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**RESOLUTION NO. 2012-- 126**


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

WHEREAS, the records of the Tax Collector of the Township of Willingboro indicate overpayments of taxes due and overpayments; and

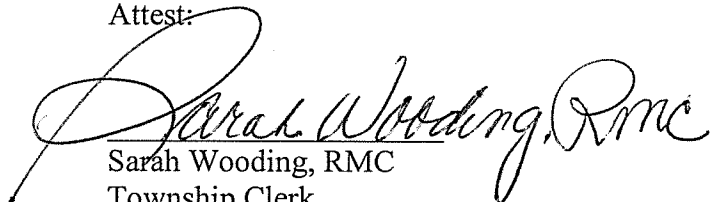
WHEREAS, refunds are due for these overpayments as listed on the attached schedule and made a part hereto;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th. day of August, 2012, 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 their information, attention and compliance.

  
Jacqueline Jennings  
Mayor

Attest:

  
Sarah Wooding, RMC  
Township Clerk

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councilman Gordon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Ayer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Jennings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

# OVERPAYMENT FOR TAXES

JIMMIE & MARY LEE HOWARD  
23 PENNANT LANE  
WILLINGBORO, NJ 08046  
BLOCK 314  
LOT 38  
23 PENNANT LANE  
OVERPAYMENT TAXES

\$434.98

for

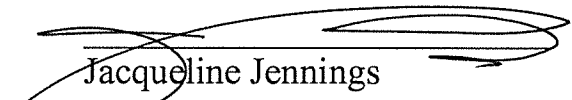
**RESOLUTION NO. 2012---127**

**AUTHORIZING THE APPROVAL OF VOUCHERS FOR PAYMENT AND RATIFICATION**

WHEREAS, Willingboro township Council received the July, 2012, 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 7th, day of August, 2012, 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.

  
Jacqueline Jennings  
Mayor

Attest:

  
\_\_\_\_\_  
Sarah Wooding, RMC  
Township Clerk

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	<input checked="" type="checkbox"/>			
Deputy Mayor Ayer	<input checked="" type="checkbox"/>			
Councilman Campbell				<input checked="" type="checkbox"/>
Councilman Gordon	<input checked="" type="checkbox"/>			
Mayor Jennings	<input checked="" type="checkbox"/>			

cc: Bh  
L.B.  
Rick  
Vandor

RESOLUTION 2012- 128

TOWNSHIP OF WILLINGBORO

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR GROUNDS EQUIPMENT AND ADDITIONAL MISCELLANEOUS GROUND EQUIPMENT PARTS AND SUPPLIES**

**WHEREAS**, the Township of Willingboro has a need to acquire Grounds Equipment one (1) 72" zero turn riding mower, two (2) 48" zero-turn riding mowers, and one (1) 36" zero turn riding mower ) and additional miscellaneous Grounds Equipment Parts and Supplies; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, as adjusted by the State Treasurer, and Ordinance 2009-23, the Township appointed a Qualified Purchasing Agent; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, contracts for goods or services which do not exceed \$36,000.00 may be awarded by the Qualified Purchasing Agent without publicly advertising for bids; and

**WHEREAS**, the Qualified Purchasing Agent has determined and certified in writing that the value of the contract for Grounds Equipment one (1) 72" zero turn riding mower, two (2) 48" zero-turn riding mowers, and one (1) 36" zero turn riding mower ) and additional miscellaneous Grounds Equipment Parts and Supplies will not exceed \$36,000.00; and

**WHEREAS**, **WHEREAS**, the Township hereby accepts the proposal of Laurel Lawnmower Services, Incorporated, of 1850 Chews Landing Road, Blackwood, New Jersey 08012 to provide Grounds Equipment (one (1) 72" zero turn riding mower, two (2) 48" zero-turn riding mower, and one (1) 36" zero turn riding mower) and additional miscellaneous Grounds Equipment and Supplies up to the amount of and shall not exceed \$35,000.00 and intends to award a contract based upon the terms of the proposal amount; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5, this is a Non-Fair Open Contract, which has been certified to have an anticipated value in excess of \$17,500.00; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 Laurel Lawnmower Services, Incorporated has completed and submitted a Business Entity Disclosure Certification which certifies that:

1. Laurel Lawnmower Services, Incorporated has not made any reportable campaign contributions in the previous 12 months to a political party or candidate committee of any person serving in elective public office in the Township of Willingboro; and

2. Laurel Lawnmower Services, Incorporated is prohibited from making any campaign contributions, reportable according to N.J.S.A. 19:44-1 throughout the term of the contract.

