

RESOLUTION NO. 2009 - 80

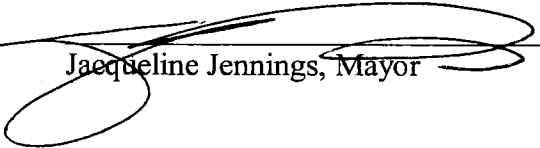
WHEREAS, Willingboro Township Council, by Resolution No. 2008 – 155 awarded a bid to Ivymont Construction Co., 235 W. Nicholson Road, Audubon, New Jersey 08106 for the Reconstruction of Campbell Drive Storm Sewer in the amount of \$79,322.70 and

WHEREAS, the Engineer has submitted paperwork the contractor's voucher for payment and a request for **Change Order No. 1** which indicates additional costs (Extra \$7,026.00) and a Reduction of \$9,106.85 resulting in an **Adjusted Contract Amount of \$77,241.85 (representing a decrease of \$2,080.85)** as per the engineer's letter dated June 9, 2009; and

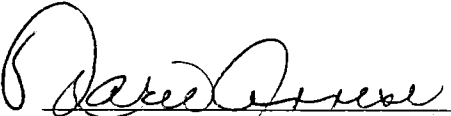
WHEREAS, the rules of the Local Finance Board require such change order to be approved by prior resolution of the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 23rd day of June, 2009, that the above change order be approved.

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


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Gray | | | | ✓ |
| Dep. Mayor Stephenson | | | | ✓ |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 81
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 23rd day of June, 2009, to convene a closed Executive session consistent with the provisions of N.J.S.A. 10:4-12b; and

3 NOW, THEREFORE, upon motion duly made and seconded and passed by a vote of 3 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:

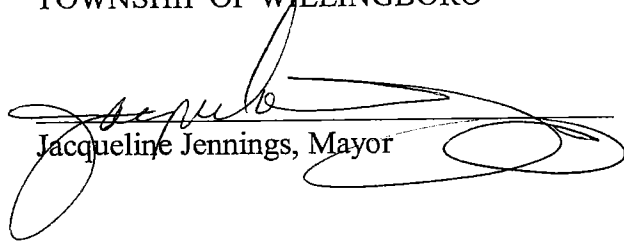
1. Any matter which, by express provision of federal law, state statute or rule of court is rendered confidential or excluded from the public portion of the meeting.
2. Any matter in which the release of information would impair the right to receive funds from the United States Government.
3. Any material 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).

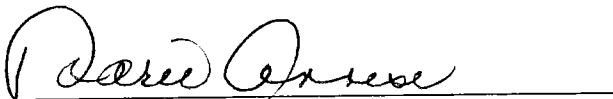
BE IT FURTHER RESOLVED that the general nature of the subject to be discussed relates to CONTRACT NEGOTIATIONS

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.

TOWNSHIP OF WILLINGBORO


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Dep. Mayor Stephenson | | | | ✓ |
| Mayor Jennings | ✓ | | | |
| <i>Gene Louis Kay</i> | | | | ✓ |

RESOLUTION NO. 2009 – 82

**A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO
AUTHORIZING THE EXECUTION OF A GRANT OF EASEMENT TO THE PUBLIC
SERVICE ELECTRIC AND GAS COMPANY FOR A UTILITY EASEMENT**

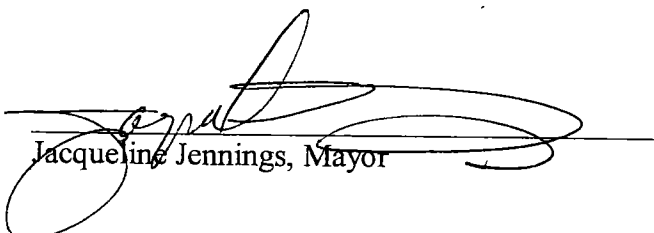
WHEREAS, the Township of Willingboro is the owner in fee simple of a certain tract of real property in the Township of Willingboro, County of Burlington and State of New Jersey, commonly known as Block 13, Lot 8.04; and

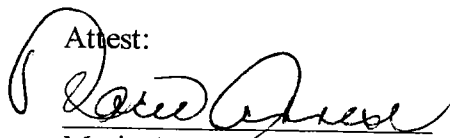
WHEREAS, Public Service Electric and Gas Company is a public utility of the State of New Jersey, engaged in furnishing utility service to subscribers in the State of New Jersey (hereinafter, PSE&G); and

WHEREAS, it is in the best interest of the Township of Willingboro to convey an easement to PSE&G for its use, in connection with the provision of utility service thereto and for the purpose set forth in the Grant of Easement attached hereto; and

WHEREAS, PSE&G will pay and the Township of Willingboro will accept the sum of one dollar (\$1.00) for the Grant of Easement set forth on the attached drawing as a 20 foot wide Gas line easement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro assembled in public session this 23rd day of June, 2009, that the Mayor and Clerk are authorized to execute the "Grant of Easement" on behalf of the Township of Willingboro. A certified copy of the resolution shall be forwarded to PSE&G for its information and attention.


Jacqueline Jennings, Mayor

Attest:

Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Gray | | | | ✓ |
| Dep. Mayor Stephenson | | | | ✓ |
| Mayor Jennings | ✓ | | | |

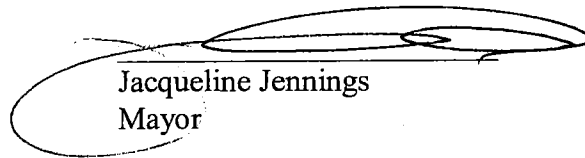
RESOLUTION NO. 2009 – 83

Authorizing the Approval of Vouchers for Payment & Ratification

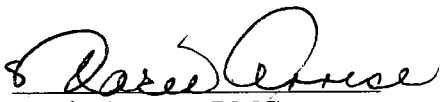
Whereas, Willingboro Township Council received the June 2009 Bill List and had an opportunity to review said Bill List; and

Now, Therefore, Be It Resolved by the Township Council of the Township of Willingboro, assembled in public session this 7th day of July, 2009, 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:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Gray | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 84

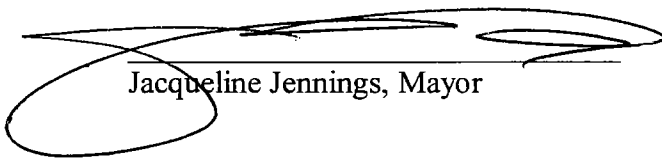
A RESOLUTION AUTHORIZING REFUNDS FOR OVER-PAYMENTS OF TAXES

WHEREAS, the records of the Tax Collector of the Township of Willingboro indicate overpayments of taxes; 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 July, 2009, that refunds be made as per the attached schedule; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Finance Director for her information, attention and compliance.


