

RESOLUTION NO. 112 - 1992

WHEREAS, the Township Council of the Township of Willingboro has requested bids be submitted for 1992 Drainage/Roadway Projects; 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 CJM Contractors, Inc., 3709 Willow Drive, P.O. Box 887, Newfield, NJ 08344; and

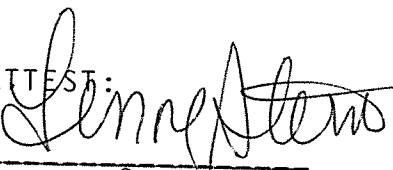
WHEREAS, the bid of the above has been found to be correct and satisfactory, both in form and in content; and

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

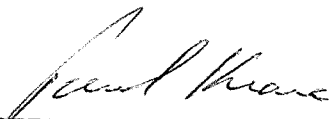
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 4th day of August, 1992, that the bid be accepted in the amount of \$164,108.42 for drainage/roadway projects; and

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

ATTEST:



Lenore Stern, RMC, CMC
Township Clerk



PAUL KRANE
MAYOR

CERTIFICATE OF AVAILABILITY
OF FUNDS FOR CONTRACT

I, Joanne Diggs, Treasurer of the Township of Willingboro, being the Chief Financial Officer of the Township of Willingboro, do hereby certify, pursuant to the Rules of The Local Finance Board, that there are -- ~~are not~~ (cross out one) available adequate funds for the proposed contract between the Township of Willingboro and CJM Contractors, Inc

The money necessary to fund said contract is in the amount of \$164,108 ⁴²/₁₀₀ and, upon approval of the contract, the funds shall be charged to the following line item appropriation of account number Ord-701992. These funds are not being certified as being available for more than one pending contract.



Joanne Diggs
Finance Director

cc: Township Solicitor
Township Auditor

**LORD
ANDERSON
WORRELL
& BARNETT**

CIVIL ENGINEERING AND SURVEYING
PLANNING, PARKS AND RECREATION

Robert W. Lord, PE & LS, PP
C. Kenneth Anderson, PE & LS, PP
Raymond L. Worrell, II, PE & LS, PP
Arnold W. Barnett, PE & LS
Thomas J. Miller, PE & PP
Jeffrey S. Richter, PE & PP

James E. Thorpe, PLS
L. Gary Zube, LS
Donald J. Bamford, PE
Ashvin G. Patel, PE

August 3, 1992


Township Council
Township of Willingboro
Municipal Complex
Salem Road
Willingboro, NJ 08046

RE: 1992 Drainage Contract
File No. 92-39-61

Council:

On Friday, July 31, 1992 bids were opened relative to the construction of the above referenced project. A copy of the bid tabulation is herewith enclosed. I have reviewed the bid of the low bidder, CJM Contractors, Inc. and find it to be complete and in order. I, therefore, recommend award of a contract for a total amount of \$164,108.42 to CJM Contractors, Inc., 3709 Willow Drive, P. O. Box 887, Newfield, NJ 08344.

Very truly yours,



Arnold W. Barnett, PE & LS
Willingboro Township Engineer

AWB:lt

Enclosure

cc: Sadie L. Johnson, Township Manager
Lenore Stern, Township Clerk

BIDDRAIN.XLS

TOWNSHIP OF WILLINGBORO 1992 DRAINAGE REPAIRS		Project No. 92-39-61 Arnold W. Barnett, PE & LS Willingboro Township Engineer		July 31, 1992 at 10:00 AM Municipal Complex, Salem Road Willingboro, NJ		CERTIFIED CHECK OR BID BOND		K & M CONSTR 4 Packerah Trail Vincentown, NJ 08088 753-9552		
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
1	6" PVC Underdrain	5.574 LF	72.40	124,857.60	22.00	122,628	21.00	117,654	21.00	117,654
2	Rebuild Inlet	15 UT	3,475	52,125.00	3,000	45,000	2,500	25,500	1,700	25,500
3	Repair Inlet	19 UT	7,475	47,025.00	1,450	27,550	600	9,500	500	9,500
4	4" Concrete Sidewalk	86.61 SY	36	3,117.96	45.00	3,897.45	35	3,031.35	20.00	1,732.20
5	R. C. Drive Aprons	749.98 SY	39.54	29,879.20	50.00	37,499.00	37	27,744.26	30	22,497.40
6	Seal Existing Pipe Joints	130 LF	2,35.02	28,742.60	100	13,000	70	8,100	10.00	1,300
TOTAL LUMP SUM BID				285,997.36		249,574.47		736,496.61		177,585.60

RESOLUTION TO AMEND BUDGET

RESOLUTION 1992 -113

WHEREAS, the local municipal budget for the year 1992 was approved on the 31st day of March, 1992, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Willingboro County of Burlington that the following amendments to the approved budget of 1992 be made:

Recorded Vote

Aye (Councilwoman Anderson
(Councilwoman Campbell
(Deputy Mayor Stephenson
(Mayor Krane

Nay (Councilman Ayrer
(
(

Abstained (
(
(

Absent (
(
(

	<u>From</u>	<u>To</u>
Anticipated Revenues:		
2. Surplus Anticipated	\$ 3,089,314.00	3,142,720.00
Total Surplus Anticipated	\$ 3,089,314.00	3,142,720.00
Section B--State Aid Without Offsetting Appropriations:		
Franchise and Gross Receipts Taxes (NJSA 54:30A-24.1 et seq)	1,609,700.00	1,556,294.00
Total Section B--State Aid Without Offsetting Appropriations	3,643,483.00	3,590,077.00
Section F--Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services-- State and Federal Revenues Off-Set with Appropriations:		
Clean Communities Program	32,765.00	34,559.00
Total Section F	70,714.50	72,508.50
Total Miscellaneous Revenues	5,709,286.00	5,657,674.00
5. Subtotal General Revenues (Items 1, 2, 3, and 4)	9,750,600.00	9,752,394.00
7. TOTAL GENERAL REVENUES	<u>\$17,389,500.00</u>	<u>\$17,391,294.00</u>
8. GENERAL APPROPRIATIONS		
a) Operations - Excluded from "CAPS"		
State and Federal Programs Off-Set by Revenues Recycling		
Clean Communities Act		
Salaries and Wages	28,500.00	30,294.00
b) Total Operations - Excluded from "CAPS"	1,936,587.40	1,938,381.40
Detail:		
Salaries and Wages	1,048,655.54	1,050,449.54
h-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	4,622,703.31	4,624,497.31
0) Total General Appropriations - Excluded from "CAPS"	4,622,703.31	4,624,497.31
1) Subtotal General Appropriations (Items (H-1) and (0))	15,852,100.00	15,853,894.00
9. TOTAL GENERAL APPROPRIATIONS	<u>\$17,389,500.00</u>	<u>\$17,391,294.00</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on this 4th day of August, 1992.

Certified by me

Paul Krane
PAUL KRANE, MAYOR

this 4th day of August, 1992

Denoreltern
Municipal Clerk

TOWNSHIP OF WILLINGBORO

Resolution No. 1992-114

A Resolution Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12.