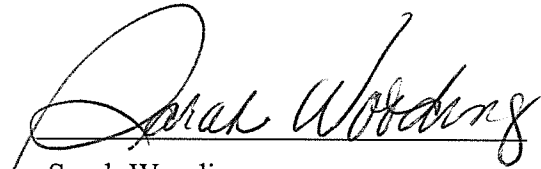
**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended two (2) times as approved by this governing body; and

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

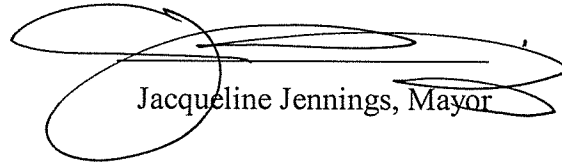
**NOW THEREFORE, BE IT RESOLVED** on this 7<sup>th</sup> day of August 2012 in open public session that the Township Council of the Township of Willingboro authorizes the Mayor to execute an agreement with Laurel Lawnmower Services, Incorporated, of 1850 Chews Landing Road, Blackwood, New Jersey 08012, for Grounds Equipment, Miscellaneous Grounds Equipment Parts and Supplies, that is consistent with this resolution for a term of one (1) year.

**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 shall be provided to Laurel Lawnmower Services, Incorporated for its information and attention.



Sarah Wooding,  
Township Clerk



Jacqueline Jennings, Mayor

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	✓			
Councilman Campbell				✓
Councilman Gordon	✓			
Deputy Mayor Ayrer	✓			
Mayor Jennings	✓			

cc  
A. B. Barber  
Willingboro  
B. R.

Resolution No. 2012- 129

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO  
AWARDING A BID FOR HOLMATRO RESCUE EQUIPMENT CORE  
TECHNOLOGY CONVERSION PROJECT**

**WHEREAS**, on Friday July 6, 2012, the Township Council of the Township of Willingboro advertised for bids to be submitted for the Holmatro Rescue Equipment Core Technology Conversion Project; and

**WHEREAS**, one bid was received, opened and read in public on Wednesday, July 18, 2012; and

**WHEREAS**, ESI Equipment Inc., 440 Horsham Road, Suite 415, Horsham, PA 19044 submitted the only bid received.

**WHEREAS**, the Fire Department Chief reviewed ESI Equipment Inc.'s bid in the amount of \$58,425.00 ; and

**WHEREAS**, the Chief determined that ESI Equipment, Inc.'s bid met the all qualifications required by the bid specifications for the Holmatro Rescue Equipment Core Technology Conversion Project; and

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

**WHEREAS**, ESI Equipment, Inc., has submitted the only and lowest responsible bid; and

**WHEREAS**, the Township Council has upon its consideration and review determined that ESI Equipment, Inc., is the responsible lowest bidder, and therefore, it is in the best interest of the Township to accept the bid of ESI Equipment, Inc., 440 Horsham Road, Suite 415, Horsham, PA 19044 for the Holmatro Rescue Equipment Core Technology Conversion Project in the amount of \$58,425.00; 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, assembled in public session this 7th day of August 2012, hereby accepts the bid of ESI Equipment, Inc., 440 Horsham Road, Suite 415, Horsham, PA 19044 for the Holmatro Rescue Equipment Core Technology Conversion Project in the amount of \$58,425.00; and that the bid be spread upon the minutes of this meeting.

