

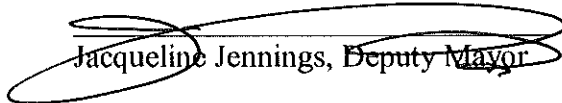
RESOLUTION NO. 2010 - 123
AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE
AND WAIVING MAINTENANCE GUARANTEE
(Villages at Willingboro – Block 3, Lot 4.11)

WHEREAS, at the request of Willingboro Square LLC's attorney an inspection of the above referenced project was made by Remington & Vernick Engineers Inspection Department; and


WHEREAS, it was determined by the Engineer, in accordance with his letter dated August 19, 2010, that the Performance Guarantee in the amount of \$1,788,843.60 be released and that the Maintenance Guarantee requirement be waived.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th day of September, 2010, that the Township Council authorizes the release of the Performance Guarantee and waives the Maintenance Guarantee requirement.

BE IT FURTHER RESOLVED that copies of this resolution be provided to the Finance Director, the Auditor, the contractor for their information and attention.


Jacqueline Jennings, Deputy Mayor

Attest:


Marie Annese, RMC
Township Clerk

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

REMINGTON & VERNICK ENGINEERS AND AFFILIATES

EDWARD VERNICK, PE, CME, President
CRAIG F. REMINGTON, PLS, PP Vice President

EXECUTIVE VICE PRESIDENTS

Michael D. Vena, PE, PP, CME, (deceased 2006)
Edward J. Walberg, PE, PP, CME
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME

Marie's copy

**DIRECTOR OF OPERATIONS
CORPORATE SECRETARY**
Bradley A. Blubaugh, BA, MPA

SENIOR ASSOCIATES
John J. Cantwell, PE, PP, CME
Alan Diltzenhofer, PE, PP, CME
Frank J. Seney, Jr., PE, PP, CME
Terence Vogt, PE, PP, CME
Dennis K. Yoder, PE, PP, CME, LEED
Charles E. Adamson, PLS, AET
Kim Wendell Bibbs, PE, CME
Marc DeBlasio, PE, PP, CME
Leonard A. Faiola, PE, CME
Christopher J. Fazio, PE, CME
Kenneth C. Ressler, PE, CME
Gregory J. Sullivan, PE, PP, CME
Richard Czekanski, PE, CME, BCEE

**Remington &
Vernick Engineers**
232 Kings Highway East
Haddonfield, NJ 08033
(856) 795-9595
(856) 795-1882 (fax)

15-33 Halsted Street, Suite 204
East Orange, NJ 07018
(973) 323-3065
(973) 323-3068 (fax)

**Remington, Vernick
& Vena Engineers**
9 Allen Street
Toms River, NJ 08753
(732) 286-9220
(732) 505-8416 (fax)

3 Jocama Boulevard, Suite 300-400
Old Bridge, NJ 08857
(732) 955-8000
(732) 591-2815 (fax)

**Remington, Vernick
& Walberg Engineers**
845 North Main Street
Pleasantville, NJ 08232
(609) 645-7110
(609) 645-7076 (fax)

4907 New Jersey Avenue
Wildwood City, NJ 08260
(609) 522-5150
(609) 522-5313 (fax)

**Remington, Vernick
& Beach Engineers**
922 Fayette Street
Conshohocken, PA 19428
(610) 940-1050
(610) 940-1161 (fax)

5010 East Trindle Road, Suite 203
Mechanicsburg, PA 17050
(717) 766-1775
(717) 766-0232 (fax)

U.S. Steel Tower
600 Grant Street, Suite 1251
Pittsburgh, PA 15219
(412) 263-2200
(412) 263-2210 (fax)

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
(302) 266-0212
(302) 266-6208 (fax)

**Remington, Vernick
& Arango Engineers**
The Presidential Center
Lincoln Building, Suite 600
101 Route 130
Cinnaminson, NJ 08077
(856) 303-1245
(856) 303-1249 (fax)

August 19, 2010

Marie Annese, Clerk
Township of Willingboro
1 Salem Road
Willingboro, New Jersey 08046

**Subject: Township of Willingboro
The Villages at Willingboro
Block 3, Lot 4.11
R&V #033381001**

Dear Ms. Annese,

At the request of the applicant, Remington, Vernick and Arango Engineers Inspection Department has conducted an inspection of the above-referenced project. Based upon our inspection, we find the bonded improvements to be in satisfactory condition and recommend that the Performance Guarantee in the amount of \$1,788,843.60 be released. We recommend the Maintenance Guarantee in the amount of \$268,326.60 be waived in that the reasonable period of time has lapsed and there are no defects present that would have been necessary to correct under the Maintenance period.

