acceptable to the Township.

Bid Procedure and Basis of Award

Subject to the right reserved by the Township to reject any or all Bids, the Bonds will be sold to the bidder whose Bid produces the lowest TIC for the Township and otherwise complies with the Notice of Sale.

Bids must remain valid until at least 3:00 p.m., prevailing time, on the Sale Date, and if accepted by the Township, prior to such time, shall be irrevocable except as otherwise provided in the Notice of Sale. Upon selection of the winning bidder, the Township will execute an award certificate to award the Bonds and will promptly communicate with the winning bidder by telephone, e-mail or fax.

Bid Security and Method of Payment for Bonds

A good faith deposit (the "Deposit") in the form of a certified or cashier's check or wire transfer (wiring instructions can be obtained from the Township's Bond Counsel or Municipal Advisor) in the amount of \$284,820, payable to the order of the Township, is required for each Bid to be considered. If a check is used, it must be a certified treasurer's or cashier's check and must be provided to the Township prior to 10:30 a.m. on the Sale Date for bids to be submitted. If a wire transfer is used, such wire must be received by the Township prior to 10:30 a.m. on the Sale Date. Each bidder accepts responsibility for delivering such check or wire on time and the Township is not responsible for any check or wire that is not received on time. If a Financial

Surety Bond is used, it must be from an insurance company licensed to issue such a bond in the State of New Jersey and approved by the Director of the Division of Local Government Services of New Jersey (the "Director") and such bond must be submitted to the Township prior to 10:30 a.m. on the Sale Date at the address referred to above. At present, the Director has approved the use of Sure-Bid, a division of Financial Security Assurance Inc. Use of any other Financial Surety Bond must be approved by the Director prior to the Bid and will not be accepted by the Township unless evidence of such approval is provided prior to the Bid. The Financial Surety Bond must identify the bidder whose Deposit is guaranteed by such Financial Surety Bond. If the Bonds are awarded to a bidder utilizing a Financial Surety Bond, then that winning bidder is required to submit its Deposit to the Township by wire transfer as instructed by the Township not later than 3:30 p.m. on the next business day following the Sale Date. If such Deposit is not received by that time, the Financial Surety Bond may be drawn by the Township to satisfy the Deposit requirement. No interest on the Deposit will accrue to the winning bidder. The Deposit will be applied to the purchase price of the Bonds. In the event the winning bidder fails to honor its accepted Bid, the Deposit will be retained by the Township. Award of the Bonds to the winning bidder or rejection of all Bids is expected to be made within two hours after opening of the bids, but such winning bidder may not withdraw its proposal until after 3:00 p.m. on the Sale Date and then only if such award has not been made prior to the withdrawal. The balance of the purchase price shall be paid in federal funds by wire transfer to the Township on or about the Delivery Date.

Right to Reject Bids; Waive Irregularities

The Township reserves the right to reject any and all Bids and, to the extent permitted by law, to waive any irregularity or informality in any Bid.

Information Required from the Winning Bidder

By making a bid for the Bonds, the winning bidder(s) agrees: (a) to provide to the Township, in writing, immediately upon being unofficially awarded the Bonds, a written confirmation of the Bid, which shall include the purchase price, reoffering yield(s) and other related information necessary for completion of the Final Official Statement by the Municipal Advisor and by Bond Counsel; (b) to disseminate to all members of the underwriting syndicate copies of the Official Statement; (c) to promptly file a copy of the Final Official Statement with the Municipal Securities Rulemaking Board; and (d) to take any and all other actions necessary to comply with applicable Securities and Exchange Commission and Municipal Securities Rulemaking Board rules governing the offering, sale and delivery of the Bonds to alternate purchasers.

Establishment of Issue Price for the Bonds

In the event the Township receives at least three (3) bids for the Bonds, then the issue price for the Bonds shall be established based on the reasonably expected initial offering prices of the Bonds as of the Sale Date (the "Expected Offering Prices"). The Expected Offering Prices shall consist of the prices for each maturity of the Bonds used by the winning bidder in formulating its bid to purchase the Bonds. The winning bidder shall be required to deliver on the Delivery Date a certificate to such effect and to provide to the Township, in writing, the Expected Offering Prices as of the Sale Date.