Whereas, the Township Council of the Township of Willingboro is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.*, and

Whereas, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

Whereas, it is necessary for the Township Council of the Township of Willingboro to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12 b and designated below:

- _____ (1) *Matters Required by Law to be Confidential:* Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- _____ (2) *Matters Where the Release of Information Would Impair the Right to Receive Funds:* Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- _____ (3) *Matters Involving Individual Privacy:* Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- _____ (4) *Matters Relating to Collective Bargaining Agreements:* 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 of the public body.
- _____ (5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:* Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of

RESOLUTION NO. 115 - 1992

1992 MUNICIPAL BUDGET

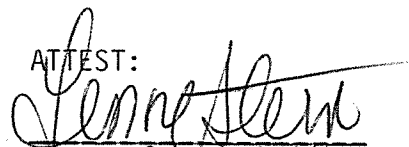
BE IT RESOLVED, by the Township Council of the Township of Willingboro, County of Burlington that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of:

\$7,638,900.00 for municipal purposes


General Revenues	
Surplus Anticipated	\$3,142,720.00
Miscellaneous Revenues Anticipated	5,657,674.00
Receipts from Delinquent Taxes	952,000.00
Amount to be raised by taxation for municipal purposes	<u>7,638,900.00</u>
Total Revenues	<u>17,391,294.00</u>

General Appropriations	
Within Caps	
Operations including contingent	10,176,258.73
Deferred charges and statutory expenditures	1,053,137.96
Excluded from Caps	
Operations	1,938,381.40
Capital Improvements	750,000.00
Municipal Debt Service	1,916,486.00
Deferred Charges	19,629.91
Reserve for Uncollected Taxes	<u>1,537,400.00</u>
Total Appropriations	<u>17,391,294.00</u>

ATTEST:


Lenore Stern, RMC/CMC
Township Clerk

August 4, 1992



PAUL KRANE
MAYOR

Resol. 115

1992 MUNICIPAL BUDGET

BE IT RESOLVED, by the Township Council of the Township of Willingboro, County of Burlington that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of:

\$7,638,900.00 for municipal purposes

General Revenues		
Surplus Anticipated	\$3,089,314.00	3,142,720. -
Miscellaneous Revenues Anticipated	5,709,286.00	5,657,674. -
Receipts from Delinquent Taxes	952,000.00	
Amount to be raised by taxation for municipal purposes	7,638,900.00	
Total Revenues	17,389,500.00	17,391,294
General Appropriations		
Within Caps		
Operations including contingent	10,176,258.73	
Deferred charges and statutory expenditures	1,053,137.96	
Excluded from Caps		
Operations	1,936,587.40	1,938,281.40
Capital Improvements	750,000.00	
Municipal Debt Service	1,916,486.00	
Deferred Charges	19,629.91	
Reserve for Uncollected Taxes	1,537,400.00	
Total Appropriations	17,389,500.00	17,391,294. -

RESOLUTION NO. 116 - 1992
A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE
PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW
JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Township Council of the Township of Willingboro is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq.; and

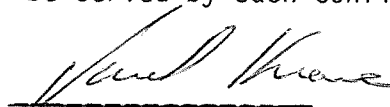
WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Council of the Township of Willingboro to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- _____ (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.


NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session on August 25, 1992, that an Executive Session closed to the public shall be held on August 25, 1992, at 10:25 p.m. in the Willingboro Township Municipal Complex, One Salem Road Willingboro, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon determination of the Township Council that the public interest will no longer be served by such confidentiality.



PAUL KRANE
MAYOR

ATTEST:



Lenore Stern, RMC/CMC
Township Clerk

RESOLUTION NO. 117 - 1992

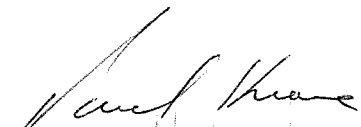
WHEREAS, the Township Council of the Township of Willingboro has received and reviewed the annual audit for 1991; and

WHEREAS, the Chief Financial Officer of the Township is required to prepare a Corrective Action Plan addressing the comments in the 1991 Audit; and

WHEREAS, the Township Council has received and has reviewed the Corrective Action Plan submitted by the Chief Financial Officer of the Township of Willingboro;

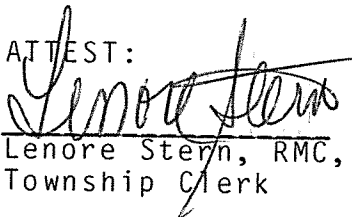
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 25th day of August, 1992, that the Corrective Action Plan prepared by the Chief Financial Officer of the Township of Willingboro, for the 1991 Audit, be and hereby is approved; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be provided to the Chief Financial Officer of the Township of Willingboro, to the Township Auditor and to the Division of Local Government Services for their information and attention.



PAUL KRANE
MAYOR

ATTEST:



Lenore Stern, RMC, CMC
Township Clerk

WILLINGBORO TOWNSHIP
CORRECTIVE ACTION PLAN
FOR
1991 AUDIT

Comment #1

Condition:

Internal Revenue Service requires that 1099 Forms be issued to anyone earning more than \$10.00 in interest income. The Township did not issue 1099 Forms for the year ending December 31, 1991.

Recommendation:

That the Township issue 1099 Forms when required by the Internal Revenue Service.

Client Response:

One developer was due interest in 1991. A voucher was sent to him to sign and return to us so that we could properly pay the interest. Since the voucher was not returned, they were not paid the interest due. We will attempt to get the voucher and pay the interest.

Corrective Action:

The Township will issue 1099 Forms when required by the Internal Revenue Service.

Comment #2:

Condition:

The Township did not maintain a record of general fixed assets as required by the Division of Local Government Services.

Recommendation:

That a record of fixed assets be established and maintained.

Client Response:

We have three proposals that will be reviewed and submitted to the Manager.

Corrective Action:

A record of fixed assets will be established and maintained.

Comment #3

Condition:

A cash management plan was not available for audit. However, a plan has been developed and adopted July 7, 1992.

Recommendation:

None.

Client Response:

The cash management plan will become part of our annual reorganization.

Comment #4

Condition:

The Registrar of Vital Statistics did not deposit several cash receipts promptly.

Recommendation:

That the Registrar of Vital Statistics deposit all cash receipts promptly.

Client Response:

The Registrar has been instructed to deposit receipts daily as of 6-18-92.

Corrective Action:

The Registrar has been instructed to make deposits promptly. This will be checked periodically by the Director of Finance.

Comment #5

Condition:

The Dunbar Register was not properly completed, therefore the Bond and Coupon Account was not properly reconciled.

Recommendation:

That the Dunbar Register be properly completed and the Bond and Coupon Account be properly reconciled.

Client Response:

We will comply.

Corrective Action:

The Dunbar Register will be properly completed and the Bond and Coupon Account will be properly reconciled.

FEDERAL FINANCIAL ASSISTANCE

Finding No. 1

Program: General Assistance Program

Description

In two cases the Township did not remit the proper amount of Supplemental Security Income benefits due to clients.