If you have any questions, please do not hesitate to call.

Sincerely yours,
REMINGTON, VERNICK & ARANGO ENGINEERS, INC.



K. Wendell Bibbs, P.E., C.M.E.

GJS/HS/clg

c: Mayor & Committee
Joanne Diggs, Township Manager

Gregory J. Sullivan, P.E., P.P., C.M.E.
Syreeta Paul
Willingboro Square, LLC

t.willingborovillages @ willingboroperf release letter 8-19-10.doc

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RECEIVED
AUG 23 2010
OFFICE OF THE TOWNSHIP CLERK
WILLINGBORO, NEW JERSEY

BEN HOFFER

Attorney at Law

90 Woodbridge Center Drive - Suite 600
Woodbridge, New Jersey 07095

(732) 750-1111
Fax: (732) 596-8463

CERTIFIED MAIL 7009 2250 0004 1052 8399

August 18, 2010

Marie Annese, Clerk
Township of Willingboro
1 Salem Road
Willingboro, NJ 08046

Re: Bond #380671

Dear Ms. Annese:

Please be advised that I represent Willingboro Square, LLC. Please accept this letter as a formal request for a release of the above-referenced performance bond in the amount of \$1,788,843.00, as this job has long since been completed.

By copy of this letter, I am hereby requesting that the Township Engineer undertake the appropriate inspections with a view towards release of the bond.

Thank you for your assistance in this matter.

Very truly yours,



Ben Hoffer

cc: Wendell Bibbs, City Engineer 7009 2250 0004 1052 8405

*8/20/10
Scanned &
emailed to
W.B.*

Surety Bonds Since 1991

International Fidelity

One Newark Center
Newark, NJ 07102
(973) 624-7200

PERFORMANCE SURETY BOND

BOND # 0380671

We, Willingboro Square, L.L.C., having offices at 90 Woodbridge Center Drive, Woodbridge, NJ 07095, as Principal, and **INTERNATIONAL FIDELITY INSURANCE COMPANY** having offices at **One Newark Center, Newark, New Jersey 07102**, a corporation duly licensed to transact a surety business in the State of New Jersey, as Surety, are indebted to the municipality of **WILLINGBORO**, in the County of **BURLINGTON**, obligee, in the sum of \$1,788,843.60, for which payment we bind ourselves and our respective heirs, legal representatives, successors, and assigns, jointly and severally.

On **JULY 14, 2003**, principal was granted approval by the **PLANNING BOARD** of the **TOWNSHIP of WILLINGBORO** for **THE VILLAGE @ WILLINGBORO, BLOCK 3, LOT 4.11**. The estimate by the municipal engineer of the cost of this work and the resolution of approval are attached hereto and made a part hereof.

Pursuant to municipal ordinance, adopted under authority of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the principal hereby furnishes a performance surety bond in the amount of \$1,788,843.60 (not to exceed 120 percent of the cost of the improvements, as certified by the municipal engineer), written by **INTERNATIONAL FIDELITY INSURANCE COMPANY**, a surety licensed in the State of New Jersey, guarantying full and faithful completion of improvements approved by the approving authority, in lieu of completing the required improvements prior to the granting of final approval. This bond shall remain in full force and effect until such time as all improvements covered by the bond have been approved or accepted by resolution of the municipal governing body, except that in those instances where some of the improvements are approved or accepted by resolution of the governing body upon certification by the municipal engineer, partial release from the bond shall be granted in accordance with N.J.S.A. 40:55D-53. The amount of the bond remaining shall be sufficient to secure provision of the improvements not yet approved; provided, however, that the municipality may require that 30 percent of the amount of the bond be retained to ensure completion of all improvements.

This bond shall remain in full force and effect until released by resolution of the municipal governing body.

This bond is issued subject to the following expressed conditions:

1. This bond shall not be subject to cancellation either by the principal or by the

Principal or by the surety for any reason until such time as all improvements subject to the bond have been accepted by the municipality, in accordance with the applicable provisions of the Municipal Land Use Law.