Attest:

*Sarah Wooding RMC*  
Sarah Wooding, RMC, Township Clerk

~~\_\_\_\_\_  
Jacqueline Jennings, Mayor~~

**Recorded Vote**

**Yes No Abstain Absent**

Councilman Anderson

\_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_

Councilman Campbell

\_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_

Councilman Gordon

\_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_

Deputy Mayor Ayrer

\_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_

Mayor Jennings

\_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_

cc.  
Rick  
Linda P.  
Woods

RESOLUTION 2012- 130

TOWNSHIP OF WILLINGBORO

**A RESOLUTION AMENDING RESOLUTION 2012 -121 AND AUTHORIZING THE AWARD OF A CONTRACT FOR HEAVY EQUIPMENT TRAINING FOR PUBLIC WORKS EMPLOYEES IN COMPLIANCE WITH OSHA CERTIFICATION REQUIREMENTS**

**WHEREAS**, by Resolution 2012-121, the Township of Willingboro authorized a Non-Fair Open contract for the acquisition of Heavy Equipment Training for Public Works Employees for OSHA Certification Requirements; and

**WHEREAS**, Council determined that it should set forth the basis of the determination that this contract is "Non-Fair and Open"; and

**WHEREAS**, by this resolution Council sets forth herein the basis for the award of the contract by the Qualified purchasing agent being Non-Fair and Open; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, and Ordinance 2009-23, the Township appointed a Qualified Purchasing Agent; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, contracts for goods or services which do not exceed \$36,000.00 may be awarded by the Qualified Purchasing Agent without publicly advertising for bids; and

**WHEREAS**, the Qualified Purchasing Agent has determined and certified in writing that the value of the contract for Heavy Equipment Training for Public Works Employees for OSHA Certification Requirements will not exceed \$36,000.00; and

**WHEREAS**, Medical Consultants Instructional Training Center located at 207 Bogden Boulevard, Suite 1, Box 1, Millville, NJ 08332, has submitted a proposal July 11, 2012 indicating they will provide the Heavy Equipment Training for Public Works Employees for OSHA Certification Requirements for the cost of \$1,700.00 per person, eleven persons totaling \$18,700.00; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5, this is a Non-Fair Open Contract, which has been certified to have an anticipated value in excess of \$17,500.00; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 Medical Consultants Instructional Training Center has completed and submitted a Business Entity Disclosure Certification which certifies that:



1. Medical Consultants Instructional Training Center has not made any reportable campaign contributions in the previous 12 months to a political party or candidate committee of any person serving in elective public office in the Township of Willingboro; and

2. Medical Consultants Instructional Training Center is prohibited from making any campaign contributions, reportable according to N.J.S.A. 19:44-1 throughout the term of the contract.

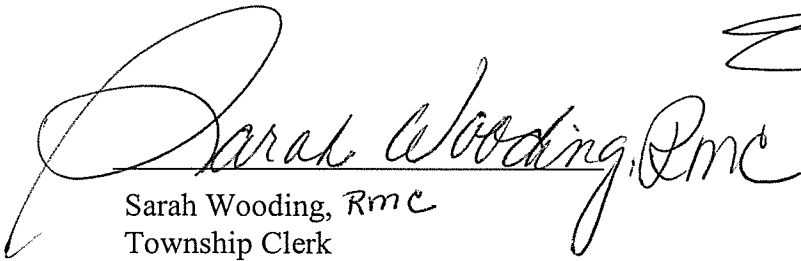
**WHEREAS**, the anticipated term of this contract is one (1) year and may be extended two (2) times as approved by this governing body; and


**WHEREAS**, 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** on this 7<sup>th</sup> day of August 2012 in open public session that the Township Council of the Township of Willingboro authorizes the Mayor to execute an agreement with Medical Consultants Instructional Training Center that is consistent with this resolution for a term of one (1) year.

**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 shall be provided to Medical Consultants Instructional Training Center for its information and attention.

