

cc: Fin

RESOLUTION 2014—65

APPROVING THE ADOPTION OF THE 2014 BUDGET AS INTRODUCED

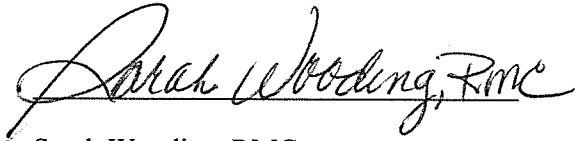
WHEREAS, Public Hearing was held on the introduced budget April 15, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 15th day of April, 2014, that the 2014, Willingboro Township Budget is adopted as introduced.



Eddie Campbell, Jr., Mayor

Attest:



Sarah Wooding, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-------------------------------------|----|---------|-------------------------------------|
| Councilman Anderson | <input checked="" type="checkbox"/> | | | |
| Councilman Holley | <input checked="" type="checkbox"/> | | | |
| Councilman Walker | | | | <input checked="" type="checkbox"/> |
| Deputy Mayor Jennings | <input checked="" type="checkbox"/> | | | |
| Mayor Campbell | <input checked="" type="checkbox"/> | | | |

cc: Jeff Sisk

RESOLUTION NO: 2014-66

RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF WILLINGBORO URGING THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING TO PROMULGATE REGULATIONS IN ACCORDANCE WITH THE SCHEDULE THE NEW JERSEY SUPREME COURT ESTABLISHED ON MARCH 14, 2014.

WHEREAS, in 1983, the New Jersey Supreme Court decided Southern Burlington County N.A.A.C.P. v. Tp. of Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") in which it not only created a body of procedural and substantive law to advance the creation of affordable housing, but also clearly announced its desire for a legislative alternative to the laws it created; and

WHEREAS, Former Governor Kean and the Legislature accepted the Supreme Court's invitation and enacted the New Jersey Fair Housing Act ("FHA") in 1985; and

WHEREAS, the FHA created the New Jersey Council on Affordable Housing ("COAH") and charged COAH with the responsibility of periodically establishing regulations to provide guidance to municipalities and other interested parties; and

WHEREAS, COAH promulgated regulations for the first housing cycle in 1986; for the second housing cycle in 1994 and for the third housing cycle in 2004 and again in 2008; and

WHEREAS, on September 26, 2013, the New Jersey Supreme Court decided In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 215 N.J. 578 (2013) in which it (a) invalidated the round three regulations adopted in 2008; and (b) charged COAH with the responsibility of adopting a third iteration of round three regulations within five months; and

WHEREAS, COAH failed to meet the five month deadline, but applied to the Supreme Court for an extension of that deadline; and

WHEREAS, on March 14, 2014, the Supreme Court granted COAH's application for an extension, but established the following deadlines for COAH to follow to adopt new round three regulations:

1. By May 1, 2014, the COAH Board must meet and formally approve proposed new Round 3 rules in accordance with the Supreme Court's September 26, 2013 opinion. These new rules should provide the "fair share" numbers for all towns in New Jersey.
2. COAH must forward the proposed new rules to the Office of Administrative Law (OAL) for publication in the June 2, 2014 New Jersey Register.
3. COAH must permit comments on the proposed new regulations until August 1, 2014.
4. By October 22, 2014, COAH must adopt the new rules.

5. COAH must transmit the adopted new rules to the OAL for publication in the New Jersey Register no later than November 17, 2014.

WHEREAS, pursuant to this March 14, 2014 Order, the Supreme Court stated that if COAH fails to abide these deadlines, it would consider applications for relief that may include exposing municipalities to builder's remedy lawsuits on a case-by-case basis; and

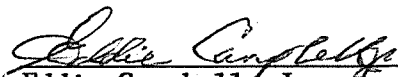
WHEREAS, the Supreme Court suggested that municipalities could pay the price for COAH's failure to do its job in a timely fashion apparently because the Court viewed municipalities as somehow responsible for COAH's delays; and