2. This bond shall be deemed to be continuous in form and shall remain in full force and effect until the improvements are accepted by the municipality and the bond is released, or until default is declared, or until the bond is replaced by another bond meeting applicable legal requirements. Upon approval or acceptance of all improvements by the municipality, or upon replacement of this bond by another bond, liability under this bond shall cease. Upon approval or acceptance of some, but not all, of the required improvements by the municipality, partial release from the bond shall be granted in accordance with N.J.S.A. 40:55D-53; provided, however, that the portion of the bond amount sufficient to secure completion of the improvements shall continue in effect and the municipality may retain 30 percent of the bond amount posted in order to ensure such completion.
3. The aggregate liability of the surety shall not exceed the sum set forth above.
4. In the event that the improvements subject to this bond are not completed within the time allowed under the conditions of the final approval issued pursuant to the Municipal Land Use Law, including such extensions as may be allowed by the approving authority, the municipal governing body may, at its option, and upon at least 30 days prior written notice to the principal and to the surety by personal delivery or by certified or registered mail or courier, declare the principal to be in default and, in the event that the surety fails or refuses to complete the work in accordance with the terms and conditions of the original approval, claim payment under this bond for the cost of completion of the work. In the event that any action is brought against the principal under this bond, written notice of such action shall be given to the surety by the municipality by personal delivery or by registered or certified mail or courier at the same time.
5. The surety shall have the right to complete the work in accordance with the terms and conditions of the original approval, either with its own employees or in conjunction with the principal or another contractor; provided, however, that the surety, in its sole discretion, may make a monetary settlement with the municipality as an alternative to completing the work.
6. In the event that the principal and the approving authority agree to changes in the scope of work, the obligations of the surety under this bond shall not be affected so long as the cost of the work does not exceed 120 percent of the municipal engineer's certified estimate, attached hereto and made a part hereof, which 120 percent of the estimate shall be the limit of the surety's obligation under this bond in any case. If the cost of the work exceeds 120 percent of the certified estimate, the principal shall secure a rider from a surety for the additional amount; provided, however, that this provision shall not be construed as requiring a surety to provide additional coverage.

7. This bond shall inure to the benefit of the municipality only and no other party shall acquire any rights hereunder.
8. In the event that this bond shall for any reason cease to be effective prior to the approval or acceptance of all improvements, a cease and desist order may be issued by the governing body, in which case all work shall stop until such time as a replacement guarantee acceptable to the approving authority becomes effective.

Signed and Sealed this 26th date of March, 2004.

Principal: Willingboro Square, L.L.C.

BY: Sam Halpern
Sam Halpern
Managing Member

Witness/Attest:

[Signature]

Surety: International Fidelity
Insurance Company

BY: Maria F. Rodrigues
Maria F. Rodrigues
Attorney-in-fact

Witness/Attest:

[Signature]