  
Sarah Wooding, RMC  
Township Clerk

  
Jacqueline Jennings, Mayor

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	✓			
Councilman Campbell				✓
Councilman Gordon	✓			
Deputy Mayor Ayrer	✓			
Mayor Jennings	✓			

RESOLUTION NO. 2012- 131

**RESOLUTION OF THE TOWNSHIP OF WILLINGBORO  
AUTHORIZING THE EXECUTION OF A STIPULATION OF  
SETTLEMENT WITH PSE&G**

*WHEREAS*, Tax Appeals are pending by and against the Township of Willingboro in the Tax Court of New Jersey entitled Township of Willingboro v. PSE&G Docket Nos., 00071-2011 and 000072-2011 and PSE&G v. Township of Willingboro, Docket Nos., 001244-2012 and 007964-2011 (the "Tax Appeal Litigation"); and

*WHEREAS*, the parties involved in the aforementioned lawsuit are desirous of settling the issues underlying said litigation and desirous of terminating the pending litigation involving said parties; and

*WHEREAS*, counsel for the respective parties have negotiated a Stipulation of Settlement resolving the outstanding issues pursuant to an agreement between the Tax Assessor and the Taxpayer herein in accordance with New Jersey Case Law that requires that the Tax Assessor is consulted and concurs with the agreement; the terms of said agreement that are set forth within documents entitled "Release and Settlement Agreement," and Stipulations of Dismissals, copies of which are attached hereto; and

*WHEREAS*, the Settlement will cover tax years 2009, 2010, 2011, 2012 and 2013;

*WHEREAS*, the Refunds resulting from the Stipulation of Settlement shall be paid within 60 days of the entry of the Judgment pursuant to N.J.S.A. 54:3-27.2;

*WHEREAS*, the Township has removed the property from the tax roles for the 2013 tax year, in accordance with the Settlement;

*WHEREAS*, the Township Council finds that it is in the best interest of the Township to settle the issues underlying the litigation and/or Tax Appeals and to terminate this litigation; and

*NOW, THEREFORE, BE IT RESOLVED*, by the Township Council of the Township of Willingboro, on this 7th day of August, 2012, that the Township Council authorizes the Solicitor to settle and execute the Stipulation of Settlement for the Tax Appeal Litigation entitled, Township of Willingboro in the Tax Court of New Jersey entitled Township of Willingboro v. PSE&G Docket Nos., 00071-2011 and 000072-2011 and PSE&G v. Township of Willingboro, Docket Nos., 001244-2012 and 007964-2011, on behalf of the Township of Willingboro; and

**BE IT FURTHER RESOLVED**, that the Mayor and the Clerk of this Township are hereby authorized and directed to execute the aforementioned Stipulation of Settlement on behalf of the Township of Willingboro.

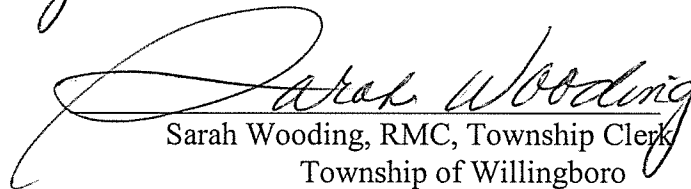
**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be provided to all parties to the litigation, for their information and attention.

Attest:

  
Sarah Wooding, RMC, Township Clerk

  
Jacqueline Jennings, Mayor

I, SARAH WOODING, RMC, Township Clerk of the Township of Willingboro, do hereby certify that the above is a true copy of a resolution adopted by the Township Council at a meeting held on Aug. 7th, 2012.