In the event the Township receives fewer than three (3) bids for the Bonds, then the issue price for the Bonds shall be established based on the following method as selected by the winning bidder on the Sale Date:

10% Sold: The issue price for the Bonds shall be established based on the first price at which at least 10% of each maturity of the Bonds was sold to the Public (as defined below). The winning bidder shall be required to deliver on the Delivery Date a certificate to such effect and to provide to the Township, in writing, evidence satisfactory to Bond Counsel to the Township of such sales prices for each maturity of the Bonds. In the event that the winning bidder has not sold at least 10% of each maturity of the Bonds to the Public as of the Delivery Date (each, an "Unsold Maturity"), the winning bidder shall (i) provide to the Township, in writing, on the Delivery Date, the Expected Offering Prices for each Unsold Maturity and a certificate regarding same and (ii) have a continuing obligation to provide to the Township, in writing, evidence satisfactory to Bond Counsel to the Township of the first price at which at least 10% of each Unsold Maturity is sold to the Public, contemporaneous with each such sale, until at least 10% of all such Unsold Maturities have been sold to the Public.

Hold-the-Price: The issue price for the Bonds shall be established based on the initial offering price of the Bonds to the Public as of the Sale Date, provided that the winning bidder shall, in writing, (i) confirm that the Underwriters have offered or will offer the Bonds to the public on or before the Sale Date at the offering price or prices set forth in the Bid submitted by the Winning Bidder and (ii) agree, on behalf of the Underwriters participating in the purchase of the Bonds, that the Underwriters will neither offer nor sell the Bonds to any person at a price that is higher than the initial offering price to the Public during the period starting on the Sale Date and ending on the earlier of: (1) the close of the fifth (5th) business day after the sale date or (2) the date on which the Underwriters have sold at least 10% of the Bonds to the Public at a price that is no higher than the initial offering price to the Public.

Public means any person (including an individual, trust, estate, partnership, association, company or corporation) other than an Underwriter (as defined herein) or a related party to an Underwriter. The term "related party" generally means any two or more persons who have greater than 50% common ownership, directly or indirectly. Underwriter means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public).

Delivery of the Bonds

The Bonds will be delivered on or about the Delivery Date (UNLESS A NOTICE OF A CHANGE IN THE DELIVERY DATE IS PUBLISHED ON MUNIAUCTION NOT LATER THAN 2 HOURS PRIOR TO ANY ANNOUNCED DATE FOR RECEIPT OF BIDS) in New York City at DTC against payment of the purchase price therefor (less the amount of the good faith deposit) in federal funds.

There will also be furnished the usual closing papers, including (1) a certificate signed by the officials who signed the Bonds stating that no litigation of any kind is now pending or, to their knowledge, threatened to restrain or enjoin the issuance or delivery of the Bonds, or in any manner questioning the proceedings and authorization under which the Bonds are issued or

affecting the validity of the Bonds, and (2) a certificate signed by the Township relating to the Official Statement.

CUSIP Numbers

The Municipal Advisor will apply for CUSIP numbers with respect to the Bonds, but neither the Municipal Advisor nor the Township will assume any obligation for the assignment or printing of such numbers on the Bonds or for the correctness of such numbers, and neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the winning bidder to accept delivery of and make payment for the Bonds. The CUSIP Service Bureau charge for the assignment of the CUSIP numbers shall be the responsibility of and shall be paid for by the winning bidder.

Legal Opinion

The approving opinion of McManimon, Scotland & Baumann, LLC, Bond Counsel to the Township, will be furnished without cost to the winning bidder.

Postponement

The Township reserves the right to postpone, from time to time, the date and time established for receipt of Bids. **ANY SUCH POSTPONEMENT WILL BE PUBLISHED OR POSTED BEFORE 10:00 A.M. ON THE SALE DATE.** If any date fixed for the receipt of Bids and the sale of the Bonds is postponed, an alternative sale date will be announced via PARITY at least forty-eight (48) hours prior to such alternative sale date. On any such alternative sale date, any bidder may submit a Bid for the purchase of the Bonds in conformity in all respects with the provisions of the Notice of Sale, except for the date of sale and except for the changes announced on PARITY at the time the sale date and time are announced.