Co-Principals

BY: Sam Halpern
Sam Halpern

BY: Arie Halpern
Arie Halpern

BY: David Halpern
David Halpern


BY: Henry Stein
Henry Stein

BY: Josef Paradis
Josef Paradis

PERFORMANCE BOND ESTIMATE

THE VILLAGE @ WILLINGBORO
BLOCK 3, LOT 4.11
WILLINGBORO TOWNSHIP

March 15, 2004



**LORD
WORRELL
RICHTER Inc.**

LWR File No. 2003-39-83

Item	Description	Quantity	Unit Price	Amount
		Lump Sum	\$5,000.00	\$5,000.00
1	Soil Erosion Construction Entrances and Controls	Lump Sum	\$100,000.00	\$100,000.00
2	Demolition	1,884 LF	\$20.00	\$37,680.00
3	15" RCP Storm Sewer	950 LF	\$23.00	\$21,850.00
4	18" RCP	48 LF	\$26.00	\$1,248.00
5	21" RCP	16 UT	\$1,800.00	\$28,800.00
6	Type 'B' Inlet w/ Biko Grate	17 UT	\$1,500.00	\$25,500.00
7	Type 'A' Inlet w/ Biko Grate	1 UT	\$1,500.00	\$1,500.00
8	Doghouse Type 'A' Inlet	9 UT	\$1,500.00	\$13,500.00
9	Storm Manhole	3 UT	\$1,000.00	\$3,000.00
10	Reconstruct Existing Inlet	1 UT	\$1,800.00	\$1,800.00
11	Reconstruct 'B' Inlet to Type 'A' Inlet	1 UT	\$2,500.00	\$2,500.00
12	Connect to Existing Storm Manhole	3,925 LF	\$10.00	\$39,250.00
13	Roof Drain Piping	40 UT	\$25.00	\$1,000.00
14	Roof Drain Clean-outs	9,135 LF	\$15.00	\$137,025.00
15	Concrete Curb	16 UT	\$1,200.00	\$19,200.00
16	Handicap Ramp w/ ADA Brick	4,450 SY	\$50.00	\$222,500.00
17	4" Thick Concrete Sidewalk	13 UT	\$200.00	\$2,600.00
18	Handicap Parking Spaces Sign	13 UT	\$250.00	\$3,250.00
19	Handicap Parking Spaces Traffic Marking	Lump Sum	\$5,000.00	\$5,000.00
20	Traffic Striping	70 SY	\$65.00	\$4,550.00
21	6" R.C. Concrete Apron	9 UT	\$200.00	\$1,800.00
22	Traffic Signs	110 SY	\$80.00	\$8,800.00
23	8" R.C. Apron @ Trash Enclosure	6 UT	\$100.00	\$600.00
24	12" White Stop Bar	70 LF	\$1.50	\$105.00
25	Double Yellow Traffic Stripes	5 UT	\$150.00	\$750.00
26	Trash Receptacles	7 UT	\$250.00	\$1,750.00
27	Bench	58 SY	\$75.00	\$4,350.00
28	Stamped Concrete	1 UT	\$1,000.00	\$1,000.00
29	Wheelchair Accessible Picnic Table	1 UT	\$1,000.00	\$1,000.00
30	Cast Sculpture	2 UTS	\$250.00	\$500.00
31	Painted Crosswalks	45 UT	\$1,000.00	\$45,000.00
32	12' Single Light Post, 100W Metal Halide	10 UT	\$800.00	\$8,000.00
33	12' Single Light Post, 50W Metal Halide	3 UT	\$1,300.00	\$3,900.00
34	25' Single Light Post 250W Metal Halide, Type III	6 UT	\$1,300.00	\$7,800.00
35	25' Single Light Post 250W Metal Halide, Type IV	8 UT	\$1,500.00	\$12,000.00
36	25' Double Light Post 250W Metal Halide, Type V	39 UTS	\$250.00	\$9,750.00
37	Wall Mounted Security Lights	3 UT	\$200.00	\$600.00
38	No Parking Pire Lane Striping			

Item	Description	Quantity	Unit Price	Amount
39	Painted Fire Hydrant Symbol	5 UT	\$50.00	\$250.00
40	14' x 27' Dumpster Enclosure w/ Masonry Walls	1 UT	\$5,280.00	\$5,280.00
41	10' x 30' Recycle Center w/ Masonry Walls	1 UT	\$4,800.00	\$4,800.00
42	17' Ornamental Iron Double Gate	1 UT	\$2,500.00	\$2,500.00
43	Earthwork	Lump Sum	\$25,000.00	\$25,000.00
44	6" Dense Graded Aggregate	16,000 SY	\$10.00	\$160,000.00
45	4" Hot Mix Asphalt Stabilized Base, Mix 1-2, (Light Duty)	3,325 TN	\$45.00	\$149,625.00
46	6" Hot Mix Asphalt Stabilized Base, Mix 1-2 (Heavy Duty)	625 TN	\$45.00	\$28,125.00
47	2" Hot Mix Asphalt Surface Course, Mix 1-5	1,900 TN	\$50.00	\$95,000.00
48	6' Board-on-Board Fence	240 LP	\$10.00	\$2,400.00
49	Protection of Existing Monitor Well	1 UT	\$500.00	\$500.00
50	Landscaping			
	Skyline Honey Locust, 3"-3.5" cal., B&B	10 UT	\$300.00	\$3,000.00
	Scarlet Oak, 3"-4" cal., B&B	51 UT	\$385.00	\$19,635.00
	Greenspire Linden, 2.5-3" cal., B&B	25 UT	\$285.00	\$7,125.00
	Eastern Redbud, 8' - 10' height, B&B	25 UT	\$250.00	\$6,250.00
	Flowering Crabapple, 5'-6' height, B&B	22 UT	\$200.00	\$4,400.00
	Kwanzaan Cherry, 6'-8' height, B&B	34 UT	\$250.00	\$8,500.00
	Norway Spruce, 6'-8' height, B&B	66 UT	\$185.00	\$12,210.00
	White Pine, 8'-10' height, B&B	73 UT	\$220.00	\$16,060.00
	Douglas Fir, 6'-8' height, B&B	50 UT	\$185.00	\$9,250.00
	Blaauw's Pink Azalea, 2'-3', B&B	80 UT	\$40.00	\$3,200.00
	Red Twig Dogwood, 3'-4', B&B	30 UT	\$45.00	\$1,350.00
	Weeping Forsythia, 3'-4' cont.	60 UT	\$40.00	\$2,400.00
	Green Luster Japanese Holly, 2'-3', B&B	140 UT	\$55.00	\$7,700.00
	San Jose Holly, 3'-4', B&B	100 UT	\$85.00	\$8,500.00
	Mountain Laurel, 4'-5', B&B	100 UT	\$90.00	\$9,000.00
	European Cranberry Bush Viburnum, 4'-5', B&B	110 UT	\$75.00	\$8,250.00
	Hick's Yew, 2'-3', B&B	17 UT	\$65.00	\$1,105.00
	Emerald Green Arborvitae, 3'-4', B&B	26 UT	\$55.00	\$1,430.00
51	Topsoil, Seed & Fertilize	24,000 SY	\$4.00	\$96,000.00
52	Concrete Parking Bumpers	13 UT	\$50.00	\$650.00
53	Silt Fence	2,700 SF	\$1.50	\$4,050.00
54	6" R.C. Transformer Pads	9 UT	\$300.00	\$2,700.00
CONSTRUCTION ESTIMATE				\$1,490,703.00
PERFORMANCE GUARANTEE ESTIMATE (120%)				\$1,788,843.60
ENGINEER'S ESCROW (10%)				\$149,070.30