  
Sarah Wooding, RMC, Township Clerk  
Township of Willingboro

cc:  
Bl  
Rich  
Mt Laurel

**TOWNSHIP OF WILLINGBORO  
RESOLUTION 2012 --132**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF MOUNT LAUREL TO SHARE WILLINGBORO TOWNSHIP PUBLIC WORKS EQUIPMENT AND PERSONNEL**

**WHEREAS**, N.J.S.A. 40A:65-1, et seq., known as the "Uniform Shared Services and Consolidation Act," authorizes two or more local units to enter into an agreement for interlocal services known as a Shared Services Agreement for the provision of services ("Agreement"); and

**WHEREAS**, the purpose of Shared Services Agreements is to reduce local expenses funded by property taxpayers; and

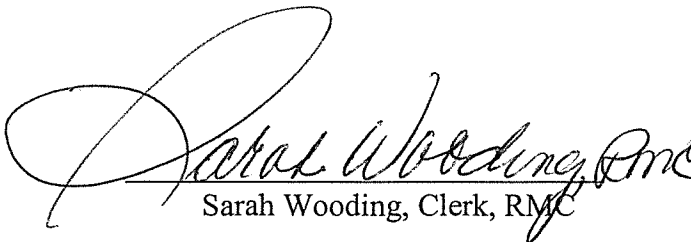
**WHEREAS**, the Township Council of the Township of Willingboro and the City of Burlington desires to enter into a Shared Services Agreement for the provision of Public Works Equipment and Personnel to the Township of Mount Laurel by the Township of Willingboro ("Agreement"); and

**WHEREAS**, the Township Council has reviewed the proposed Agreement, a copy of which is attached hereto; and

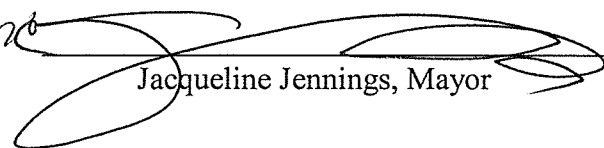
**WHEREAS**, the sharing of these services is in the public interest and will benefit the Township of Willingboro and the Township of Mount Laurel.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council, assembled in open public session on this 7th day of August 2012 that the Mayor and the Township Clerk are hereby authorized to execute the Shared Services Agreement, as attached hereto, between the Township of Willingboro and the Township of Mount Laurel for the sharing of public works equipment and personnel.

Township of Willingboro



Sarah Wooding, Clerk, RMC



Jacqueline Jennings, Mayor

**CERTIFICATION**

I, Sarah Wooding, RMC, Clerk of the Township of Willingboro in the County of Burlington and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by the Governing Body at its meeting of Aug. 7, 2012.

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councilman Gordon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Ayres	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Jennings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION NO. 2012---133**  
**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 7th day of August, 2012 to convene a closed Executive session consistent with the provisions of N.J.S.A. 10:4-12b; and

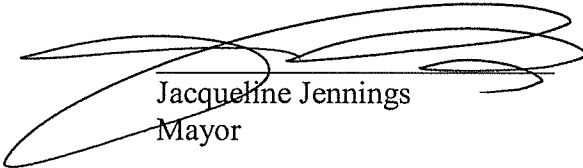
**NOW, THEREFORE**, upon motion duly made and seconded and passed by a vote of 4 in favor and 0 opposed, **BE IT RESOLVED** by the Township Council of the Township of Willingboro, County of Burlington, State of New Jersey that an Executive Session of the Township Council meeting shall be convened to discuss one or more of the following categories as noted:

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

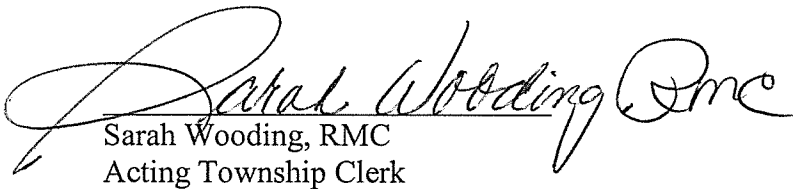
- \_\_\_\_\_ 9. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment and other categories set forth in N.J.S.A. 10:4-12b(8).
- \_\_\_\_\_ 10. Any deliberations occurring after a public hearing that may result in the imposition of specific civil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

**BE IT FURTHER RESOLVED** that the general nature of the subject to be discussed relates to: Labor Negotiation, Contract Negotiation, and PSE&G Negotiation

**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.

  
Jacqueline Jennings  
Mayor

Attest:

  
Sarah Wooding, RMC  
Acting Township Clerk