Analysis

The client in the first case was underpaid \$30.00 (NOT \$35.00 AS CALCULATED BY THE AUDITOR) due to an error in calculation by the Welfare Director. The client in the second case was overpaid \$882.99 due to an oversight by the Welfare Director.

Corrective Action

The Welfare Director shall issue a check for \$30.00 to the client in case (1) one and the Welfare Director shall make every effort to collect the overpayment in case (2) two.

/ma

8/20/92

STATE FINANCIAL ASSISTANCE

Finding No. 1

Program: General Assistance Program

Description

GA-12, Statement of Refunds, filed in 1991 omitted two refunds to the Municipality totaling \$200.00

Analysis

The Welfare Director failed to record two reimbursements on form GA-12.

Corrective Action

The Welfare Director shall send an amended GA-12 to the Division of Economic Assistance.

Implement Date

Immediately.

/ma

8/21/1992

STATE FINANCIAL ASSISTANCE

Finding No. 1

Program: General Assistance Program

Description

GA-12 reports were not filed when the amount of refunds were in excess of \$500.00

Analysis

New fiscal procedures were implemented July 1, 1991, including a requirement to file a GA-12 (Statement of Repayments) each time \$500.00 is exceeded. The Welfare Director delayed in doing so.

Corrective Action

Form GA-12 will be filed with the Division of Economic Assistance each time repayments total \$500.00

Implement Date

Immediately.

/ma

8/21/1992

RESOLUTION NO. 118 - 1992

RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND

WHEREAS, the Township of Willingboro is a member of the Professional Municipal Management Joint Insurance Fund; and


WHEREAS, said renewed membership terminates as of December 31, 1992, unless earlier renewed by agreement between the Municipality and the Fund; and

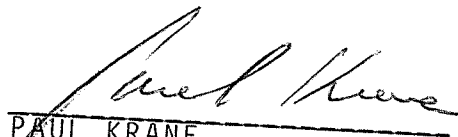
WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 8th day of September, 1992, as follows:

1. The Township of Willingboro agrees to renew its membership in the Professional Municipal Management Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Professional Municipal Management Joint Insurance Fund for evidencing the Municipality's intention to renew its membership.

ATTEST:


Lenore Stern, RMC/CMC
Township Clerk


PAUL KRANE
MAYOR

AGREEMENT TO RENEW MEMBERSHIP IN THE
PROFESSIONAL MUNICIPAL MANAGEMENT JOINT INSURANCE FUND

WHEREAS, the Professional Municipal Management Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Township of Willingboro is currently a member of said Fund; and

WHEREAS, effective December 31, 1992, said membership will expire unless earlier renewed; and

WHEREAS, the Mayor and Council of the Township of Willingboro have resolved to renew said membership;

NOW, THEREFORE, it is agreed as follows:

1. The Township of Willingboro hereby renews its membership in the Professional Municipal Management Joint Insurance Fund for a three(3) year period, beginning January 1, 1993 and ending January 1, 1996 (12:01 am)

2. The Township of Willingboro hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Professional Municipal Management Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.

3. The Township of Willingboro agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.

4. In consideration of the continuing membership of the Township of Willingboro in the Professional Municipal Management Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Township of Willingboro.

5. Executed the 8th day of September, 1992, as the lawful and binding act and deed of the Township of Willingboro, which execution has been duly authorized by public vote of the governing body.


PAUL KRANE, MAYOR

ATTEST:

Lenore Stern, RMC/CMC
Township Clerk


PROFESSIONAL MUNICIPAL MANAGEMENT
JOINT INSURANCE FUND

RESOLUTION NO. 119 - 1992

RESOLUTION FOR RENWAL OF MEMBERSHIP IN THE
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

WHEREAS, the Township of Willingboro is a member of the
Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31,
1992, unless earlier renewed by agreement between the Municipality and
the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the
Township of Willingboro, assembled in public session this 8th day of
Septemer, 1992, as follows:

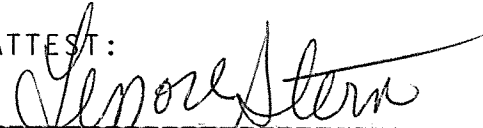
1. The Township of Willingboro agrees to renew its membership
in the Municipal Excess Liability Joint Insurance Fund and to be
subject to the Bylaws, Rules and Regulations, coverages, and oper-
ating procedures thereof as presently existing or as modified from
time to time by lawful act of the Fund.

2. The Mayor and Clerk shall be and hereby are authorized to
execute the agreement to renew membership annexed hereto and made
a part hereof and to deliver same to the Municipal Excess Liabil-
ity Joint Insurance Fund evidencing the Municipality's intention
to renew its membership.



PAUL KRANE
MAYOR

ATTEST:



Lenore Stern, RMC/CMC
Township Clerk

AGREEMENT TO RENEW MEMBERSHIP IN THE
MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND

WHEREAS, the Municipal Excess Liability Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Township of Willingboro is currently a member of said Fund; and

WHEREAS, effective December 31, 1992, said membership will expire unless earlier renewed; and

WHEREAS, the Mayor and Council of the Township of Willingboro have resolved to renew said membership;

NOW, THEREFORE, it is agreed as follows:


1. The Township of Willingboro hereby renews its membership in the Municipal Excess Liability Joint Insurance Fund for a three (3) year period, beginning January 1, 1993 and ending January 1, 1996 (12:01 am)

2. The Township of Willingboro hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Municipal Excess Liability Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.

3. The Township of Willingboro agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.

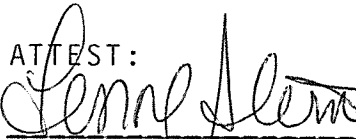
4. In consideration of the continuing membership of the Township of Willingboro in the Municipal Excess Liability Joint Insurance Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the Township of Willingboro.

5. Executed the 8th day of September, 1992, as the lawful and binding act and deed of the Township of Willingboro, which execution has been duly authorized by public vote of the governing body.



PAUL KRANE, MAYOR

ATTEST:



Lenore Stern, RMC/CMC
Township Clerk



MUNICIPAL EXCESS LIABILITY
JOINT INSURANCE FUND

RESOLUTION NO. 120 - 1992

WHEREAS, the New Jersey State Uniform Construction Code provides for fines to be imposed by the Construction Official; and

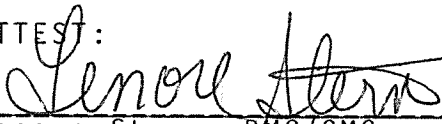
WHEREAS, Section 21-9.12 of the Revised General Ordinances of the Township of Willingboro provides for the abatement of certain conditions, and Section 21-9.13 provides that the cost of any abatement shall become a lien against real property; and

WHEREAS, the Director of Inspections has cited several properties and has imposed fines and expenses of repair on those properties as per the attached list; and

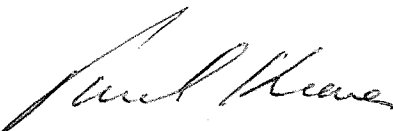
WHEREAS, Section 21-9.13 further provides that the Township Council must, by Resolution, approve the expenses and costs and that they shall thereafter become a lien against the properties listed and shall be collectible as provided by law;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 8th day of September, 1992, that the fines and expenses certified by the Director of Inspections and listed on the attached schedule are hereby approved and certified to the Tax Collector of the Township of Willingboro as liens against the specific properties listed and to draw interest as tax liens as provided by law.