The following resolution was adopted at a regular meeting of the Township Council of the Township of Willingboro, in the County of Burlington, New Jersey held at the Municipal Building in the Township on September 7, 2010, and the same shall be reflected in the minutes of such meeting.

PRESENT: Councilman Anderson
Councilman Ayrer
Councilman Gordon
Deputy Mayor Jennings

ABSENT: Mayor Campbell

Councilman Gordon introduced and moved the adoption of the following resolution and Councilman Ayrer seconded the motion:

RESOLUTION NO. 2010 - 124

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$2,710,000 GENERAL IMPROVEMENT BONDS, OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Township of Willingboro (the "Township"), in the County of Burlington, New Jersey, has determined that there exists a need within the Township to provide for storm water outfall improvements (Phase I), Millbrook Park Section, and the acquisition of a street sweeper (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Township and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Township and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Township has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and

together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Township to authorize, execute, attest and deliver the Township's General Improvement Bonds, in an aggregate principal amount not to exceed \$2,710,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Township Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Township Bonds to the Program, the governing body of the Township wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Township (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Township Clerk, Counsel to the Township, Project Engineer or Appraiser and/or Bond Counsel to the Township (collectively, the "Township Representatives") on or before the date when the Township is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Township authorizes release of the same.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Township as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Township hereby sells and awards its Township Bonds in an aggregate principal amount not to exceed \$2,710,000 in accordance with the provisions hereof. The Township Bonds have been referred to and are described in a bond ordinance of the Township, which bond ordinance is entitled "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,710,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,710,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF" and was finally adopted by the Township at a meeting duly called and held on August 25, 2009, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Township (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Township Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Township Bonds;
- (d) The interest rates of the Township Bonds;
- (e) The purchase price for the Township Bonds; and
- (f) The terms and conditions under which the Township Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Township Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Township hereby determines that certain terms of the Township Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Township Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Township Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon & Scotland, L.L.C. is hereby authorized to arrange for the printing of the Township Bonds, which law firm may authorize McCarter &

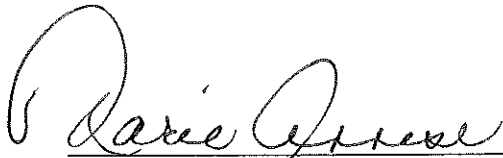
English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Township auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Township Bonds. The Mayor, the Chief Financial Officer and the Township Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Township is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release same upon the direction of the Township.

Section 7. The Township hereby designates the Chief Financial Officer to award the Bonds in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Township Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Township Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Township, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.


 Marie Annese, RMC
 Township Clerk

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

CERTIFICATE

I, Marie Annese, Clerk of the Township of Willingboro, in the County of Burlington, State of 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 September 7, 2010 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 _____, 20__.

Marie Annese, Clerk

[SEAL]

The following resolution was adopted at a regular meeting of the Township Council of the Township of Willingboro, in the County of Burlington, New Jersey held at the Municipal Building in the Township on September 7, 2010 and the same shall be reflected in the minutes of such meeting.

