

RESOLUTION NO. 57 - 1992

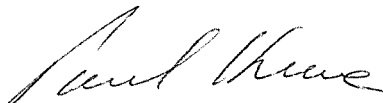
WHEREAS, by Resolution No. 7, 1992, Willingboro Township Council established meeting dates, times and places; and

WHEREAS, said resolution may be amended to modify said listing;

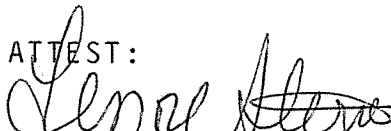
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 7th day of April, 1992, that the list of meeting dates be amended as follows:

ADD - April 14, 15, 16, 20, and 22,

BE IT FURTHER RESOLVED, that the Township Clerk give notice hereof pursuant to the Open Public Meetings Act.



PAUL KRANE
MAYOR

ATTEST:


Lenore Stern, RMC, CMC
Township Clerk

TOWNSHIP OF WILLINGBORO

Resolution No. 1992-58

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

TOWNSHIP OF WILLINGBORO

Resolution No. 1992-59

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:

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- _____ (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

TOWNSHIP OF WILLINGBORO


Resolution No. 1992-60

WHEREAS, the Township of Willingboro is due certain sums of money for taxes, engineering and inspection fees and code violation liens on the properties formally owned by the Deer Park Group and currently held by the Resolution Trust Corporation as successor to Mainstay Federal Savings Bank, and

WHEREAS, it is in the interest of the Township to enter into an agreement which will provide for the payments of all back taxes, engineering and inspection fees and a compromised amount on the code violation liens which will provide a fund sufficient to complete essential public improvements in those portions of the Deer Park development which are already occupied,

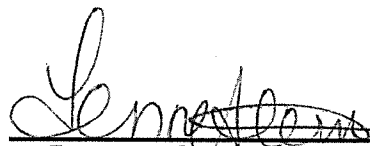
Now therefore be it resolved that the Township Council of the Township of Willingboro, assembly in public session this 15th day of April, 1992, hereby authorizes the Mayor and Township Clerk to execute the Agreement with Mainstay Financial Corporation substantially in the form attached hereto and subject to approval of the final form of the agreement by the Township Solicitor, and

Be it further resolved that certified copies of this Resolution be provided to the Township Manager, Solicitor, Chief Financial Officer, and Clerk and to Mainstay Financial Corporation for their information and attention.



Paul Krane
Mayor

Certified to be a true copy of Resolution 1992-60,
adopted by the Willingboro Township Council at a
public meeting held on April 15, 1992



Lenore Stern, RMC, CMC
Township Clerk

AGREEMENT

THIS AGREEMENT made this 20 day of April, 1992 by and between

MAINSTAY FINANCIAL CORPORATION
c/o Resolution Trust Corporation
300 Davidson Avenue
Somerset, New Jersey 08875

(hereinafter referred to as "MFC") and

TOWNSHIP OF WILLINGBORO
Salem Road
Willingboro, New Jersey 08046

(hereinafter referred to as "the Township")

W I T N E S S E S:

WHEREAS, MFC is the owner of 41 lots in the former Deer Park Estates, namely Block 544, Lots 38.08, 38.09, 38.16 through 38.52, 38.55, and 38.58 on the official tax map of the Township (hereinafter "the Lots"); and

WHEREAS, the Township has asserted liens against the Lots owned by MFC, for site improvements to be completed, as follows:

1. Punchlist Estimate for Deed Park Subdivision Sections 1 and 2, in the amount of \$101,647.20, as itemized on Schedule A attached hereto; and
2. Regrading and other drainage corrections for Sections 1 and 2, as itemized on the May 18, 1990 and February 3, 1992 letters of the Township Engineer, Arnold W. Barnett, attached hereto as Schedule B.

and

WHEREAS, from December 19, 1989 through June 19, 1990, the Township passed Resolutions No. 120-1989, 13-1990, 22-1990, 35-1990, 39-1990, 42-1990, 47-1990, 54-1990, 59-1990, 60-1990, 64-1990 and 71-1990 imposing liens against the Lots for the cost of abating certain conditions pursuant to Sections 21-9.12 and 21-9.13 of the Revised General Ordinances of the Township; and