ATTEST:



Lenore Stern, RMC/CMC
Township Clerk



PAUL KRANE
MAYOR

township of Willingboro

MEMO TO: Lenore Stern
 FROM: Leonard Mason
 DATE: September 1, 1992
 SUBJECT: PROPERTY MAINTENANCE VIOLATIONS

Under the Township's Property Maintenance Ordinance liens have been imposed on properties in amount of \$5315.00 for the time period of July 7, 1992 thru September 8, 1992.

Under Ordinance 21-9.13 I am placing liens against the following properties.

<u>ADDRESS</u>	<u>BLOCK & LOT</u>	<u>AMOUNT</u>	<u>WORK DONE</u>
11 Palfrey	329-27	\$ 80.00	Cut grass
117 Tyler	1109-4	\$ 40.00	Cut grass
37 Tempest	1116-3	\$ 40.00	Cut grass
47 Glenolden	717-21	\$ 40.00	Cut grass
19 Gloria	733-14	\$ 40.00	Cut grass
42 Mullshire	534-12	\$ 50.00	Cut grass
60 Berkshire	239-19	\$ 40.00	Cut grass
18 Boxwood	234-5	\$ 40.00	Cut grass
18 Sedgwick	128-5	\$ 80.00	Cut grass
83 Tidewater	1117-4	\$ 50.00	Cut grass
16 Elridge	808-33	\$ 80.00	Cut grass
52 Granby	717-14	\$ 40.00	Cut grass
47 Spiralwood	137-2	\$ 40.00	Cut grass
577 Beverly Ran.	727-2	\$ 40.00	Cut grass
577 Beverly Ran.	727-2	\$ 40.00	Cut grass
21 Excell	840-29	\$ 40.00	Cut grass
68 Barrington	247-550	\$ 40.00	Cut grass
16 Gainscott	703-36	\$ 40.00	Cut grass
59 Harrington	608-25	\$ 40.00	Cut grass
15 Heath	619-22	\$ 80.00	Cut grass
2 Henderson	621-1	\$ 50.00	Cut grass
39 Harwick	642-5	\$ 40.00	Cut grass
36 Sheffield	105-16	\$ 40.00	Cut grass
130 Sheffield	110-10	\$ 40.00	Cut grass
153 Hazelwood	630-11	\$ 40.00	Cut grass
38 Hillcrest	625-5	\$ 40.00	Cut grass
1 Petunia	312-42	\$ 50.00	Cut grass
59 Palfrey	329-23	\$ 40.00	Cut grass
26 Palfrey	328-7	\$ 40.00	Cut grass
37 Tempest	1116-3	\$ 40.00	Cut grass
83 Tidewater	117-4	\$ 50.00	Cut grass
37 Meadowlark	503-12	\$ 40.00	Cut grass
52 Madestone	524-16	\$150.00	Clean Up Prop.
Christn & Sdny	1-4	\$110.00	Cut grass
52 Granby	717-14	\$ 45.00	Secure Prop.

an equal opportunity employer

municipal complex

salem road

willingboro, new jersey 08046

(609) 877-2200

1 Potter	330-34	\$260.00	Cut tree; remove
150 Nottingham	1003-52	\$ 40.00	Cut grass
35 Normandy	1019-9	\$ 80.00	Cut grass
22 Princeton	314-6	\$ 40.00	Cut grass
43 Echohill	803-10	\$ 50.00	Cut grass
15 Bradford	206-20	\$ 40.00	Cut grass
34 Edgely	832-20	\$ 40.00	Cut grass
145 Millbrook	512-17	\$ 50.00	Cut grass
2 Balfour	213-1	\$ 80.00	Cut grass
181 Northampton	1020-70	\$ 40.00	Cut grass
129 Newcastle	1003-181	\$ 50.00	Cut grass
24 Babcock	236-7	\$ 40.00	Cut grass
94 Melbourne	543-2	\$ 50.00	Cut grass
23 Pebble	316-34	\$ 80.00	Cut grass
29 Pebble	316-29	\$ 40.00	Cut grass
61 Toledo	1135-1	\$ 50.00	Cut grass
2 Henderson	621-1	\$ 50.00	Cut grass
18 Pastoral	323-5	\$ 40.00	Cut grass
577 Beverly Ran.	727-68	\$ 40.00	Cut grass
21 Excell	840-29	\$ 40.00	Cut grass
11 Palfrey	329-37	\$ 40.00	Cut grass
1 Petunia	312-42	\$ 50.00	Cut grass
145 Pheasant	317-23	\$ 40.00	Cut grass
68 Barrington	247-5	\$ 40.00	Cut grass
18 Boxwood	234-5	\$ 40.00	Cut grass
15 Bradford	206-20	\$ 40.00	Cut grass
54 Clubhouse	409-45	\$ 40.00	Cut grass
16 Gainscott	703-36	\$ 40.00	Cut grass
47 Glenolden	717-21	\$ 40.00	Cut grass
39 Harwick	642-5	\$ 40.00	Cut grass
44 Marchmont	515-3	\$ 80.00	Cut grass
145 Millbrook	512-17	\$ 50.00	Cut grass
18 Sedgwick	128-5	\$ 80.00	Cut grass
36 Sheffield	105-16	\$ 40.00	Cut grass
130 Sheffield	110-10	\$ 40.00	Cut grass
Getty Gas Stn			
Bev. Ran. & Salem	318-7	\$ 75.00	Cut grass
Christn & Sdny	1-4	\$110.00	Cut grass
17 Newport	1011-5	\$ 70.00	Cut grass
68 Barrington	247-5	\$1225.00	Board up prop.
69 Endwell	820-21	\$ 95.00	Clean up prop.
220 Somerset	130-11	\$ 45.00	Secure gate
TOTAL		\$5315.00	

Please prepare a resolution for approval of Township Council as required for certification and filing with the Tax Collector.