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|----------------------|------------|-----------|----------------|---------------|
| Councilman Ayer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Gray | ✓ | | | |
| Mayor Jennings | ✓ | | | |

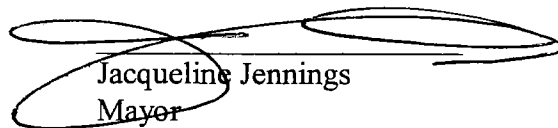
RESOLUTION NO. 2009 - 85

**A RESOLUTION AUTHORIZING THE TAX COLLECTOR
TO WRITE OFF TAXES FOR 2008**


WHEREAS, the records of the Tax Collector of the Township of Willingboro indicate the existence of various tax overpayments for various reasons and these balances cannot be refunded at this time but may be refundable at a later date;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th day of July, 2009, that the taxes listed on the attached schedule and made a part hereto be cancelled and can be refunded at a later date; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the Tax Collector for her information, attention and compliance.


Jacqueline Jennings
Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Gray | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 86

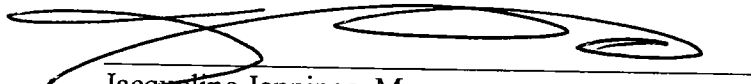
**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
WILLINGBORO AUTHORIZING THE MAYOR TO RENEW A SHARED
SERVICES AGREEMENT WITH THE BURLINGTON COUNTY
FREEHOLDERS**

WHEREAS, Willingboro Township has participated in a Shared Service program with the Board of Chosen Freeholders of the County of Burlington, namely the **Integrated Law Enforcement Computer Project**; and


WHEREAS, it is believed that jointly sharing services is cost effective and efficient.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th day of July, 2009, that the Mayor is hereby authorized to renew the attached agreement/Addendum to Master Interlocal Service Agreement (May 1, 2009 to April 30, 2014); and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Burlington County Board of Chosen Freeholders.


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Gray | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 87

RESOLUTION OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e), N.J.S.A. 58:11B-9, N.J.S.A. 40A:2-7(d) AND N.J.S.A. 40A:2-11(c).

WHEREAS, the Township of Willingboro, in the County of Burlington, New Jersey (the "Township") desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:2-26(e), N.J.S.A. 58:11B-9, N.J.S.A. 40A:2-7(d) and N.J.S.A. 40A:2-11(c) for its review and approval of (i) a bond ordinance to provide for the funding of storm water outfall improvements (Phase I), Millbrook Park Section and the acquisition of a street sweeper in the amount of \$2,710,000 (the "Project"); (ii) financing the Project through the 2009 New Jersey Environmental Infrastructure Trust Financing Program; (iii) a non-conforming maturity schedule in connection with such proposed financing; and (iv) a waiver of the requirement to make a down payment; and

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) the purpose is for the health, the welfare, the convenience or the betterment of the inhabitants of the Township;
- (c) the amounts to be expended for the purpose are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township;

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

Section 1. The application to the Local Finance Board is hereby approved, and the Township's Bond Counsel, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and to file copies of the proposed bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and approvals as provided by the applicable New Jersey Statute.

Attest:

Marie Annese
Marie Annese, RMC
Township Clerk

Jacqueline Jennings
Jacqueline Jennings, Mayor

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayrer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Gray | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 88

RESOLUTION OF THE TOWNSHIP OF WILLINGBORO, IN THE COUNTY OF BURLINGTON, NEW JERSEY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS PARTICIPATION IN THE 2009 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Township of Willingboro, in the County of Burlington, New Jersey (the "Borrower") intends to acquire, construct, renovate and/or install the environmental infrastructure project more fully described in **Exhibit A** attached hereto (the "Project");

WHEREAS, the Borrower intends to finance the Project with debt obligations of the Borrower (the "Project Debt Obligations") but may pay for certain costs of the Project (the "Project Costs") prior to the issuance of the Project Debt Obligations with funds of the Borrower that are not borrowed funds;

WHEREAS, the Borrower reasonably anticipates that obligations, the interest on which is excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), will be issued by the New Jersey Environmental Infrastructure Trust (the "Issuer") to finance the Project on a long-term basis by making a loan to the Borrower with the proceeds of the Issuer's obligations (the "Project Bonds"); and

WHEREAS, the Borrower desires to preserve its right to treat an allocation of proceeds of the Project Debt Obligations to the reimbursement of Project Costs paid prior to the issuance of the Project Debt Obligations as an expenditure for such Project Costs to be reimbursed for purposes of Sections 103 and 141 through 150, inclusive, of the Code.

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

Section 1. The Borrower reasonably expects to reimburse its expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with proceeds of its Project Debt Obligations.

Section 2. This resolution is intended to be and hereby is a declaration of the Borrower's official intent to reimburse the expenditure of Project Costs paid prior to the issuance of the Project Debt Obligations with the proceeds of a borrowing to be incurred by the Borrower, in accordance with Treasury Regulations §150-2.

Section 3. The maximum principal amount of the Project Debt Obligations expected to be issued to finance the Project is \$2,710,000.