PRESENT: Councilman Anderson Councilman Gordon
Councilman Ayrer Deputy Mayor Jennings

ABSENT:
Mayor Campbell

Councilman Gordon introduced and moved the adoption of the following resolution and Councilman Ayrer seconded the motion:

RESOLUTION NO. 2010 - 125
RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS IN CONNECTION WITH THE ISSUANCE BY THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY OF NOT EXCEEDING \$2,710,000 GENERAL IMPROVEMENT BONDS TO BE EXECUTED BY THE TOWNSHIP AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Township of Willingboro (the "Township"), in the County of Burlington, New Jersey, has determined that there exists a need within the Township to provide for storm water outfall improvements (Phase I), Millbrook Park Section, and the acquisition of a street sweeper (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Township and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Township and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Township has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and

together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Township to authorize, execute, attest and deliver the Township's General Improvement Bonds, in an aggregate principal amount not to exceed \$2,710,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Township Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Township Bonds and the execution and delivery of one or more of the Loan Agreements and the Continuing Disclosure Agreement, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Township and the escrow agent named therein and U.S. National Association, as trustee for the holders of the Township Bonds.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Township by either the Mayor or the Chief Financial Officer in customary form as provided by Counsel to the Trust, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Township (collectively, the "Township Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Township Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Township Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Township as determined hereunder and to affix the corporate seal of the Township to such Financing Documents.

Section 2. The Authorized Officers of the Township are hereby further severally authorized to (i) execute and deliver, and the Township Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Township to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Township Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document,

and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Township, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.



Marie Annese, RMC
Township Clerk

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

CERTIFICATE

I, Marie Annese, Clerk of the Township of Willingboro, in the County of Burlington, State of 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 September 7, 2010 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 _____, 2010.

Marie Annese, Clerk

[SEAL]



TOWNSHIP OF WILLINGBORO

**MUNICIPAL COMPLEX ONE SALEM ROAD
WILLINGBORO, NEW JERSEY 08046
(609) 877-2200 FAX (609) 835-0782**

September 17, 2010

Ms. Terry Anderson, Paralegal
McManimon & Scotland, LLE
1037 Raymond Boulevard – Suite 4000
Newark, New Jersey 07102-5408

**Re: Two Resolutions Regarding General
Improvement Bonds
Not Exceeding \$2,710,000.**

Dear Ms. Anderson:

Attached are certified copies of Resolution No. 2010 – 124 and Resolution No. 2010 – 125 regarding the above, along with a signed and sealed Form IV. Nothing is being mailed out to Richard Nolan, McCarter & English.

Sincerely,

Marie Annese, RMC
Township Clerk

/ma

FORM IV

COPY OF SUPPLEMENTAL DEBT STATEMENT

(Here attach copy of the supplemental debt statement as prepared by the chief financial officer of the municipality and filed in the offices of the Municipal Clerk, the Secretary of the Board of Education and the Director of the Division of Local Government Services in the Department of Community Affairs. Copies of the form of supplemental debt statement, if needed, may be obtained from the Division of Local Government Services. The attached copy should be certified by the Director of the Division of Local Government Services. It must be complete and include copies of the signatures and dates that appear on the original, and it must show the effect of the proposed new school district bonds and comply with the Local Bond law and the School Law provisions. Proper and timely execution and filings in advance of the Board of Education meeting at which the election is called are very important. In a consolidated or regional school district, insert a complete copy of this Form III for each municipality in the district.)

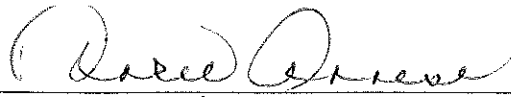
AFFIDAVIT OF MUNICIPAL OFFICERS

STATE OF NEW JERSEY)
)SS:
COUNTY OF BURLINGTON)

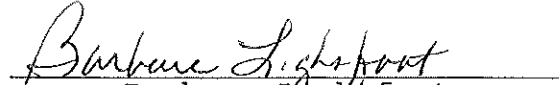
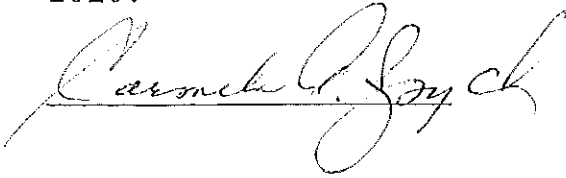
Marie Annese and Barbara Lightfoot, being each first duly sworn on oath, depose and say:

That deponent Marie Annese is the Clerk and that deponent Barbara Lightfoot is the Acting Finance Director of the Township of Willingboro, in the County and State aforesaid; that the chief financial officer on the 7th day of January, 2010 made, executed and swore to a complete and accurate supplemental debt statement of the municipality, prepared as of January 7, 2010 in accordance with N.J.S.A. 18A:24-16 and giving effect to a proposed authorization of bonds of the School District of the Township of Willingboro in the principal amount of \$27,210,690; that a complete, executed duplicate of the supplemental debt statement was filed in the office of the undersigned Clerk on January 7, 2010, in the office of the Secretary of the School District on January 7, 2010 and in the office of the Director of the Division of Local Government Services in Trenton on May 28, 2010; and that the attached is a true, complete and correct copy of the supplemental debt statement as so made, executed, sworn to and filed in each of these offices.