Leonard Mason
Director of Inspections

RESOLUTION NO. 121 - 1992

WHEREAS, Willingboro Township Council, by Resolution No. 55-1992, awarded a contract to DiMeglio Construction Co., for 1992 Van Sciver Parkway Reconstruction in the amount of \$86,690; and

WHEREAS, the Engineer has submitted a final change order for as-built quantities, as per the attached Engineer's letter; and

WHEREAS, THE Rules of the Local Finance Board require such change order to be approved by prior resolution of Township Council;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 8th day of September, 1992, as follows:

1. The change order is for a decrease of \$1,648.99 and an increase of \$28,778.45, as per the attached, for a total increase of \$27,129.46, for a new total of \$113,819.46 for this first change order; and

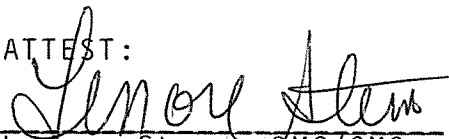
2. Copies of this resolution shall be forwarded to the Finance Director, Engineer and Auditor for their information and to the Commissioner of the Department of Transportation of the State of New Jersey for his approval; and

3. A notice of this action shall be published in the Burlington County Times.



PAUL KRANE
MAYOR

ATTEST:



Lenore Stern, RMC/CMC
Township Clerk



**LORD
ANDERSON
WORRELL
& BARNETT**
Mt. Holly-Lumberton Road
Lumberton, New Jersey 08048

CHANGE ORDER NO. 1

Date August 4, 1992

Contractor DiMeglio Construction Co., Inc Project No. Willingboro Township

Address 423 White Horse Pike VanSciver Parkway - Section IV

Atco, NJ 08004

Gentlemen:

In accordance with the provisions of the specifications for the above project, you are hereby advised of the following changes in the contract quantities or in the case of supplementary work you agree to its performance at the prices stated.

Location and reason for changes.

ADJUSTMENTS TO AS-BUILT QUANTITIES

Item	Description	Quantity	Unit Price	Amount
<u>EXTRA</u>				
2.	Milling 9 1/2"	2,179	SY 2.95	6,428.05
3.	Bituminous Stabilized Base Course, 5"	2,179	SY 7.45	16,233.55
4.	Bituminous Concrete Surface Course, Mix I-5	1,773	SY 3.45	6,116.85
				<u>28,778.45</u>

REDUCTION

1.	Milling, 2"	405.5	SY 1.75	709.63
5.	Traffic Stripes	203	LF 1.12	24.36
6.	Concrete Curbing	60	LF 14.50	870.00
9.	R. C. Apron	1	SY 45.00	45.00
				<u>1,648.99</u>

ORIGINAL SIGNED
THOMAS G. CUTRONA

Local Aid District Engineer Date 10/22/92

Amount of Original Contract \$ 86,690.00

Adjusted amount of Contract due
to previous Change Orders 0

Supplemental 0

Extra 28,778.45

Reduction 1,648.99

Adjusted Amount of Contract 113,819.46

Change in Contract 31 %

Thomas G. Cutrona
Engineer Date

Willingboro Township
Municipality

Paul Kane
Mayor Date

DiMeglio Construction Company, Inc.
Contractor

By: Michael DiMeglio, Sec./Treas.

Res 121

CERTIFICATE OF AVAILABILITY
OF FUNDS FOR CONTRACT

I, Joanne Diggs, Treasurer of the Township of Willingboro, being the Chief Financial Officer of the Township of Willingboro, do hereby certify, pursuant to the Rules of The Local Finance Board, that there are -- are not (cross out one) available adequate funds for the proposed contract between the Township of Willingboro and Di Meglio Construction Co

(Van Siver Pkwy)

The money necessary to fund said contract is in the amount of ~~increase~~ \$27,129⁴⁶ ~~new total~~ \$113,819⁴⁶ and, upon approval of the contract, the funds shall be charged to the following line item appropriation of account number Old 70-1992
\$27,129⁴⁶. These funds are not being certified as being available for more than one pending contract.

Joanne M. Diggs
Joanne Diggs
Finance Director

cc: Township Solicitor
Township Auditor

Res 121

**LORD
ANDERSON
WORRELL
& BARNETT**

CIVIL ENGINEERING AND SURVEYING
PLANNING, PARKS AND RECREATION

September 8, 1992

Robert W. Lord, PE & LS, PP
C. Kenneth Anderson, PE & LS, PP
Raymond L. Worrell, II, PE & LS, PP
Arnold W. Barnett, PE & LS
Thomas J. Miller, PE & PP
Jeffrey S. Richter, PE & PP

James E. Thorpe, PLS
L. Gary Zube, LS
Donald J. Bamford, PE
Ashvin G. Patel, PE
Mark E. Malinowski, PE
James R. Datz, PLS
Leonard M. Strickland, PLS & PP
Edwin R. Ruble, LS

Mrs. Sadie L. Johnson, Manager
Mayor Paul Krane
Willingboro Township Council
Willingboro Township
Municipal Complex
Salem Road
Willingboro, NJ 08046

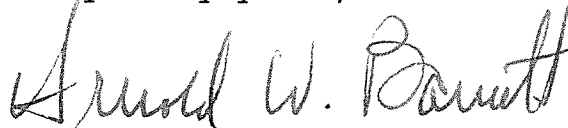
RE: DiMeglio Construction
(VanSciver Parkway Phase IV)
Change Order Adjustment
LAWB File No. 92-39-34

Dear Council:

Change Order No. 1 for the above referenced project increases certain quantities of construction to the extent that the total adjusted contract price is greater than 20% higher than the original contract as bid. In accordance with statute, this letter is to describe the circumstance which generated this magnitude of increase.

This project was initially funded by the State of New Jersey, Department of Transportation Municipal Aid Allocation of \$100,000.00. In order to be in line with the total amount allocated by the State, quantities of construction were limited. When bids were received, construction of the project would have terminated the project short of the intersection of VanSciver Parkway with John F. Kennedy Way. Notice by the County of Burlington that it had included the JFK/VanSciver Parkway intersection as a project to be completed this year was received. This being the case, it seemed a wise and prudent decision to allow DiMeglio Construction to proceed with the project up to the JFK intersection. Funds for the overage in construction costs can be allocated from the 1991 or 1992 Roadway/Drainage Construction Funds.

Very truly yours,



Arnold W. Barnett, PE & LS
Willingboro Township Engineer

AWB:lt

RESOLUTION NO. 122 - 1992

WHEREAS, the Township Council of the Township of Willingboro has requested that bids be submitted for 1992 Roadway Repair; and

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

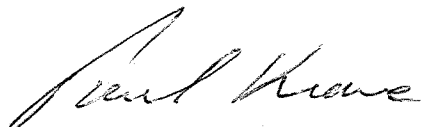
WHEREAS, it appears to be in the best interest of the Township to accept the bid of Arawak Paving Co., RD #3, Weymouth Road, Hammonton, New Jersey; and

WHEREAS, the bid of the above has been found to be correct and satisfactory, both in form and in content; 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 8th day of September, 1992, that the bid be accepted in the amount of \$876,168.01 for 1992 Roadway Repair; and

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



PAUL KRANE
MAYOR

ATTEST:



Lenore Steyn, RMC/CMC
Township Clerk

Res 122

CERTIFICATE OF AVAILABILITY
OF FUNDS FOR CONTRACT

I, Joanne Diggs, Treasurer of the Township of Willingboro, being the Chief Financial Officer of the Township of Willingboro, do hereby certify, pursuant to the Rules of The Local Finance Board, that there are ~~---are not~~ (cross out one) available adequate funds for the proposed contract between the Township of Willingboro and ARAWAK PAVING Co.