Section 4. The Project Costs to be reimbursed with the proceeds of the Project Debt Obligations will be "capital expenditures" in accordance with the meaning of Section 150 of the Code.

RESOLUTION NO. 2009 - 89
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 JULY, 2009, to convene a closed Executive session consistent with the provisions of N.J.S.A. 10:4-12b; and

4 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.

RESOLUTION NO. 2009 - 90

A RESOLUTION AWARDDING A BID FOR
A SENIOR SURREY BUS
(Mid-Sized Transit Bus)

WHEREAS, the Township Council of the Township of Willingboro has requested that bids be submitted for a Senior Surrey Bus; 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 **American Bus and Coach LLC, 2595 East State Street, Trenton, New Jersey 08619** in the amount of **\$80,847.00**; and

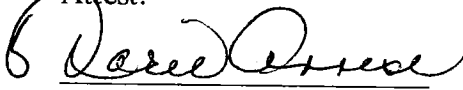
WHEREAS, funds are available for the purpose as indicated by the attached Treasurer's Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th day of July, 2009, that the bid be accepted as per the attached bid return sheet and recommendation from Mr. Richard Brevogel dated June 24, 2009; and

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


Jacqueline Jennings
Mayor

Attest:



Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayrer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Gray | ✓ | | | |
| Mayor Jennings | ✓ | | | |

TOWNSHIP OF WILLINGBORO

RESOLUTION NO. 2009 - 91

LEAD MUNICIPALITY FOR A REGIONAL IMPLEMENTATION GRANT

WHEREAS, the Governing Body of the Township of Willingboro and City of Beverly, Township of Bordentown, City of Burlington, Township of Burlington, Township of Cinnaminson, Township of, Delanco, Township of Delran, Township of Eastampton, Eastampton Township Board of Education, Township of Edgewater Park, Township of, Maple Shade, Maple Shade Township Board of Education, Township of Moorestown, Township of Mount Holly, Mount Holly Township Board of Education, Riverside Township, Borough of Riverton, Township of Springfield, Township of Tabernacle, Township of Westampton and the Borough of Wrightstown, have agreed to apply for a SHARE (Sharing Available Resources Efficiency) Implementation Grant through the State of New Jersey Local SHARE Program in the amount of \$291,300.00; and

WHEREAS, the Township of Willingboro has agreed to be the lead agency in this endeavor; and

WHEREAS, the Governing Body of the Township of Willingboro is acknowledging and accepting the responsibility of acting as applicant for this grant on behalf of the City of Beverly, Township of Bordentown, City of Burlington, Township of Burlington, Township of Cinnaminson, Township of, Delanco, Township of Delran, Township of Eastampton, Eastampton Township Board of Education, Township of Edgewater Park, Township of, Maple Shade, Maple Shade Township Board of Education, Township of Moorestown, Township of Mount Holly, Mount Holly Township Board of Education, Riverside Township, Borough of Riverton, Township of Springfield, Township of Tabernacle, Township of Westampton and the Borough of Wrightstown; and

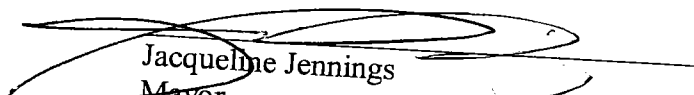
WHEREAS, the State of New Jersey has made SHARE grants available to assist local units to study, develop and implement new shared and regional services; and

WHEREAS, the purpose of this grant is to implement a shared service between our local units through the sharing of solid waste collection services that would be beneficial to all units. This would involve the implementation of a Joint Purchasing Program for these municipalities and their Board's of Education.

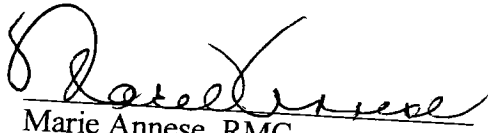
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Willingboro, assembled in public session this 7th day of July, that the Township of Willingboro does hereby join with the City of Beverly, Township of Bordentown, City of Burlington, Township of Burlington, Township of Cinnaminson, Township of, Delanco, Township of Delran, Township of Eastampton, Eastampton Township Board of Education, Township of Edgewater Park, Township of, Maple Shade, Maple Shade Township Board of Education, Township of Moorestown, Township of Mount Holly, Mount Holly Township Board of Education, Riverside Township, Borough of Riverton,

Res. No. 2009 - 91 cont'd.

Township of Springfield, Township of Tabernacle, Township of Westampton and the Borough of Wrightstown in applying for a grant for the purpose of implementing the results of the feasibility study recently completed.


Jacqueline Jennings
Mayor

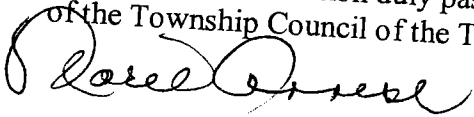
Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Campbell | ✓ | | | |
| Councilman Ramsey | ✓ | | | |
| Mayor Jennings | ✓ | | | |

CERTIFICATION

I, Marie Annese, Township Clerk of the Township of Willingboro in the County of Burlington and the State of New Jersey do hereby certify that the foregoing is a true copy of the original resolution duly passed and adopted by a majority of the full membership of the Township Council of the Township of Willingboro at its meeting of July 7, 2009.





RESOLUTION NO. 2009 - 92

WHEREAS, Willingboro Township Council, by Resolution No. 2008 – 114 awarded a contract for Professional Services to Carlos Raul Rodriguez as the Architect to provide services regarding the completion of the Municipal Complex Renovations for a sum not to exceed \$25,000; and

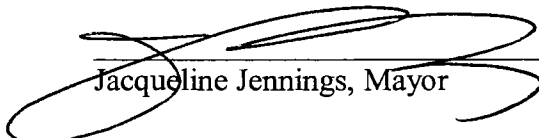
WHEREAS, it has been determined that the resolution should have read the completion of Phase II of the Municipal Complex Renovations; and


WHEREAS, it has been determined by Mr. Duane Wallace, Director Inspections Department that due to the scope of the work involved the contract amount should be raised by an additional \$50,000 bring the not to exceed amount to \$75,000; 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 28th day of July, 2009, that the additional \$50,000 is approved and the contract is not to exceed \$75,000.