WHEREAS, on December 4, 1991 the Township held a tax sale of the Lots to collect payment of liens in the amount of \$728,664.11, as set forth in detail on the list of Real Estate Tax and Municipal Liens Due attached hereto as Schedule C, which sets forth all Municipal Liens under the aforesaid Resolutions and all Real Estate Taxes due for 1990; and

WHEREAS, the Township has expended monies in the amount of \$25,065 for engineering, survey, and other costs (hereinafter "engineering costs") and on October 1, 1991 and November 6, 1991 the Township passed Resolutions No. 135-1991 and 150-1991 imposing liens on the Lots for these engineering costs; and

WHEREAS, the parties desire to fix an amount and provide for the funds which shall be required to complete and/or repair the items listed on Schedules A and B. ,

NOW, THEREFORE, in consideration of the mutual promises set forth below, the parties agree as follows:

1. The Township shall accept the sum of \$225,000 as full and final payment of all obligations of the owner of the Lots
 - a. to complete the Punchlist items on Schedule A;
 - b. to regrade and make the other drainage corrections on Schedule B; and
 - c. to satisfy the construction code liens included in the list of liens set forth on Schedule C.
2. This sum of \$225,000 shall be paid by MFC no later than July 1, 1992. MFC agrees that if it sells the property prior to July 1, 1992, it will pay the Township at the time of sale from the proceeds.
3. Payment of this sum of \$225,000 shall not relieve MFC, its successor or assignee, from paying:
 - a. The sum of \$25,065 for the engineering costs described above which shall be paid on or before May 15, 1992 and upon receipt of this sum the Township shall release the liens for the engineering costs;
 - b. All delinquent real estate taxes for 1990 and 1991 on the Lots which shall be paid on or before May 15, 1992, provided that the Township furnishes MFC with updated tax and interest calculations by April 24, 1992; and

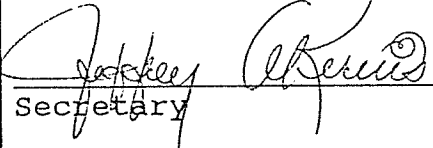
- c. The cost of all site improvements in the remaining portion of the development.
4. Upon receipt of the sum of \$225,000, the Township shall
 - a. Take all steps necessary to complete the Punchlist items on Schedule A and shall release MFC, its successors and/or assignees, from any responsibility or liability to make the described repairs or perform these services;
 - b. Take all steps necessary to complete the regrading and other drainage corrections on Schedule B and shall release MFC, its successors and/or assigns, from any responsibility or liability to make the described repairs or perform these services;
 - c. Indemnify and hold MFC harmless from any and all claims, actions and suits which seek to impose upon MFC any responsibility or liability to do the work listed on Schedules A and B;
 - d. Release all construction code liens and discharge any and all tax sale certificates included in Schedule C as to all the Lots;
 - e. Obtain all necessary permits and approvals to connect drainage system to any state, county or regulated drainage system;
 - f. Execute all documents necessary to effectuate this Agreement and to permit the sale of the Lots owned by MFC, its successors and/or assignees; and
 - g. Specifically waive performance and maintenance bonds for the work contemplated herein and described on Schedules A and B.
5. This Agreement by the Township to do the work listed on Schedules A and B does not include any obligation to do any other work required by the subdivision and site plan approvals for Deer Park Estates for drainage, curbs, sidewalks, streets or other improvements to the Lots.
6. MFC, its successors and/or assignees shall be responsible for obtaining Certificates of Occupancy

for individual housing units to be constructed upon the Lots, but the issuance of such Certificates of Occupancy shall not be delayed or hindered due to the failure or inability of the Township to complete the improvements set forth on Schedules A and B.

7. Any lapsing in subdivision or site plan approval which may have occurred by virtue of the default by MFC's predecessor in interest shall be voided and approval reinstated upon payment to the Township of the settlement sum required herein.
8. MFC hereby grants to the Township an easement to go onto the Lots to the extent determined to be necessary by the Township Engineer for the limited purpose of completing the regrading and drainage contemplated by this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the date first above written.