The money necessary to fund said contract is in the amount of 876,168 ⁰⁰/₁₀₀ and, upon approval of the contract, the funds shall be charged to the following line item appropriation of account number Ordinance 7d-1992. These funds are not being certified as being available for more than one pending contract.

Joanne M. Diggs
Joanne Diggs
Finance Director

cc: Township Solicitor
Township Auditor

Res. 122

**LORD
ANDERSON
WORRELL
& BARNETT**

CIVIL ENGINEERING AND SURVEYING
PLANNING, PARKS AND RECREATION

August 31, 1992

Robert W. Lord, PE & LS, PP
C. Kenneth Anderson, PE & LS, PP
Raymond L. Worrell, II, PE & LS, PP
Arnold W. Barnett, PE & LS
Thomas J. Miller, PE & PP
Jeffrey S. Richter, PE & PP

James E. Thorpe, PLS
L. Gary Zube, LS
Donald J. Bamford, PE
Ashvin G. Patel, PE
Mark E. Malinowski, PE
James R. Datz, PLS
Leonard M. Strickland, PLS & PP
Edwin R. Ruble, LS

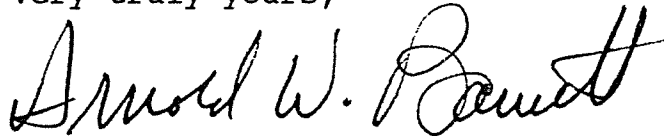
Mrs. Sadie L. Johnson, Manager
Township of Willingboro
Municipal Complex
Salem Road
Willingboro, NJ 08046

RE: 1992 Roadway Repair
LAWB Project No. 92-39-31

Dear Mrs. Johnson:

At 10 AM on Monday, August 31, 1992 bids were received for the above referenced project. I am enclosing a copy of the bidding results. I have reviewed the bid of Arawak Paving Company and find that it is correct and in order. I recommend an award of contract in the amount of \$876,168.01 to Arawak Paving Company, RD #3, Weymouth Road, Hammonton, NJ 08037.

Very truly yours,



Arnold W. Barnett, PE & LS
Willingboro Township Engineer

AWB:lt

Enclosure

cc: *Janice Stern*

RESOLUTION NO. 123 - 1992

WHEREAS, Willingboro Township Council, by Resolution No. 89-1992, awarded a contract to Arawak Paving Co., Inc. for a 1991 supplemental paving project on Hudson Place and Charleston Road, amounting to \$122,495.48; and

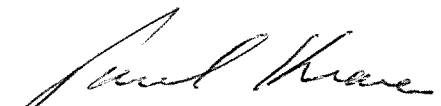
WHEREAS, the Engineer has submitted a change order for a reduction in price and an increase in quantities, and

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 8th day of September, 1992, as follows:

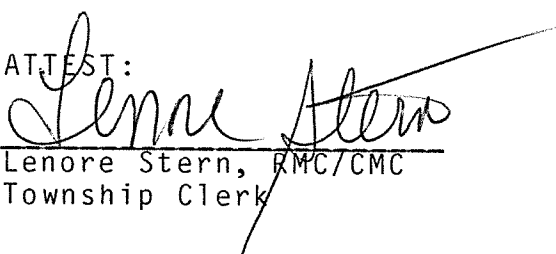
1. The change order is for a reduction of \$28,500 and an increase in quantities in the amount of \$53,300.00, for a net increase of \$24,800, this being the first change order

2. Copies of this resolution shall be forwarded to the Finance Director, Engineer and Auditor for their information.



PAUL KRANE
MAYOR

ATTEST:



Lenore Stern, RMC/CMC
Township Clerk

CERTIFICATE OF AVAILABILITY
OF FUNDS FOR CONTRACT

Res 123
Change Order

I, Joanne Diggs, Treasurer of the Township of Willingboro, being the Chief Financial Officer of the Township of Willingboro, do hereby certify, pursuant to the Rules of The Local Finance Board, that there are -- ~~are not~~ (cross out one) available adequate funds for the proposed contract between the Township of Willingboro and ARAWAK PAVING Co.

The money necessary to fund said contract is in the amount of increase 24,800
new total 147,295 and, upon approval of the contract, the funds shall be charged to the following line item appropriation of account number 1990 ~~and/or 1992~~ Capital Ord
Roadway/Drainage. These funds are not being certified as being available for more than one pending contract.

Joanne M. Diggs
Joanne Diggs
Finance Director

cc: Township Solicitor
Township Auditor



CHANGE ORDER NO. 1

Date September 8, 1992

Contractor Arawak Paving Co., Inc.

Project No. 91-39-32

Address RD #3 Weymouth Road
Hammonton, NJ 08037

Supplemental Paving Project, Resurfacing
of Charleston Road and Hudson Place

Gentlemen:

In accordance with the provisions of the specifications for the above project, you are hereby advised of the following changes in the contract quantities or in the case of supplementary work you agree to its performance at the prices stated.

Location and reason for changes. Charleston Road between JFK Way and VanSciver Parkway (including Hudson Place), for unforeseen concrete base removal and repair.

Item	Description	Quantity	Unit Price	Amount
<u>REDUCTION</u>				
#2	Concrete Subbase Removal and Repair	300 SY	\$95.00	\$28,500.00
<u>SUPPLEMENTAL</u>				
#2A	Concrete Subbase Removal and Repair	820 SY	\$65.00	\$53,300.00

Amount of Original Contract \$ 122,495.48

Adjusted amount of Contract due to previous Change Orders 122,495.48

Supplemental \$ 53,300.00

Extra _____

Reduction \$ 28,500.00

Adjusted Amount of Contract \$ 147,295.48

20,246

Arnold W. Barnett 9/8/92
Engineer Date

Paul Thore
Municipality Mayor Date

John T. Flamming
Contractor
By JOHN T. Flamming 9/8/92
Contract Admin. Date

RESOLUTION NO. 124 - 1992

WHEREAS, the Planning Board of the Township of Willingboro has approved a development project for Zurbrugg Holding Company; and

WHEREAS, as a condition of that approval Zurbrugg Holding Company must post a performance guarantee in the amount of \$181,806.00; and

WHEREAS, Zurbrugg Holding Company has proposed that that amount be posted in the form of a certificate of deposit, representing a cash deposit with National Westminster Bank New Jersey; and

WHEREAS, that qualifies as an approved deposit and performance guarantee under the Municipal Land Use Law; and

WHEREAS, it has been agreed that the Township of Willingboro will have complete control over the certificate of deposit and a deposit assignment has been provided by Zurbrugg Holding Company to the Township of Willingboro; and

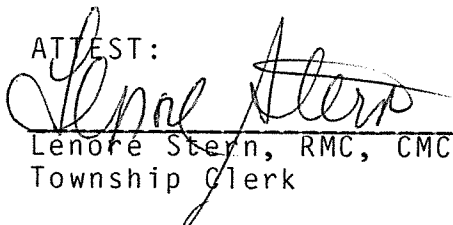
WHEREAS, it is appropriate to execute an agreement concerning the furnishing of a performance guarantee, a form which has been reviewed and approved by the Township Solicitor;

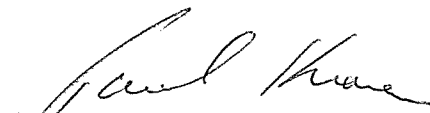
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 8th day of September, 1992, that the Mayor and Clerk of the Township of Willingboro are hereby authorized to execute the agreement concerning the furnishing of a performance guarantee between Zurbrugg Holding Company and the Township of Willingboro; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to Zurbrugg Holding Company, to the Chief Financial Officer of the Township of Willingboro, to the Township Engineer and to the Construction Official of the Township of Willingboro for their information and attention; and

BE IT FURTHER RESOLVED, that upon confirmation by the Township Clerk that the original of the certificate of deposit and the deposit assignment have been received, that the requirement for the performance guarantee has been satisfied and permits may be issued, subject to compliance with all other requirements established by the Planning Board or by law.