BE IT FURTHER RESOLVED that copies of this resolution shall be provided to the Manager, Finance Department and Auditor for their information.


Jacqueline Jennings, Mayor

Attest:

Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-------------------------------------|----|-------------------------------------|--------|
| Councilman Ayer | <input checked="" type="checkbox"/> | | | |
| Councilman Clemons | | | <input checked="" type="checkbox"/> | |
| Councilman Gray | <input checked="" type="checkbox"/> | | | |
| Deputy Mayor Campbell | <input checked="" type="checkbox"/> | | | |
| Mayor Jennings | <input checked="" type="checkbox"/> | | | |

RESOLUTION NO. 2009 - 93
A RESOLUTION AUTHORIZING FUNDING OF WILLINGBORO TOWNSHIP'S
SHARE OF THE MACCS CONTRACT WITH AVR RESOURCE GROUP, INC.

WHEREAS the Governing Body of the Township of Willingboro, County of Burlington, State of New Jersey agreed to participate in a Joint Purchasing System for the provision and performance of goods and services, more specifically, for the collection and disposal of solid waste from apartments and condominiums within the municipality; and

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

WHEREAS, Maple Shade Township, the lead agency of MACCS, has identified AVR Resource Group, Inc. the selected Contract Administrator for MACCS, as satisfying the criteria of Extraordinary Unspecifiable Services ("EUS") pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b) and is about to enter into a contract with AVR Resource Group, Inc. pursuant to the EUS provisions; and

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


WHEREAS, it appears that it is in the best interest of the Township of Willingboro to fund its portion of the two-year contract with AVR Resource Group, Inc. in an amount not to exceed eight thousand, four hundred and eighteen dollars and thirty cents (\$8,418.30); and


WHEREAS there are sufficient funds to provide for this purpose in the 2009 budget in an amount not to exceed \$3,187.80 as indicated in the Certification of Funds attached hereto and made a part hereof; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Willingboro, assembled in public session this 28th day of July, 2009, as follows:

1. The Township endorses the employment of AVR Resource Group, Inc. as Contract Administrator for the period April 1, 2009 through April 1, 2011.
2. That the fee for AVR Resource Group, Inc. is hereby approved.
3. That the Chief Financial Officer is hereby authorized to issue the purchase order funding the 2009 portion of the AVR contract.

Attest:


 Marie Annese, RMC
 Township Clerk


Jacqueline Jennings, Mayor

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | | | ✓ | |
| Councilman Gray | ✓ | | | |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 94

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE FY 2010 NJDOT TRUST FUND
RESURFACING OF EVERGREEN DRIVE (PHASE III) PROJECT**

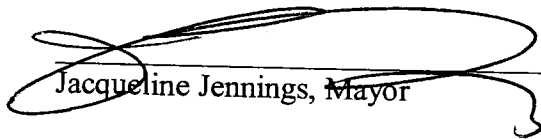
WHEREAS, the Township of Willingboro wishes to submit an application for 2010 Road Improvements to the New Jersey Department of Transportation to resurface Evergreen Drive within the Township of Willingboro; and

WHEREAS, on behalf of the Township of Willingboro, Remington & Vernick Engineers has prepared such application for improvements to Evergreen Drive.

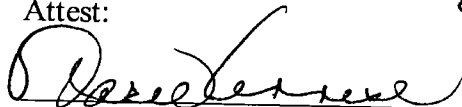
NOW, THEREFORE, BE IT RESOLVED, by the Township of Council of the Township of Willingboro assembled in public session this 28th day of July, 2009, formally approves the grant application for the above stated project.

BE IT FURTHER IT RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as #006672 to the New Jersey Department of Transportation on behalf of Willingboro Township.

BE IT FURTHER IT RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Willingboro Township and that their signatures constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

Recorded Vote

| | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | | | ✓ | |
| Councilman Gray | ✓ | | | |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 – 95

WHEREAS, Willingboro Township Council, by Resolution No. 2008 – 117 awarded a bid to Ranco Construction Inc., 2800 Sylon Blvd., Hainesport, New Jersey 08036 in the amount of \$2,354,000.00 representing the base bid, for the **Department of Public Works Garage Building**; and


WHEREAS, the Engineer has submitted paperwork for **Change Order No. 1** which indicates additional costs amounting to \$35,438.48 resulting in an **Adjusted Contract Amount \$2,389,438.48** (increase of \$35,438.48) as per the attached engineer's letter dated July 7, 2009; and

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

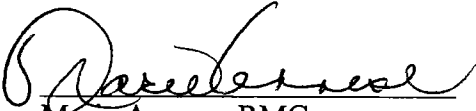
WHEREAS, the rules of the Local Finance Board require such change order to be approved by prior resolution of the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 28th day of July, 2009, that the above change order be approved.

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


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | | | ✓ | |
| Councilman Gray | ✓ | | | |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

✓

RESOLUTION NO. 2009 – 96

WHEREAS, Willingboro Township Council, by Resolution No. 2009 – 54 awarded a bid to J. H. Williams Enterprises, Inc., 575 Moorland Avenue, Burlington, New Jersey 08016 in the amount of \$1,371,000 for Site Improvements to the Senior Center at JFK Community Center; and

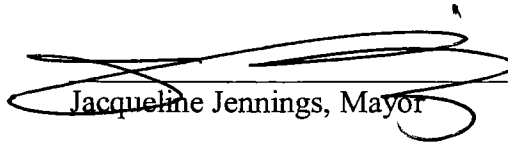
WHEREAS, the Engineer has submitted paperwork for **Change Order No. 1** which represents additional work and costs amounting to \$9,334.63, **Change Order No. 2** which represent additional work and costs amounting to \$48,776.08 and **Change Order No. 3** which represents additional work and costs amounting to \$1,643.95 resulting in an **Adjusted Contract Amount \$1,430,754.66** (an increase of \$59,754.66) as per the attached engineer's letter dated July 23, 2009; and

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

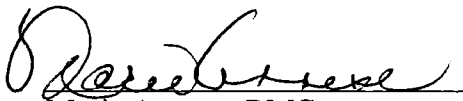
WHEREAS, the rules of the Local Finance Board require such change order to be approved by prior resolution of the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 28th day of July, 2009, that the above three (3) change orders be approved.