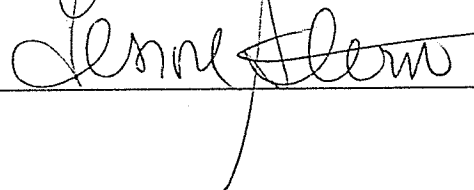
ATTEST:


Secretary

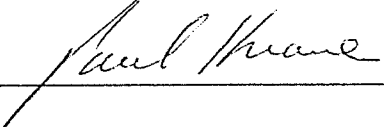
MAINSTAY FINANCIAL CORPORATION

By: 
President

ATTEST:



TOWNSHIP OF WILLINGBORO

By: 

CASSIDY,

ROSS & SAN FILIPPO

COUNSELLORS AT LAW

225 BRAD STREET

P. O. BOX 896

BANK, NEW JERSEY 07701-0896

STATE OF NEW JERSEY :
 : ss.
COUNTY OF :

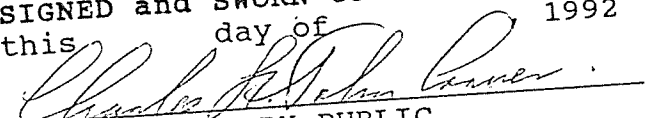
I CERTIFY that on April 20 , 1992, Henry A. Lieberman
personally came before me and this person acknowledged under oath,
to my satisfaction that:

- (a) this person is the President of the
corporation named in this document;
- (b) this person is the attesting witness to the signing
of this document by the proper corporate officer
who is Jeffrey A. Kernis, the Secretary
of the corporation;
- (c) this document was signed and delivered by the
corporation as its voluntary act duly authorized by
a proper resolution of its Board of Directors;
- (d) this person knows the corporate seal of this
corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the
truth of these facts.



Jeffrey A. Kernis , Secretary

SIGNED and SWORN to before me on
this _____ day of _____ 1992



NOTARY PUBLIC

CHARLES ST. JOHN CARVER
A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires November 3, 1993

CASSIDY,
ROSS & SAN FILIPPO
COUNSELLORS AT LAW
225 BROAD STREET
P. O. BOX 896
ED BANK, NEW JERSEY 07701-0896

RESOLUTION NO. 61 - 1992

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, had established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue to expand existing programs; and


WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of Willingboro Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Willingboro, assembled in public session this 21st day of April, 1992, hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Sadie L. Johnson Willingboro Recycling Coordinator to ensure that the said application is properly filed.

ATTEST:



Lenore Stern, RMC, CMC
Township Clerk



PAUL KRANE
MAYOR

To Lenore

A92

RESOLUTION NO. ~~59~~ - 1991

Burlington Plaza Limited Partnership

WHEREAS, ~~Walt Robbins Incorporated~~ has submitted an installment proposal to catch up on property tax payments for the Willingboro Plaza (Block 3; Lots 2, 3, 3.3 and 4); and,

WHEREAS, any arrangement for installment payments of property taxes must be approved by Township Council; and,

WHEREAS, these installment payments will have no effect on the interest rate charged on delinquent taxes; and

WHEREAS, Township Council believes that it is in the best interests of Willingboro Township and its taxpayers to accept installment payments for the Willingboro Plaza and bring the account to current status;

NOW, THEREFORE, BE IT RESOLVED, by Township Council of the Township of Willingboro, assembled in public session this 16th day of April, ~~1991~~, that ~~Walt Robbins Incorporated~~ is approved to make the following installment payments on delinquent taxes for Block 3; Lots 2, 3, 3.3 and 4:

BPLP

1. \$15,000 per month, ^{continuing} beginning ⁹² April 1991.
2. \$20,000 per month upon Site Plan approval.
3. All delinquent balances to be paid in full upon *sale of land* acquisition of construction financing *to American Stores Properties, Inc.* (if prior to April, 1992). *(expected to take place in the fall of 1992)*
4. New Jersey statutory interest rates applicable on all balances (8% to \$1,500; 18% on balance over \$1,500);

BE IT FURTHER RESOLVED, that ~~all delinquent balances~~ ^{this resolution will} must be satisfied by April, 1992. ~~supersede and replace~~ Resolution NO 59-1991.
"Supersede"

Priscilla B. Anderson
PRISCILLA B. ANDERSON
MAYOR

ATTEST:
Rhoda Lichtenstadter
Rhoda Lichtenstadter
Deputy Township Clerk

[Handwritten signature]

Metropolitan Asset Management, Inc.