WHEREAS, the Township wishes to extinguish any perception that it has directly or indirectly supported the delays by COAH to meet the deadlines the Court has established; and

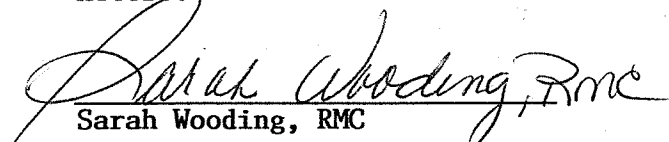
WHEREAS, to the contrary, the Township wishes to make it absolutely clear that it urges COAH to meet the deadlines the Court has established.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF WILLINGBORO as follows:

1. The Township strenuously urges COAH to comply with the deadlines the Supreme Court established in its March 14, 2014 decision with respect to the adoption of proposed regulations and the handling of comments with respect thereto.
2. If new Mount Laurel legislation is not enacted by the October 22, 2014 deadline the Supreme Court has established as the deadline for COAH to adopt new round three regulations, the Township further urges COAH to formally adopt its new Round 3 regulations by this deadline in order to avoid the Supreme Court's consideration of a remedy that may include authorization to file builder's remedy lawsuits.
3. This resolution shall be submitted to the New Jersey Council on Affordable Housing immediately.


Eddie Campbell, Jr.
Mayor

Attest:


Sarah Wooding, RMC
Township Clerk

cc: Jeff Suran
Gov. Christie
all Legislators

RESOLUTION NO: 2014-67

RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF WILLINGBORO URGING THE NEW JERSEY LEGISLATURE AND THE GOVERNOR TO ACCEPT THE INVITATION OF THE SUPREME COURT TO ENACT LEGISLATION TO ESTABLISH A NEW, MORE SENSIBLE APPROACH TO AFFORDABLE HOUSING IN OUR STATE.

WHEREAS, in 1983, the New Jersey Supreme Court decided Southern Burlington County N.A.A.C.P. v. Tp. of Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”) in which it not only created a body of procedural and substantive law to advance the creation of affordable housing, but also clearly announced its desire for a legislative alternative to the laws it created; and

WHEREAS, Former Governor Kean and the Legislature accepted the Supreme Court’s invitation and enacted the New Jersey Fair Housing Act (“FHA”) in 1985; and

WHEREAS, the FHA created the New Jersey Council on Affordable Housing (“COAH”) and charged COAH with the responsibility of periodically establishing regulations to provide guidance to municipalities and other interested parties; and

WHEREAS, COAH promulgated regulations for the first housing cycle in 1986; for the second housing cycle in 1994; and for the third housing cycle in 2004 and again in 2008; and

WHEREAS, on September 26, 2013, the New Jersey Supreme Court decided In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 215 N.J. 578 (2013) in which it (a) invalidated the round three regulations adopted in 2008; and (b) charged COAH with the responsibility of adopting a third iteration of round three regulations within five months; and

WHEREAS, in apparent recognition that the Mount Laurel doctrine was in danger of crumbling under its own weight, the Supreme Court in In re Adoption Of N.J.A.C. 5:96 and 5:97 invited the Legislature and the Governor, as clearly and fervently as it could, to devise a new approach to affordable housing in our state; and

WHEREAS, as demonstrated by the following statements, the Court promised to show enormous deference to any new legislative pronouncement and indeed went out of its way to express receptivity to legislation that plainly violates longstanding principles in Mount Laurel jurisprudence:

- a. All aspects of the remedy established in Mount Laurel II are not “indispensable components of a remedy for the future.” Id. at 610.
- b. It would be willing to consider an alternative to “a pre-fixed allocation of municipal obligations based on forecasted projected growth,” which would be a numberless approach. Id. at 611.

c. It would be willing to consider an alternative to imposing a Mount Laurel obligation on "all municipalities of the state within fixed periods." Id. at 605.

d. It would be open to legislation that limits the role of the builder's remedy: "One can envision alternative approaches that, perhaps, might relegate a builder's remedy to a more reserved status among available solutions to encouragement of construction of affordable housing, reducing the political turmoil that has plagued voluntary compliance with the constitutional goal of advancing the delivery of affordable housing." Id. at 610-11; and