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


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | ✓ | | | |
| Councilman Gray | ✓ | | | |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 – 97

A RESOLUTION REFUNDING ESCROW MONEY TO VARIOUS APPLICANTS
(PLANNING AND/OR ZONING BOARD APPLICATIONS)
IN ORDER TO CLOSE OUT THE ACCOUNTS

WHEREAS, requests have been made by the applicants listed below for the return/release of their escrow balances; and

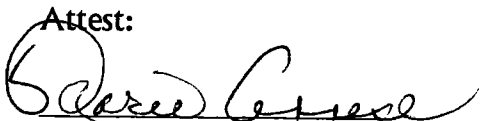
| <u>Applicant</u> | <u>Refund to Applicant</u> |
|---|----------------------------|
| Walgreens (Block 6, Lot 1) | \$ 500.00 |
| CVS (Block 3, Lot 1) | \$17,904.00 |
| Cricket Communications (Block 617, Lot 8) | \$ 1,766.75 |
| Dunkin Donuts (Block 16, Lot 8) | \$ 947.69 |

WHEREAS, the requests were turned over to Remington & Vernick, Township Engineers, who reviewed the material and approved the release of funds as per the attached letters dated June 30, 2009.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro assembled in public session this 28th day of July, 2009, that the above unused escrow monies be refunded to the Applicants as indicated.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Treasurer and to the Planning and Zoning Boards for their information.


Jacqueline Jennings, Mayor

Attest:

Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayrer | ✓ | | | |
| Councilman Clemons | ✓ | | | |
| Councilman Gray | ✓ | | | |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 – 98

APPROVING GRANT APPLICATION EECBG (ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT) AND AUTHORIZING A SERVICE AGREEMENT WITH RUTGERS TO CONDUCT AN ENERGY EFFICIENCY AND CONSERVATION STRATEGY/ENERGY PLAN FOR WILLINGBORO TOWNSHIP

WHEREAS, Rutgers, the State University of New Jersey, prepared a full EECBG Application on behalf of Willingboro Township; and

WHEREAS, the Township of Willingboro and Rutgers, the State University of New Jersey, desire to enter into a service agreement for the preparation and submission of the EECBG Application and the preparation of an Energy Efficiency and Conservation Strategy/Energy Plan (Energy Audit) for Willingboro Township; and

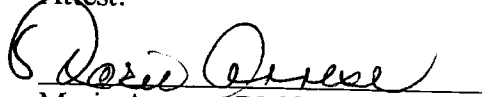
WHEREAS, payment of \$2,750.00 will be made by Willingboro Township to Rutgers (as per the attached Treasurer's Certification) for completion/submission of the EECBG Application and all other payments for the above services will be made from the funds secured from the Department of Energy, will require no expenditure of Township funds and the agreement will terminate if said funds are not secured.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 28th day of July, 2009, that Duane J. Wallace, Director of Inspections, is designated as the Township Representative regarding the EECBG Application and the Mayor is authorized to sign the attached Service Agreement.

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Rutgers, The State University of New Jersey and the Finance Office for their information and attention.


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | | | ✓ | |
| Councilman Gray | ✓ | | | |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 99
**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 28~~th~~ day of JULY, 2009, 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 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 _____

Personnel

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.

TOWNSHIP OF WILLINGBORO

[Signature]
Jacqueline Jennings, Mayor

Attest:

[Signature]

Marie Annese, RMC
Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-------|-------|---------|--------|
| Councilman Ayer | _____ | _____ | _____ | _____ |
| Councilman Clemons | _____ | _____ | _____ | _____ |
| Councilman Gray | _____ | _____ | _____ | _____ |
| Deputy Mayor Campbell | _____ | _____ | _____ | _____ |
| Mayor Jennings | _____ | _____ | _____ | _____ |

RESOLUTION NO. 2009 – 100

**A RESOLUTION AWARDING A BID FOR
2009 REPLACEMENT OF CONCRETE CURB, SIDEWALK AND DRIVEWAYS
(Phase I)**

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 **Sullivan & Pigliacelli, Inc., 556 Roberts Avenue, Bellmawr, New Jersey 08031 in the amount of \$16,445.00;** and

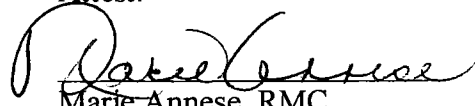
WHEREAS, funds are available for this purpose as indicated by the attached Treasurer's Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 4th day of August, 2009, that the bid be accepted as per the attached recommendation of the Township Engineer.

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


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-------------------------------------|----|---------|-------------------------------------|
| Councilman Ayer | <input checked="" type="checkbox"/> | | | |
| Councilman Clemons | <input checked="" type="checkbox"/> | | | |
| Councilman Gray | | | | <input checked="" type="checkbox"/> |
| Deputy Mayor Campbell | <input checked="" type="checkbox"/> | | | |
| Mayor Jennings | <input checked="" type="checkbox"/> | | | |

RESOLUTION NO. 2009 - 101

**A RESOLUTION AWARDING A BID FOR
POLICE DEPARTMENT UNIFORMS**

WHEREAS, the Township Council of the Township of Willingboro has requested that bids be submitted for Police Department Uniforms; and