7704 Richmond Highway, Suite 210, Alexandria, Virginia 22306

LLJ
Copy
Placed

March 26, 1992

EXECUTIVE SESSION

Ms Sadie Johnson
Township Manager
Township of Willingboro
1 Salem Road
Willingboro, NJ 08046

RE: Willingboro Plaza

Dear Ms. Johnson:

Agreed 4/1/92

need Resolution to authorize a continued payment plan for BPLP.

Under Resolution #59-1991, there was a payment plan enacted for the Willingboro Plaza to catch up on property taxes. The plan called for \$15,000 payments per month, increasing to \$20,000 per month upon site plan approval, with all delinquencies to be satisfied upon the availability of construction financing. The Council also set a date of April 1, 1992 for all taxes to be brought current.

Burlington Plaza Limited Partnership has honored this payment plan to date. Unfortunately, after 12 payments of \$15,000, there still remains \$37,304.05 due in back taxes for 1990 which can be attributed to interest @ 18% and penalties. In addition, our 1991 taxes remain unpaid as follows:

	<u>Tax Due</u>	<u>Interest</u>	<u>Total Due</u>
Lot 2	\$ 36,495.80	\$ 5,425.75	\$ 41,921.55
Lot 3 & 3.3	6,655.50	680.83	7,336.33
Lot 4	112,356.67	17,162.32	129,518.99
Lot 4.01	PAID	PAID	PAID

As you are aware, Burlington Plaza Limited Partnership has made site plan application to the Planning Commission this past October. After several public hearings we have made great progress in getting closer to a site plan which should be acceptable to the Township. As a goodwill gesture, Burlington Plaza Limited Partnership has offered to construct, at its own

Ms. Sadie Johnson
March 25, 1992
Page 2 of 3

expense, a Park and Ride Facility for the Township at the Commons at Willingboro. Offsite road improvements are also planned in conjunction with the New Jersey Department of Transportation and Burlington County. Based upon our projections presented to the Planning Board, the Township will benefit greatly with the addition of jobs and tax revenue once the Plaza can be rebuilt.

Currently, American Stores Properties, Inc. is in the process of entering into an agreement to purchase a nine acre parcel at the Willingboro Plaza. Upon this land, they will construct a 60,000 square foot ACME supermarket, which is over twice the size of the one currently at the Willingboro Town Center. This new facility will help create a high quality environment for the Commons at Willingboro. A purchase agreement is being drafted and is expected to be signed in the month of April. Once this is signed, American Stores Properties will prepare its site plan application for submittal to the Planning Board. The site plan application for the remainder of the project will be submitted by Burlington Plaza Limited Partnership concurrently. If the purchase agreement is signed in April, and four to six week engineering design time is allowed, the site plan application can be made in late June/early July. Upon site plan approval from the Township, Burlington County, and all other agencies, ACME will close on the land sale and break ground on its new store in the fall of 1992.

In regards to the tax situation, we received another tax sale notice from the Tax Collector's Office. The negative publicity created by a tax sale could be disastrous to the success of the project, and therefore, we would like the Town Council to again consider a proposal to deal with the issue of delinquent taxes. We would propose the following plan:

Payments of \$15,000 per month

Payments of \$20,000 upon site plan approval


per month
Payment in full to include 1991 upon sale of land to American Stores Properties, Inc. Sale is contingent on site plan approvals and is expected to take place in the fall of 1992.