WHEREAS, the Supreme Court has extended the five month deadline it established in In re Adoption Of N.J.A.C. 5:96 and 5:97 and set May 1, 2014 as the deadline for COAH to propose new round three regulations, and October 22, 2014 as the deadline for COAH to adopt new round three regulations; and

WHEREAS, as a result of the foregoing facts, the Supreme Court has created a roughly seven month window of opportunity for the Legislature and Governor to enact new legislation to replace the FHA; and

WHEREAS, in the evolution of the doctrine, there has never been a greater opportunity to effectuate significant changes to the doctrine; and

WHEREAS, the failure to enact legislation could expose municipalities to overwhelming and unreasonable burdens; and


WHEREAS, in light of the above, it is essential that the Legislature and Governor seize this opportunity to enact new affordable housing laws because the present laws are fundamentally flawed.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF WILLINGBORO as follows:

1. The Township urges the Legislature to work with Governor Christie to take advantage of the opportunity to reshape and modernize the Mount Laurel doctrine by developing and enacting legislation that better protects the interests of municipalities and more reasonably balances all the competing interests.

2. Consistent with the Supreme Court's invitation, the Township strenuously urges any new Legislation to "relegate a builder's remedy to a more reserved status among available solutions to encouragement of construction of affordable housing". Accordingly, any new Legislation should, at a minimum, impose a moratorium on all ongoing and future builder's remedy litigation to enable municipalities to comply with the standards embodied in the new statute.

3. This resolution shall be submitted to Governor Christie and our Legislators immediately.


Sarah Wooding, RMC, Clerk


Eddie Campbell, Jr., Mayor

cc: Jim
Landberg Const
R+V

RESOLUTION 2014—68

**RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AWARDING AN EMERGENCY
CONTRACT FOR EMERGENCY REPLACEMENT OF THE STORM CULVERT ON
SANDSTONE LANE**

WHEREAS, on or about on or about March 12, 2014 sink holes appeared above the storm culvert within Sandstone Lane; and

WHEREAS, the Township's Engineer was satisfied that this created an emergency affecting the public health, safety and welfare; and

WHEREAS, the Township Engineers notified the Department of Environmental Protection (DEP) that the sink hole, along with additional sink holes was an immediate and extraordinary risk to property and public health, safety and welfare; and

WHEREAS, DEP issued an Emergency Permit for the repairs; and

WHEREAS, in accordance with Local Public Contracts Law NJSA 40A:11-1, et seq., on March 17, 2014 the Township Engineer sent out a detailed project information packet soliciting cost proposals from five firms for the project, which proposals were due on March 26, 2014 and

WHEREAS, on March 26, 2014 the Township Engineer received the following cost proposals for the emergency repairs:

1. Landberg Construction, LLC in the amount of \$204,065.90
2. Mount Construction Co., Inc. in the amount of \$231,105.90; and

WHEREAS, the Township Engineer reviewed the cost proposals and found that the cost proposal of Landberg Construction, LLC, P. O. Box 280, Mays Landing, NJ 08330 in the amount of \$204,065.90 to be reasonable and responsible; and

WHEREAS, the Township's Engineers recommends that the emergency contract at this location be awarded to Landberg Construction, LLC, P.O. Box 280, Mays Landing, NJ 08330 in the amount of \$204,065.90; and

WHEREAS, the Township Council has upon its consideration and review determined to accept the recommendation of the Township Engineer that Landberg Construction, LLC , and that it is in the best interest of the Township to accept the proposal of Landberg Construction, LLC; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 15th day of April, 2014, hereby accepts the proposal of Landberg Construction, LLC in the amount of \$204,065.90.

Eddie Campbell, Jr.