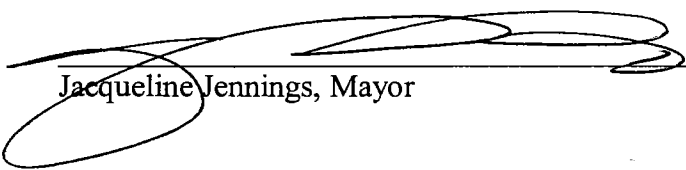
WHEREAS, bids have been received, opened and read in public; and

WHEREAS, it appears to be in the best interest of the Township to accept the bids of **Uniform Gear**, 8063 Walker Street, Philadelphia, Pa. 19136, **Samzie's Uniforms**, 28 Scotch Road, Ewing, N. J. 08628, **Public Safety Unlimited**, 1226 Haddonfield-Berlin Road, Voorhees, NJ 08043 and **Lawmen Supply Co.**, 5521 White Horse Pike, Egg Harbor City, NJ 08215; and

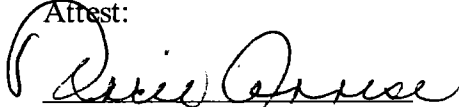
WHEREAS, funds are available for the purpose as indicated by the attached .

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 4th day of August, 2009, that the bid be accepted as per the attached bid return sheet and recommendations; and

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


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | ✓ | | | |
| Councilman Gray | | | | ✓ |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

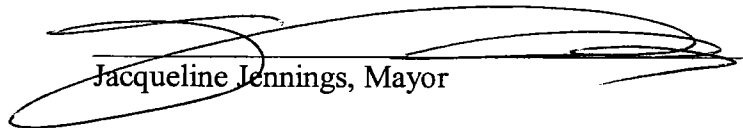
RESOLUTION NO. 2009 – 102

Authorizing the Approval of Vouchers for Payment & Ratification


Whereas, Willingboro Township Council received the July 2009 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 4th day of August, 2009, 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:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | ✓ | | | |
| Councilman Gray | | | | ✓ |
| Dep. Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 – 103

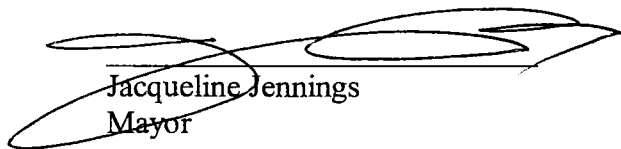
**A RESOLUTION AUTHORIZING REFUNDS FOR
OVERPAYMENTS OF TAXES**

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

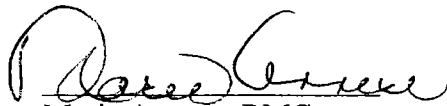
WHEREAS, refunds are due for these overpayments as listed on the attached schedule and made a part hereto;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 4th day of August, 2009, 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 her information, attention and compliance.


Jacqueline Jennings
Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayrer | ✓ | | | |
| Councilman Clemons | ✓ | | | |
| Councilman Gray | | | | ✓ |
| Dep. Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 104
A RESOLUTION OF THE TOWNSHIP OF WILLINGBORO AWARDING
THE ADMINISTRATION OF WILLINGBORO LEVITT PARKWAY EAST
NEIGHBORHOOD STABILIZATION PROGRAM (NSP)

WHEREAS, the Township Council of the Township Willingboro has requested the submission of RFQ's for the Administration of Willingboro Levitt Parkway East Neighborhood Stabilization Program (NSP) Grant Administrator; and

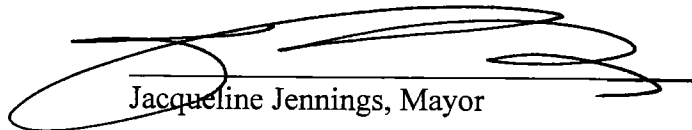
WHEREAS, the Township of Willingboro has determined that it is appropriate to implement a fair and open process for the awarding of this contract; and

WHEREAS, the Township requested, received and reviewed statements of qualifications in a manner that fostered a fair and open process, utilizing the criteria and specific minimum requirements to meet the requirements of the Township; and


WHEREAS, upon its review of the statements of qualifications submitted, on the basis of qualifications uniquely suited to the needs of the Township of Willingboro in this matter, the Township Council has selected CGP&H, LLC, 569 Abbington Drive, East Windsor, NJ 08520 as the Administrator of the NSP for Willingboro Township; and

WHEREAS, funds are available for this purpose through a grant secured by Willingboro Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, in open public session on this 7th day of August, 2009, that: the RFQ submitted by CGP&H be accepted.


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | ✓ | | | |
| Councilman Gray | | | | ✓ |
| Dep. Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

✓

RESOLUTION NO. 2009 – 105

**A RESOLUTION AWARDING A BID FOR
RENOVATION TO MUNICIPAL COMPLEX
Phase II**

WHEREAS, on May 4, 2009, the Township Council of the Township of Willingboro has requested that bids be submitted for the renovation of the Municipal Complex (Phase II); and

WHEREAS, bids have been received, opened and read in public on June 9, 2009; and

WHEREAS, statute mandates that the Township award the contract to the lowest responsible bidder and the low bid may only be rejected when the bidder is determined to be not responsible or his or her bid is determined to be non-responsive; and

WHEREAS, the bid of F & H Builders, Inc. was reviewed by the Township's professionals including the Architect who prepared the specifications, the Township Solicitor, the Code Enforcement officer, Township Manager, and Township Clerk ; and

WHEREAS, the Architect and the Solicitor determined F&H Builders, Inc. failed to submit mandatory documentation required by the bid, which caused F&H Builders, Inc.'s bid to be non-responsive to the bid specifications; and

WHEREAS, after the disqualification of F&H Inc.'s bid, it has been determined by the Township Clerk that the next lowest bidder is Angelini, Inc.; and

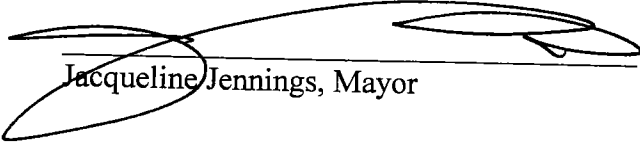
WHEREAS, the Township's Architect and Solicitor reviewed the bid submitted by Angelini, Inc. and determined that the bid met the all qualifications required by the bid specification and have recommended that Angelini, Inc. has provided the lowest responsible bid; and

WHEREAS, the Township Council has upon its consideration and review determined that Ray Angelini Inc., is the responsible lowest bidder and that it is in the best interest of the Township to accept the bid of Ray Angelini, Inc., of 105 Blackwood-Barnesboro Road, P. O. Box 432, Sewell, New Jersey 08080, in the amount of \$1,150,750.00.