Subscribed and sworn
before me this 20th
day of September,
2010.



Marie Annese
Municipal Clerk



Barbara Lightfoot
Acting Finance Director

CARMELA A. SPYCH
NOTARY PUBLIC, STATE OF NEW JERSEY
My Commission Expires September 5, 2012

Marie Annese

From: Teresa F. Anderson [TAnderson@MANDSLAW.COM]
Sent: Friday, August 27, 2010 1:57 PM
To: Marie Annese (mannese@willingborotwp.org); Barbara Lightfoot (blightfoot@willingborotwp.org); Michael A. Armstrong Esq. (maa@armstronglawfirm.com)
Cc: Ronald J. Ianoale; Erin K. Law
Subject: NJEIT Resolutions for Adoption on 9/7/10
Attachments: Willingboro_NJEIT_2010 Form and Sale Resolution.DOCX; Willingboro_NJEIT_2010 Agreements Resolution.DOCX

Importance: High

Marie,
Attached please find two resolutions that must be adopted at the Township's September 7, 2010 meeting. Please return a certified copy of each resolution to us after adoption.
If you have any questions, please contact me.
Terry

PLEASE NOTE OUR NEW MAILING ADDRESS BELOW (EFFECTIVE JULY 1, 2009).

Terry Anderson
Paralegal
McManimon & Scotland, L.L.C.
1037 Raymond Boulevard, Suite 400
Newark, NJ 07102
(973) 622-5161 (phone)
(973) 622-7333 (fax)
tanderson@mandslaw.com

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail or contact the sender at McManimon & Scotland, LLC by phone at (973) 622-1800 and delete the message. Thank you very much.

United States Treasury Regulations require us to disclose the following: Any tax advice included in this document, including any attachments, was not intended or written to be used, and it cannot be used, for the purpose of avoiding penalties that may be imposed on the taxpayer under the Internal Revenue Code.

The post office changed the mailing address for our building. Effective July 1, 2009, please discontinue using "One Riverfront Plaza" and address all mail as follows:

McManimon & Scotland, L.L.C.
1037 Raymond Boulevard, Suite 400
Newark, New Jersey 07102

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, or disclose to anyone the message or any information contained in the message . If you have received the message in error, please advise the sender by reply e-mail or contact the sender at McManimon & Scotland, LLC by phone at (973) 622-1800 and delete the message. Thank you very much.

United States Treasury Regulations require us to disclose the following: Any tax advice included in this document, including any attachments, was not intended or written to be used, and it cannot be used, for the purpose of avoiding penalties that may be imposed on the taxpayer under the Internal Revenue Code.

RESOLUTION NO. 2010 - 126

**A RRESOLUTION AWARDDING A BID FOR
REHABILITATION OF 7 PEARTREE LANE
(Neighborhood Stabilization Program)**

WHEREAS, the Township Council of the Township of Willingboro has requested that bids be submitted for the above referenced project; and

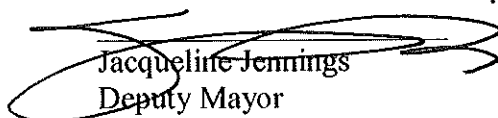
WHEREAS, bids have been received, opened and read in public; and


WHEREAS, it appears to be in the best interest of the Township to accept the bid of Solar World, Inc. 24 Marni Court, Sewell, New Jersey 08080 in the amount of \$64,950 as per the recommendation of CGP&H's letter dated September 3, 2010; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th day of September, 2010, that the bid be accepted.

BE IT FURTHER RESOLVED, that the bids be spread upon the minutes of this meeting.


Jacqueline Jennings
Deputy Mayor

Attest:

Marie Annese, RMC
Township Clerk

Recorded Vote	Yes	No	Abstain	Absent
Councilman Anderson	✓			
Councilman Ayer	✓			
Councilman Gordon	✓			
Dep. Mayor Jennings	✓			

Certification of Availability of Funds

This is to certify to the of the TOWNSHIP OF WILLINGBORO that funds for the following resolutions are available.