Eddie Campbell, Jr., Mayor

Attest:

Sarah Wooding, RMC

Sarah Wooding, RMC
Township Clerk

| Recorded Votes | Yes | No | Abstain | Absent |
|-----------------------|-------------------------------------|----|---------|-------------------------------------|
| Councilman Anderson | <input checked="" type="checkbox"/> | | | |
| Councilman Holley | <input checked="" type="checkbox"/> | | | |
| Councilman Walker | | | | <input checked="" type="checkbox"/> |
| Deputy Mayor Jennings | <input checked="" type="checkbox"/> | | | |
| Mayor Campbell | <input checked="" type="checkbox"/> | | | |

cc: Fin
Pl/zon Bd Sec.
B. Bhojedat

RESOLUTION 2014—69

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILINGBORO
RELEASING ESCROW FUNDS FOR BENJAMIN BHOJEDAT FOR 25 POND LANE,
WILINGBORO, NJ, BLOCK 16, LOT 8**

WHEREAS, the Township of Willingboro's Engineers Remington, Vernick & Arango Engineers, Inc., Planning Board attorney, and Zoning Board attorney have been advised of the request for a release of escrow funds from Benjamin Bhojedat, Block 16, Lot 8; and

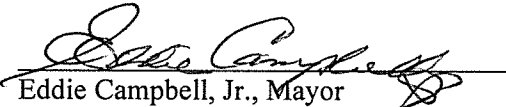
WHEREAS, the Township engineer, Planning Board, and Zoning Board attorney have determined that there are no outstanding invoices, nor is there any further work being performed at this site; and

WHEREAS, it is the recommendation of the Township's Engineer, Planning Board, and the Zoning Board attorney that the Township of Willingboro release the Escrow of \$916.73 since all outstanding invoices have been satisfied; and

WHEREAS, it is the intention of the Township Council and in the best interest of the Township of Willingboro to release the Escrow funds from the Benjamin Bhojedat Application 2013-3 for Project ID # PB2013-3 for 25 Pond Lane, Willingboro, NJ, Block 16, Lot 8, in accordance with the Township Engineer, Planning Board and Zoning Board attorney's recommendations.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 15th day of April, 2014, that the Escrow funds for Benjamin Bhojedat, Application 2013-3, for Project ID# PB2013-3 for 25 Pond Lane, Willingboro, NJ, Block 16, Lot 8, shall be released.

BE IT FURTHER RESOLVED that copies of this resolution shall be provided to the Finance Director, the Township Engineer, Planning Board and Zoning Board solicitor and Benjamin Bhojedat for their information and attention.


Eddie Campbell, Jr., Mayor

Attest:

Sarah Wooding, RMC
Township Clerk

cc: Anthony Burnett
Fin.
J. Deegs

RESOLUTION NO. 2014--70

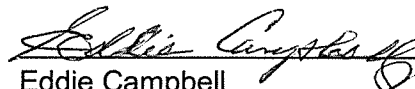
RESOLUTION FOR COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE PROFESSIONAL FIREFIGHTER'S ASSOCIATION IAFF LOCAL 3091 SUPERIOR FIRE OFFICERS
AND THE
TOWNSHIP OF WILLINGBORO

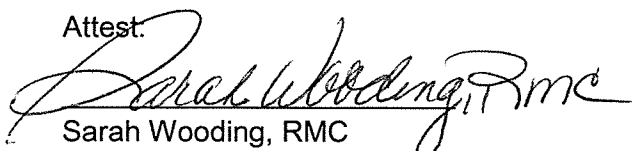
WHEREAS, the Professional Firefighter's Association IAFF Local 3091 Superior Fire Officers, and the Township of Willingboro have concluded collective labor negotiations; and

WHEAREAS, it is appropriate to formally authorize the execution of the agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 15th day of April 14, 2014that:

- A. The attached collective negotiation agreement is approved, covering the period January 1, 2013 through December 31, 2016.
- B. The Mayor and Clerk are hereby authorized and directed to execute on behalf of the Township, after the agreement has been formally signed by the appropriate
- C. A copy of this resolution shall be submitted to the Burlington County Professional Firefighter's Association LAFF local 3091.


Eddie Campbell
Mayor

Attest.