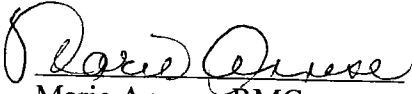
WHEREAS, funds are available for this purpose as indicated by the attached Treasurer's Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th day of August, 2009, hereby rejects the bid of F&H Builder, Inc.; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Willingboro accepts the bid of Ray Angelini, Inc. for the Renovation of the Municipal Complex Phase 2; and that the bids be spread upon the minutes of this meeting.


Jacqueline Jennings, Mayor

Attest:


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-------------------------------------|----|---------|-------------------------------------|
| Councilman Ayrer | <input checked="" type="checkbox"/> | | | |
| Councilman Clemons | <input checked="" type="checkbox"/> | | | |
| Councilman Gray | | | | <input checked="" type="checkbox"/> |
| Deputy Mayor Campbell | <input checked="" type="checkbox"/> | | | |
| Mayor Jennings | <input checked="" type="checkbox"/> | | | |

✓

RESOLUTION NO. 2009 - 106
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 4th day of August, 2009, to convene a closed Executive session consistent with the provisions of N.J.S.A. 10:4-12b; and

4 **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:

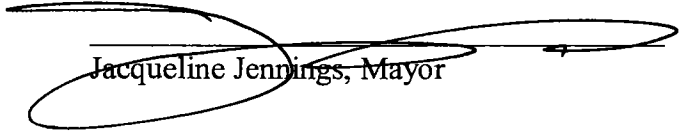
1. Any matter which, by express provision of federal law, state statute or rule of court is rendered confidential or excluded from the public portion of the meeting.
2. Any matter in which the release of information would impair the right to receive funds from the United States Government.
3. Any material 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 Weiss Litigation / Contract Negotiation / Potential Litigation

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.

TOWNSHIP OF WILLINGBORO


 Jacqueline Jennings, Mayor

Attest:


 Marie Annese, RMC
 Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | ✓ | | | |
| Councilman Gray | | | | ✓ |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 107
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, 2009, 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:

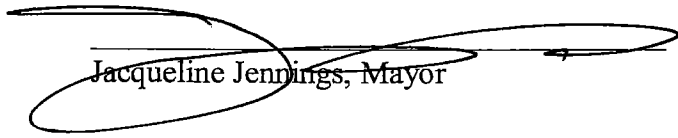
- _____ 1. Any matter which, by express provision of federal law, state statute or rule of court is rendered confidential or excluded from the public portion of the meeting.
- _____ 2. Any matter in which the release of information would impair the right to receive funds from the United States Government.
- _____ 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 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 WEISS LITIGATION / CONTRACT NEGOTIATION / POTENTIAL LITIGATION

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.

TOWNSHIP OF WILLINGBORO


Jacqueline Jennings, Mayor

Attest:



Marie Annese, RMC
Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|-----------------------|-----|----|---------|--------|
| Councilman Ayer | ✓ | | | |
| Councilman Clemons | ✓ | | | |
| Councilman Gray | | | | ✓ |
| Deputy Mayor Campbell | ✓ | | | |
| Mayor Jennings | ✓ | | | |

RESOLUTION NO. 2009 - 108

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WILLINGBORO APPOINTING WILLINGBORO ASSOCIATES, LLC AS REDEVELOPER OF THE PROPERTY KNOWN AND DESIGNATED AS BLOCK 5.01, LOTS 13.01, 13.02, 13.03, 13.04 AND 13.05 ON THE CURRENT TAX MAP OF THE TOWNSHIP OF WILLINGBORO AND AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A REDEVELOPMENT AGREEMENT WITH WILLINGBORO ASSOCIATES, LLC.

WHEREAS, on December 4, 2007, by Township Resolution 2007-174, December 2007, the Township entered into a Final Settlement Agreement in the case of Atlantic Delta Corp. at Montgomery Inc. v. Township of Willingboro and Planning Board of Willingboro, BUR-L-001593-05, a Mount Laurel case ("Settlement Agreement") (Exhibit "A-1"); and

WHEREAS, on June 18, 2008, after a Fairness Hearing, the Honorable John Sweeney, A.J.S.C., entered an Order approving the Atlantic Delta Settlement Agreement (A-2); and

WHEREAS, by Ordinance 2008-2, as amended by Ordinance 2008-6, the Township Council adopted an Amendment to the Redevelopment Plan ("Redevelopment Plan") which sets forth, inter alia, the plan for the redevelopment of the Redevelopment Area in accordance with the terms of the Settlement Agreement which established standards for the development of Atlantic Delta's site; and

WHEREAS, the stated purpose of the Amendment to the Redevelopment Plan was to clarify and expand the permitted uses within the redevelopment zone, to permit opportunity for the construction of an inclusionary mixed use development containing residential and commercial uses and to help satisfy a substantial portion of Willingboro's Mount Laurel obligation pursuant to the Settlement Agreement; and

WHEREAS, said Redevelopment Plan includes property owned by Willingboro Associates LLC, the successor to Atlantic Delta (hereinafter "Redeveloper"), as authorized by the Settlement Agreement known and designated as Block 5.01, Lots 13.01, 13.02, 13.03 and 13.04 on the current tax map of the Township of Willingboro, containing approximately 39 acres (hereinafter, "the Property"); and

WHEREAS, Redeveloper is engaged in the business of real estate development construction; and