ATTEST:


Lenore Stern, RMC, CMC
Township Clerk


PAUL KRANE
MAYOR

**AGREEMENT CONCERNING THE FURNISHING
OF A PERFORMANCE GUARANTEE**

THIS AGREEMENT made this 11th day of September, 1992, by and between ZURBRUGG HOLDING COMPANY, a New Jersey corporation, with offices at 218A Sunset Road, Willingboro, New Jersey 08046, ("ZHC") and the TOWNSHIP OF WILLINGBORO, a Municipal Corporation of the State of New Jersey, with offices at Municipal Complex, Salem Road, Willingboro, New Jersey 08046 ("Township").

WITNESSETH:

WHEREAS, ZHC is the owner of a parcel of land located in the Township, designated as Lot 1, Block 103, on the Tax Map of the Township ("Property"); and

WHEREAS, ZHC has made application to the Planning Board of the Township ("Planning Board") for approval to make site improvements to the Property and to make renovations and additions to the medical office building located thereon, including the required improvements to service the building (the "Development"), which improvements are shown in the Improvement Bond Estimate, prepared by Lord, Anderson, Worrell & Barnett, as listed on Exhibit A (the "Bond Estimate"); and

WHEREAS, the Planning Board, at its meetings of August 12, 1991 and September 16, 1991 reviewed and granted site plan approval which approval was subsequently confirmed by written resolution adopted October 21, 1991 (the "Approval"), and which was conditioned upon ZHC posting a performance guarantee as required by N.J.S.A. 40:55D-53 (hereinafter referred to as the "Statute"), which Approval concerns the installation of the aforesaid improvements; and

WHEREAS, the Statute indicates that the approving authority may require and shall accept for the purpose of assuring the installation and maintenance of on-tract improvements the furnishing of a performance guarantee in favor of the municipality in an amount not to exceed 120% of the cost of installation for improvements it may deem necessary or appropriate; and

WHEREAS, the Planning Board, as the approving authority, has exercised its right under the Statute and has requested the provision of a performance guarantee as the same is described in the Statute; and

WHEREAS, ZHC in order to comply with the request of the Planning Board, will furnish a performance guarantee in the form of a certain Certificate of Deposit, a copy of which is attached hereto as Exhibit B; and

WHEREAS, the Township is willing to accept the Certificate of Deposit as the performance guarantee described in the Statute; and

WHEREAS, ZHC and the Township desire to memorialize their understandings with regard to this performance guarantee.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the parties hereto agree as follows:

ZHC hereby deposits with the Clerk of the Township the following described property and documents; Certificate of Deposit No. 4100424, in Principal Amount of \$181,806.00, with National Westminster Bank, N.J. (the "Bank"), which shall be held by the said Township to be subject to the terms, provisions and conditions set forth in the Statute, which are acceptable to and approved by the parties as further described herein.

More specifically, the State provides that:

- . the performance guarantee must be in an amount not to exceed 120% of the cost of installation for improvements it may deem necessary or appropriate;
- . if the required improvements are not completed or corrected in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the municipality for the reasonable cost of the improvements not completed or corrected and the municipality may either prior to or after the receipt of the proceeds thereof, complete such improvements.
- . upon substantial completion of the improvements, and connection of the same to the public system the municipal engineer will inspect all improvements and will file a detailed report, in writing, with the governing body, indicating either approval, partial approval or rejection of such improvements with a statement of reasons for any rejection.
- . the governing body will notify the obligor not later than 65 days after receipt of the notice from the obligor of the completion of the improvements, as to whether the improvements have been approved, partially approved or rejected. Where partial approval is granted, the obligor will be released from all liability pursuant to its performance guarantee, except for that portion adequately sufficient to secure provision of the improvements not yet approved; provided that 30% of the amount of the performance guarantee posted may be retained to ensure completion of all improvements. Failure of the governing body to send or provide such notification to the obligor within 65 days shall be deemed to constitute approval of the improvements and the obligor and surety, if any, shall be released from

all liability, pursuant to such performance guarantee for such improvements.

- . if any portion of the required improvements are rejected, the approving authority may require the obligor to complete such improvements and, upon completion, the same procedure of notification will be followed.
- . as to the money deposited with the municipality, whenever an amount of money in excess of \$5,000 is deposited by an applicant with the municipality to satisfy the guarantee requirements of subsection (a) the money, until repaid or applied for the purposes for which it is deposited, including the applicant's portion of the interest earned thereon, except as otherwise provided in the Statute, shall continue to be the property of the applicant be held in escrow and shall earn interest at the then current rate paid on time or savings deposits. The municipality is not required to refund an amount of interest paid on a deposit which does not exceed \$100 for the year. If the amount of interest exceeds \$100, the entire amount shall belong to the applicant and shall be refunded to it by the municipality annually or at the time the deposit is repaid or applied to the purposes for which it was deposited, as the case may be, except that the municipality may retain for administrative expenses a sum equivalent to no more than 33.5% percent of that entire amount, which shall be in lieu of all other administrative and custodial expenses.

2. The purpose of the Certificate of Deposit is to fulfill ZHC's obligation to furnish a performance guarantee. To provide the same guarantee set forth in the Statute to the Township, ZHC hereby provides the Township with a Deposit Assignment (Exhibit C), to liquidate the Certificate of Deposit in order to meet ZHC's obligations under the Statute as set forth above, i.e., in the event ZHC, after reasonable notice thereof, fails to make the improvements and renovations within a reasonable period of time as required by the Township. Upon completion of the improvements and renovations as set forth in the Bond Estimate, and acceptance thereof by the Township, said Deposit Assignment shall immediately extinguish and the Certificate of Deposit, and all interest earned thereon as set forth in the Statute, shall be immediately returned by the Township to ZHC. In no event shall the Township have more nor less rights as to the Certificate of Deposit than that given by the aforesaid Statute.

3. All provisions of the Statute shall apply to this Agreement, including but not limited to those provisions as set forth above, relating to time for installation of improvements and reduction of the performance guarantee.

4. This Agreement is binding upon the Township, ZHC and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers and their respective corporate seals affixed, the day and year first above written.