Sarah Wooding, RMC
Township Clerk

cc: Fin.

RESOLUTION NO. 2014-71

RESOLUTION FOR DEFERRED SCHOOL TAXES


WHEREAS, regulations provide for the deferral of not more than 50% of the annual levy when school taxes are raised for a school year and have not been requisitioned by the school district, and

WHEREAS, the Division of Local Government Services requires that a resolution be adopted by a majority of the governing body prior to the introduction of the annual budget of the year subsequent to the deferral, authorizing an increase in the amount of the deferral, and

WHEREAS, it is the desire of the Council of the Township of Willingboro, County of Burlington to increase the amount of the local school deferred taxes by \$246,882.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Township of Willingboro, that the amount of deferred local school taxes be increased to \$13,547,851.50.

TOWNSHIP OF WILLINGBORO


EDDIE CAMPBELL, JR., MAYOR

ATTEST:


SARAH WOODING, RMC, TOWNSHIP CLERK

The foregoing Resolution was duly adopted by the Township Council of the Township of Willingboro at a regular meeting held on April 15, 2014.


SARAH WOODING, RMC, TOWNSHIP CLERK

RESOLUTION NO. 2014-72
A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AUTHORIZING
AN EXECUTIVE SESSION OF THE TOWNSHIP COUNCIL

WHEREAS, the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., permits a public body to exclude the public from portions of a meeting at which specific matters set forth in N.J.S.A. 10:4-12b are discussed; and

WHEREAS, a request has been made of the Township Council assembled in public session on this 15th day of April 2014 to convene a closed Executive session consistent with the provisions of N.J.S.A. 10:4-12b; and

NOW, THEREFORE, upon motion duly made and seconded and passed by a vote of ___ in favor and ___ opposed, **BE IT RESOLVED** by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey that an Executive Session of the Township Council meeting shall be convened to discuss one or more of the following categories as noted:

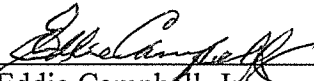
- _____ 1. Any matter which, by express provision of federal law, state statute or rule of court is rendered confidential or excluded from the public portion of the meeting.
- _____ 2. Any matter in which the release of information would impair the right to receive funds from the United States Government.
- _____ 3. Any material the disclosure of which constitutes and unwarranted invasion of privacy as set forth in N.J.S.A. 10:4-12b(3).
- _____ 4. Any Collective Bargaining Agreement or the terms and conditions which are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees.
- _____ 5. Any matter involving the purchase, lease or acquisition of real estate with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussions of such matters were disclosed.
- _____ 6. Any tactics and techniques utilized in protecting the safety and property of the public and any investigations of violations or possible violations of law.
- ~~_____~~ 7. Any pending or anticipated litigation or contract negotiations in which Township Council is or may become a party.
- _____ 8. Any matters falling within the attorney/client privilege to the extent that confidentiality is required for the attorney to exercise his/her ethical duties as a lawyer.

- ___ 9. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment and other categories set forth in N.J.S.A. 10:4-12b(8).
- ___ 10. Any deliberations occurring after a public hearing that may result in the imposition of specific civil penalty or the suspension of loss of a license or permit as set forth in N.J.S.A. 10:9-12b(9).

BE IT FURTHER RESOLVED that the general nature of the subject to be discussed relates to:

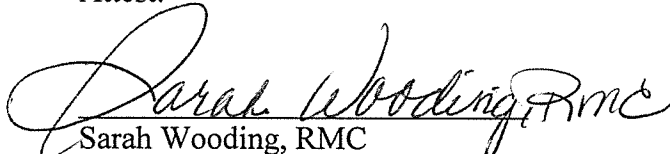
Professional Contracts

BE IT FURTHER RESOLVED that the time when and the circumstances under which the discussion conducted in closed session will be disclosed to the public, in accordance with N.J.S.A. 10:4-14, and to the extent that it is not inconsistent with N.J.S.A. 10:4-12.



Eddie Campbell, Jr.
Mayor

Attest:



Sarah Wooding, RMC
Township Clerk