WHEREAS, Redeveloper, as the applicant, submitted an application for Preliminary and Final Subdivision Approval and Preliminary Site Plan Approval of the Property to the Willingboro Planning Board, consistent with the uses and design parameters set forth in the Redevelopment plan approved by Township Council and with the Settlement Agreement; and

WHEREAS, the Planning Board determined that both the major subdivision application and the site plan application complied with the Redevelopment Plan as amended and the terms of the Settlement Agreement; and

WHEREAS, by two Resolution 4-2009, adopted on January 12, 2009, and Resolution 5-2009, adopted on January 12, 2009, the Planning Board granted major subdivision and site plan approval to Redeveloper after having determined that the application was in conformance with the permitted uses of the Redevelopment area, as amended, and that all requirements set forth in the Municipal Ordinance and Municipal Land Use Law for preliminary and final approval of a major subdivision were met by the Applicant subject to N.J.S.A. 40A:12A-1, et seq.; and

WHEREAS, pursuant to that certain Planning Board Resolution of memorialization dated January 12, 2009 in the matter entitled "Major Subdivision and Site Plan Application, Block 5.01, Lots 5 & 13, Rt. 130 & Pennypacker Drive and Rockland Drive" referencing application No. 5-2008, the planning board for the township of Willingboro required that certain easements and restrictions encumber the Property; and

WHEREAS, consistent with the requirements outlined in Resolution of January 12, 2009, the Developer has requests to enter into an agreement with the Township, entitled Declaration of Covenants, Conditions and Restrictions; and

WHEREAS, Resolutions Numbers 12-2008, 4-2008 and 4-2009 memorialize on September 8, 2008 by required the Developer to construct a storm water retention and conveyancing facilities to properly contained and direct surface water run-off; and

WHEREAS, the Resolutions also require Developer to be responsible for the proper maintenance, cleaning and repair of said storm water retention and conveyancing facilities to insure that they operate to their design specifications; and

WHEREAS, the Township wishes to enter into a Retention Basin Access and Maintenance Agreement to insure the proper maintenance, cleaning and repair of said retention and conveyancing facilities, in the event the Redeveloper fails to do so in the interest of environmental protection and to protect the public's health, welfare and safety.

WHEREAS, by two Resolutions duly adopted by the Planning Board on September 12, 2008, Redeveloper was granted Final Major Subdivision and Preliminary Site Plan Approval to build an inclusionary development consisting of 450 residential units, of which 70 will be low and moderate income units (Resolutions 11-2008 and 12-2008) (A-4 and A-5); and

WHEREAS, the Township desires that the Property be redeveloped by Redeveloper in accordance with the Concept Plan set forth in the Settlement Agreement, and the subdivision plan and the site plan approval by the Planning Board dated September 12, 2008 and the approval of December 8, 2008 granting final site plan approval and preliminary and final amended re-subdivision approval, which approvals are consistent with the Concept Plan; and

WHEREAS, on December 9, 2008, in accordance with the terms of the Settlement Agreement, the Township designated Willingboro Associates LLC, as the Redeveloper of The Property by Resolution No. 2008-176, conditioned upon execution of a Redevelopment Agreement; and

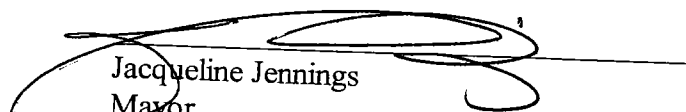
WHEREAS, pursuant to the Redevelopment Law, the parties desire to enter into the attached Redeveloper's Agreement that sets forth the terms and conditions pursuant to which the Property is to be redeveloped in accordance with the Settlement Agreement and the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., Willingboro Associates, LLC is to be designated as the Redeveloper of the Property by the township of Willingboro; and

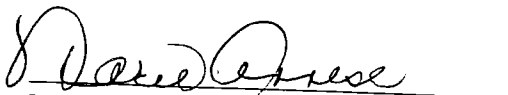
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th day of August, 2009 that the Mayor and Clerk, are authorized to execute an Agreement entitled "Redevelopment Agreement for a Development on Block 5.01, Lots 5 & 13, Rte. 130 & Pennypacker Drive and Rockland Drive in the Redevelopment Area of the Township of Willingboro, Burlington County, New Jersey by and between the Township of Willingboro and Willingboro Associates, LLC," on behalf of the Council, subject to the review and approval of the legal department; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk, are authorized to execute an Agreement entitled "Declaration of Covenants, Conditions and Restrictions Agreement for a Development on Block 5.01, Lots 5 & 13, Rte. 130 & Pennypacker Drive and Rockland Drive in the Redevelopment Area of the Township of Willingboro, Burlington County, New Jersey by and between the Township of Willingboro and Willingboro Associates, LLC," on behalf of the Council, subject to the review and approval of the legal department; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk, are authorized to execute an Agreement entitled "Retention Basin Access and Maintenance for a Development on Block 5.01, Lots 5 & 13, Rte. 130 & Pennypacker Drive and Rockland Drive in the Redevelopment Area of the Township of Willingboro, Burlington County, New Jersey by and between the Township of Willingboro and Willingboro Associates, LLC," on behalf of the Council, subject to the review and approval of the legal department; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be forwarded to the members of the Township Council of the Township of Willingboro, to the Township solicitor, to Jeffrey R. Surenian, Esquire and to Willingboro Associates, LLC.


Jacqueline Jennings
Mayor


Marie Annese, RMC
Township Clerk

| Recorded Vote | Yes | No | Abstain | Absent |
|---------------------|-------------------------------------|----|---------|-------------------------------------|
| Councilman Ayrer | <input checked="" type="checkbox"/> | | | |
| Councilman Clemons | <input checked="" type="checkbox"/> | | | |
| Councilman Gray | | | | <input checked="" type="checkbox"/> |
| Dep. Mayor Campbell | <input checked="" type="checkbox"/> | | | |
| Mayor Jennings | <input checked="" type="checkbox"/> | | | |