Attest:

[SEAL]

Attest:

Lenore Stern

[SEAL]

ZURBRUGG HOLDING COMPANY

By: *Sam Schil*

TOWNSHIP OF WILLINGBORO

By: *Paul Keane*

MAYOR

BONDRVH.XLS

IMPROVEMENT BOND ESTIMATE					
FOR					
RANOCAS HOSPITAL BRACHFELD MOB					
WILLINGBORO TOWNSHIP					
PROJECT NO. 91-39-85					
ITEM	DESCRIPTION	QUANTITY		UNIT PRICE	AMOUNT
1	Clearing/Grubbing	0.25	AC	\$6,200.00	\$1,550.00
2	Stripping	340	CY	\$2.00	\$680.00
3	Unclassified Excavation	4230	CY	\$2.00	\$8,460.00
4	Fine Grading	LS	LS	LS	\$1,400.00
5	8" PVC	120	LF	\$18.00	\$2,160.00
6	8" RCP	28	LF	\$10.00	\$280.00
7	12" RCP	140	LF	\$12.00	\$1,680.00
8	15" RCP	595	LF	\$22.00	\$13,090.00
9	15" CMP	105	LF	\$16.00	\$1,680.00
10	15" Slotted Drain	20	LF	\$55.00	\$1,100.00
11	36" RCP	360	LF	\$45.00	\$16,200.00
12	Manhole	3	EA	\$1,500.00	\$4,500.00
13	Modified Inlet	2	EA	\$4,500.00	\$9,000.00
14	Type 'B' Inlet	1	EA	\$1,500.00	\$1,500.00
15	Double Type 'E' Inlet	1	EA	\$2,000.00	\$2,000.00
16	Outlet Control Structure	1	EA	\$1,300.00	\$1,300.00
17	Flared End Sections	3	EA	\$350.00	\$1,050.00
18	Concrete Swale	220	LF	\$6.00	\$1,320.00
19	Remove Pipe	210	LF	\$10.00	\$2,100.00
20	8" DIP	250	LF	\$25.00	\$6,250.00
21	Remove 8" DIP	210	LF	\$10.00	\$2,100.00
22	Wall Mounted Flood Light	1	EA	\$1,000.00	\$1,000.00
23	Relocate Lights	LS	LS	LS	\$6,000.00
24	2" PABC	600	SY	\$8.50	\$5,100.00
25	4" Bituminous Stabilized Base	600	SY	\$12.00	\$7,200.00
26	3" Compacted Stone	600	SY	\$4.00	\$2,400.00
27	Concrete Sidewalk, 4" Thick	250	LF	\$9.00	\$2,070.00
28	6" X 8" X 18" Concrete Curb	1115	LF	\$15.00	\$16,725.00
29	Bituminous Pavement Cut	1200	LF	\$3.00	\$3,600.00
30	Pavement Striping	LS	LS	LS	\$2,000.00
31	Temporary Seeding	3000	SY	\$1.00	\$3,000.00
32	Silt Fence	780	LF	\$2.00	\$1,560.00
33	Inlet Protection	5	EA	\$90.00	\$450.00
34	Landscaping	LS	LS	LS	\$21,000.00
	TOTAL				\$151,505.00
	120%				\$181,806.00
	ENGINEERING & INSPECTION				
	ESCROW				\$3,600.00
					10/23/91 14:56

CD

4100424

Branch 244 BEVERLY
Type: 240 Term: 6 Months
Amount: 121,806.00

Interest Payment: Monthly Annually
 Quarterly
X At Maturity
By Check X Capitalize
Deposit To CK SAV
Acct. _____

Rate: 3.60 % Compound Daily
Tax ID 22-2403606
Issue Date: 09-03-92 Maturity Date: 03-03-93

To: ZURERUGG HOLDING CO INC

218 A SUNSET ROAD
WILLINGBORO NJ 08046

Jacqueline Connor

AUTHORIZED SIGNATURE
C0005

⑆5000⑉0103⑆4100424 ⑈ 68

*original
in vault*



This Certificate is subject to the Bank's Rules or time deposits. This Certificate is not transferable except upon consent of the Bank and only when noted on the bank's books and records. Unless withdrawn at maturity, principal with accrued interest will be automatically renewed or a similar term and at the then current rate.

**NATIONAL WESTMINSTER BANK
DEPOSIT ASSIGNMENT**

PLEASE TYPE OR PRINT LEGIBLY

Definitions: "Assignee" means Township of Willingboro

the individual or business entity that owns the deposit being assigned. "Owner" means the deposit being assigned. "Account" means the deposit being assigned including any renewals, reinvestments or transfers thereof. "Depository Institution" means the bank at which the Account is maintained

Name of Owner (Exactly as it Appears on the Account)
Zurbrugg Holding Co., Inc.

Description of Account Assigned

Certificate of Deposit

Account Number
244 240 4100424

Address of Assignee

Willingboro Municipal Complex
Salem Rd. Willingboro, N.J. 08046

Name and Address of Depository Institution

National Westminster Bank NJ
414 Cooper St. Beverly, N.J. 08010

ASSIGNMENT

For value received, the Owner assigns all right, title and interest in the Account to Assignee. The Owner also assigns to Assignee all principal, interest and dividends on the Account due the Owner now or at any future time. The Owner directs that any and all monies from the Account are to be paid directly to Assignee upon Assignee's express written instructions. The Depository Institution shall not permit the withdrawal of all or any portion of the Account except by Assignee. Assignee may direct payment before maturity of an Account with deduction of any penalties required by law or contract.

AUTHORIZATION TO ASSIGNEE

The Owner appoints Assignee as its attorney in fact to demand and receive any amounts now or later due to the Owner on the Account, to endorse the Owner's name on any certificate, to renew the Account and/or reinvest principal and/or interest at maturity, and to complete and execute either in the name of Assignee or in the Owner's name, any other instruments required for the withdrawal or receipt of funds from the Account. This power cannot be revoked for any reason including but not limited to the death, disability, incompetency or bankruptcy of the Owner. Notwithstanding the foregoing, the Depository Institution may accept instructions from the Owner regarding renewals or reinvestments of the Account unless contrary instructions are received by the Depository Institution from Assignee before the maturity date.

The Owner warrants that no prior assignment of the Account has been made. The present value of the Account is the same as indicated here.

Signature of Owner(s)

Dorcas Hood

Please acknowledge receipt of this assignment and authorization and advise if the Owner's information is correct. List any discrepancy below. Return copy to the branch/office of Assignee listed above.

Name and Address of Depository Institution

National Westminster Bank NJ 414 Cooper St. Beverly, N.J. 08010

The Depository Institution acknowledges receipt of this assignment and authorization and agrees to it and will mark its records accordingly and pay Assignee upon request all amounts due this Account and otherwise comply with any instructions received by the Owner or Assignee. The Depository Institution expressly waives its right of setoff against the Account.

Assignee hereby releases all its right, title and interest in the Account.

Date of Release

Authorized Signature of Depository

Michael Ann. Ass't. To

Authorized Signature of Assignee

original in Vault