Additional Information

For further information relating to the Bonds, reference is made to the POS prepared for and authorized by the Township. The Notice of Sale and the POS may be viewed on MuniHub's website located at www.munihub.com. However, the Township makes no assurance or representation with respect to the form of the Notice of Sale and the POS on MuniHub, and no investment decision should be made in reliance thereon. Printed copies of the POS and the Notice of Sale may be obtained from the Municipal Advisor or Bond Counsel at the addresses and phone numbers stated above. For additional information relating to the sale, please contact PARITY at (212) 404-8102. Additional information relating to the Township can be obtained by contacting the undersigned Chief Financial Officer at (609) 877-2200 (Ext. 1001) or at ediggs@willingboronj.gov or by contacting the Township's Municipal Advisor.

TOWNSHIP OF WILLINGBORO
By: Eusebia Diggs, Chief Financial Officer

Dated: _____, 2021

Exhibit C

(Summary Notice of Sale to be Published in The Bond Buyer)

NOTICE OF SALE

\$14,241,000*
GENERAL IMPROVEMENT BONDS
OF THE
TOWNSHIP OF WILLINGBORO, IN THE
COUNTY OF BURLINGTON, NEW JERSEY
(Book-Entry-Only Bonds) (Callable)

SUMMARY

Dated: Date of Delivery – On or about September 1, 2021
Bid Date and Time: August 17, 2021 at 11:00 a.m. and award by 3:00 p.m.
Type of Sale: PARITY
Interest: Multiple Interest Rates – multiples of 1/8 or 1/20 of 1%
Legal Opinion: McManimon, Scotland & Baumann, LLC, Roseland, NJ
Bid Security: Good faith check wire transfer or Financial Surety Bond must be received by the Township by 10:30 a.m. prior to bidding in the amount of \$284,820

Limitation on Premium: \$15,237,870 (par plus 7% original issue premium)
Maturity Schedule: Bonds shall mature in the principal amounts on September 1 in each of the years as set forth in the below table:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2023	\$1,241,000	2029	\$1,300,000
2024	\$1,300,000	2030	\$1,300,000
2025	\$1,300,000	2031	\$1,300,000
2026	\$1,300,000	2032	\$1,300,000
2027	\$1,300,000	2033	\$1,300,000
2028	\$1,300,000		

* Preliminary, subject to change

Preliminary Official Statement, Notice of Sale and other details available at www.munihub.com

RESOLUTION 2021- 132

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR MOLD REMEDIATION IN THE OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, the Township of Willingboro has a need to acquire Mold Remediation services in the Office of Emergency Management as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

WHEREAS, the Township duly sought bids for mold remediation on December 15, 2020 and January 12, 2021; and

WHEREAS, no bids were received by the Township at the closing of the bids; and

WHEREAS, SERVPRO of Blackwood / Gloucester Township, P.O. BOX 91, Glendora, NJ 08029 has submitted a proposal dated March 11, 2021 indicating they will provide the Mold Remediation in the Office Of Emergency Management for \$25,000; and

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

WHEREAS, the funds are available for this purpose as indicated by the attached Treasurer's certification, pursuant to N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Willingboro in open public session on this 3rd day of August 2021, authorizes the Mayor to enter execute an agreement with SERVPRO that is consistent with this resolution.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that certified copies of this Resolution be provided to SERVPRO of Blackwood / Gloucester Township for its information and attention.

Dr. Tiffany Worthy, Mayor

Brenda Bligen, Acting Township Clerk

RESOLUTION 2021- 133

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO ENTER INTO AN AGREEMENT WITH AXON ENTERPRISES, INC., A CONTRACTED PARTICIPANT IN THE NJ STATE APPROVED PURCHASING COOPERATIVE CONTRACT T-0106, VENDOR ID V00001512, TO PROVIDE AN AUDIO/VIDEO RECORDING AND STORAGE SYSTEM FOR THE WILLINGBORO POLICE DEPARTMENT INTERVIEW ROOMS.

WHEREAS, the Township of Willingboro is a member in good standing with the New Jersey State Approved Cooperative Purchasing System per Willingboro Township Resolution 2021-5; and

WHEREAS, Axon Enterprises, Inc. of 17800 N. 8th St., Scottsdale, AZ (“Axon”) has been awarded the New Jersey State Approved Contract T0106 under vendor ID V00001512 which expires on May 14th, 2023; and

WHEREAS, the Township of Willingboro wishes to award a contract with Axon Enterprises to provide an audio/video recording and storage system for the Willingboro Police Department Interview Rooms; and

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

WHEREAS, Axon has submitted a Quote (Q-293962-44357.881DG3) to provide hardware, licenses, installation and setup, 5 years of unlimited data storage on evidence.com, and a 5 year warranty, for a total cost of \$34,990.00; and