Resolution Date: 09/07/10
Resolution Number: 2010-126

Vendor: SOLARW SOLAR WORLD INC
24 MARNI COURT
SEWELL, NJ 08080

Contract: CO-00005 NSP GRANT/REHAB OF 7 PEARTREE
CONSTRUCTION OF 7 PEARTREE LN

Account Number	Amount	Department Description
G-01-41-873-000-002	64,950.00	Neighborhood Stabilization Grant
Total	64,950.00	

Only amounts for the 2010 Budget Year have been certified. Amounts for future years are contingent upon sufficient funds being appropriated.



Chief Financial Officer



CGP&H

Community Grants, Planning & Housing
Good People. Great Results.

650 Abington Drive, East Windsor, NJ 08520
www.cgph.net 609 371 1937 Fax: 609 371 1776

September 3, 2010

Mayor and Council of the Township of Willingboro

Township of Willingboro
1 Salem Road
Willingboro, NJ 08046

Re: Results of the August 31, 2010 Bid Opening for NSP rehabilitation job at 7 Peartree Lane

Dear Mayor and Council of Willingboro Township:

The work was placed out to bid. Bids were opened on August 31, 2010 and reviewed subsequent to the bid opening. Upon review, the lowest bidder passed the qualification process and CGP&H is recommending the job be awarded to the lowest bidder, Solar World, Inc. at a bid price of \$64,950. Attached is the Bid Opening Tabulation for your reference.

Sincerely,

Corinne Markulin
CGP&H on behalf of Willingboro Neighborhood Stabilization Program.

**TOWNSHIP OF WILLINGBORO
NEIGHBORHOOD STABILIZATION PROGRAM**

BID OPENING TABULATION / CONTRACTOR SELECTION / NOTIFICATION

7 Peartree Lane, Willingboro

Bid Opening: Date: 8/31/10

Time: _____

Duane Wallace, Patty Conrad, Marie Annese, Adwoa Koon and from CGP&H, Corinne Markulin

Attending Staff:

Bidding Contractor	Bid Proposal Base	Bid Proposal Options	Bid Proposal Total	Comments
Solar World, Inc.	\$64,950	N/A	\$64,950	
J. H. Williams Enterprises	\$79,159	N/A	\$79,159	
Twin Hills Management Inc.	\$79,825	N/A	\$79,825	Incomplete bid package
Til Mar Designs Inc.	\$99,800	N/A	\$99,800	Incomplete bid package
Panterelli Homes Inc.	\$89,390	N/A	\$89,390	
Belfor USA Group, Inc.	\$133,140	N/A	\$133,140	Incomplete bid package

The Township of Willingboro, who is the owner of the property referenced above, has reviewed the bid proposals and comments (if any) above and have decided to:

Accept the low bid amount of \$64,950.00 made by Solar World, Inc.
contractor name

Other: _____

* * * Communication Result Report (Sep. 8. 2010 3:47PM) * * *

3}

Date/Time: Sep. 8. 2010 3:45PM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
4572 Memory TX	3711776	P. 17	OK	

Reason for error

- MIME: 1) Hang up or line fail
- 2) No answer
- 3) Exceeded max. E-mail size
- E. 2) Busy
- E. 4) No facsimile connection

WILLINGBORO TOWNSHIP
ONE SALEM ROAD, WILLINGBORO, N.J. 08046
 Phone No. (609) 877-2200 Fax No. (609) 877-1278

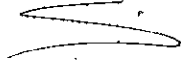
TELEFAX COVER SHEET

TO: Corinne MacKulin
 COMPANY: COP&H
 DATE: 9/8/10
 TO FAX NO. 371-1776

FROM: MARIE A. EXT. 1028 PAGES 16
 SUBJECT: Res. 2010 # 126, 127, 128, 129 + 130
Board of Bids

FOR YOUR INFORMATION PLEASE RESPOND

THANK YOU.



WILLINGBORO TOWNSHIP

ONE SALEM ROAD, WILLINGBORO, N.J. 08046

Phone No. (609) 877-2200 Fax No. (609) ~~877-1278~~

TELEFAX COVER SHEET

TO: Corinne Markulin
COMPANY: CGP&H
DATE: 9/8/10
TO FAX NO. 371-1776

FROM: Marie A. EXT. 1028 PAGES 16

SUBJECT: Res. 2010 # 126, 127, 128, 129 + 130
Award of Bids

FOR YOUR INFORMATION

PLEASE RESPOND

THANK YOU.