WHEREAS, the purchasing agent recommends the utilization of this contract, as it represents the best price available; and

WHEREAS, the funds for this contract have been appropriated through the 2021 capital budget, at the sum of Thirty Four thousand Nine Hundred and Ninety Dollars and 00/100 (\$34,990.00); and

WHEREAS, the funds are available for this purpose as is indicated by the Chief Financial Officer’s attached certification for the availability of 2021 funds for this contract; and

WHEREAS, the anticipated renewal option of this contract will be on 09/01/2026 upon approval by this governing body.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, on this 3rd day of August, 2021, in open public session, that the Township Council authorizes the Mayor to execute an agreement with Axon Enterprises, Inc., 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 all contractual documents prepared in furtherance of this award; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be provided to Axon Enterprises, Inc. of 17800 N. 8th St. located in Scottsdale, AZ and the Finance Director for their information and attention.

Attest:

Brenda Bligen, MBA
Acting Township Clerk

Tiffani Worthy, Mayor

RESOLUTION 2021- 134

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO AWARD A CONTRACT TO THOMAS J. MORRIS JR, DBA/EAGLE POINT GUN SHOP A CONTRACTED PARTICIPANT IN THE NJ STATE APPROVED PURCHASING COOPERATIVE.

WHEREAS, the Township of Willingboro is a member in good standing with the New Jersey State Approved Cooperative Purchasing System; and

WHEREAS, Thomas J. Morris Jr, dba/Eagle Point Gun Shop, Of 1707 Third St., Thorofare, NJ 08086-0089 has been awarded the NJ State Approved Contract # T0106, PO# 17-FLEET-00721 which expires on May 14, 2023; and

WHEREAS, the Township of Willingboro wishes to award a contract to Thomas J. Morris Jr, dba/Eagle Point Gun Shop, in an amount not to exceed Thirty-Five Thousand and 00/100 Dollars (\$35,000.00), for the purchase of police ballistic equipment necessary to maintain Police operations; and

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

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best pricing available; and

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, on this 3rd day of August 2021, in open public session that the Township Council authorizes the Mayor to execute an agreement with Thomas J. Morris Jr, dba/Eagle Point Gun Shop, that is consistent with this resolution, and

BE IT FURTHER RESOLVED, Funds have been appropriated through the 2021 budget; and

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

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be provided to Thomas J. Morris Jr, dba/Eagle Point Gun Shop of 1707 Third St., Thorofare NJ 08086-0089 and the Finance Director for their information and attention.

Attest:

Brenda Bligen, Acting Township Clerk

Dr. Tiffani Worthy, Mayor

RESOLUTION 2021- 135

RESOLUTION AUTHORIZING THE TOWNSHIP OF WILLINGBORO TO AWARD A CONTRACT TO HAINESPORT ENTERPRISES, DBA/HAINESPORT AUTO AND TRUCK REPAIR CENTER TO REPAIR TRUCKS, AUTOS, AND EQUIPMENT.

WHEREAS, the Township of Willingboro is a member in good standing with the New Jersey State Approved Cooperative Purchasing System per Willingboro Township Resolution 2021-98; and

WHEREAS, Hainesport Enterprises, dba/Hainesport Auto and Truck Repair Center 1466 Route 38 , PO Box 449, Hainesport, NJ 08036 has been awarded the NJ State Approved Contract # 89300 on March 2022; and

WHEREAS, the Township of Willingboro wishes to award a contract to Hainesport Enterprises, dba/Hainesport Auto and Truck Repair Center in an amount not to exceed Forty Thousand and 00/100 Dollars (\$40,000) for the repair of autos, trucks and equipment necessary to maintain Township vehicle operations; and

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

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best pricing available; and

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey, on this 3rd day of August 2021, in open public session that the Township Council authorizes the Mayor to execute an agreement with Hainesport Enterprises, dba/Hainesport Auto and Truck Repair Center, that is consistent with this resolution; and

BE IT FURTHER RESOLVED, funds have been appropriated through the 2021 budget; and

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

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be provided to Hainesport Enterprises, dba/Hainesport Auto and Truck Repair Center 1466 Route 38 , PO Box 449, Hainesport, NJ 08036 and the Chief Financial officer for their information and attention.

Attest:

Brenda Bligen, Acting Township Clerk

Dr. Tiffany Worthy, Mayor