Ms. Sadie Johnson
March 25, 1992
Page 3 of 3

Please convey our proposal to the Town Council as soon as possible. We appreciate very much the efforts of the Township in making this project possible. Should you have any questions, please give me a call.

Sincerely,

BURLINGTON PLAZA LIMITED PARTNERSHIP
BY: METROPOLITAN ASSET MANAGEMENT INC
MANAGEMENT AGENT



Kenneth T. Sachs
Vice President

township of Willingboro

April 17, 1991

Mr. Walter C. Robbins, Jr.
Chairman of the Board
Walt Robbins, Incorporated
14014B Sullyfield Circle
Chantilly, Virginia 22021

Attention: Kenneth Sachs

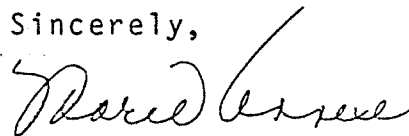
Re: Real Estate Taxes -Willingboro Plaza

Dear Mr. Robbins:

With regard to the above, attached you will find a certified copy of Resolution No. 59, 1991, adopted by Willingboro Township Council on April 16, 1991.

If you have any questions please feel free to contact Mrs. Sadie L. Johnson, Township Manager.

Sincerely,



Marie Annese
Deputy Township Clerk

MA
Att.

Clerk

township of Willingboro

March 28, 1991

Mr. Walter C. Robbins, Jr.
Chairman of the Board
Walt Robbins, Incorporated
14014B Sullyfield Circle
Chantilly, Virginia 22021

Attention: Kenneth Sachs

Re: Real Estate Taxes - Willingboro Plaza

Dear Mr. Robbins:

At the March 26, 1991, Township Council Meeting, I presented to Council your proposal for handling delinquent taxes on the Plaza. (Attached is a copy of my memorandum.)

Council approved the scheduled payment as outlined, with the stipulation that the delinquent amount be satisfied by April 1, 1992. It is my understanding that you will commence payments in April of 1991.

Regarding the issue of the reduction in interest charged, there was an absolute denial. There will be no compromise in the statutory interest rates.

I hope this decision will help you to move along on the "Willingboro Commons" project. We look forward to this asset for our Township. If you need any further information, don't hesitate to contact me.

Very truly yours,



Sadie L. Johnson
Township Manager

SLJ:lpk
Attachment
cc: Township Council
Township Solicitor

township of Willingboro

MEMO TO: MEMBERS OF TOWNSHIP COUNCIL #3-1991
FROM: SADIE L. JOHNSON
DATE: MARCH 26, 1991
SUBJECT: WILLINGBORO PLAZA - OWNER REQUESTS PAYMENT PLAN
FOR DELINQUENT TAXES

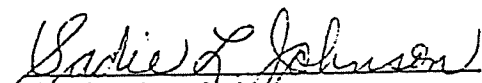
Mr. Walt Robbins, Jr., Chairman of the Board for Walt Robbins, Inc., has submitted the following proposal to catch up on tax payments for the Willingboro Plaza property:

1. \$15,000 per month, beginning April 1991.
2. Increasing to \$20,000 per month upon Site Plan approval.
3. Delinquency balance to be paid upon acquisition of construction financing.
4. Interest reduction requested to 8% on all delinquent amounts.

Any arrangement for installment payments of property taxes (thus protecting against tax sale) must be approved by Council. To the best of my knowledge, Willingboro has never approved a payment plan for satisfying delinquent tax balances. However, I believe that it is in the best interests of the Township for Council to consider Mr. Robbins' proposal.

I do have some reservation regarding reduction of the interest rate from 18% to 8% on the total delinquency. Even this aspect of the proposal might be acceptable to Council at a future time when Mr. Robbins could give a project completion date. The interest could be recalculated at some lower rate and granted upon project completion. (That rate might be based upon the going rate for commercial entities at that time.)

SLJ:lpk
Attachments


Sadie L. Johnson
Township Manager

	<u>Agenda Date</u>	<u>Action</u>
Memo #3-91 March 26, 1991 Subject: <u>Willingboro Plaza - Owner Requests Payment Plan for Delinquent Taxes</u>	<u>3/26/91</u>	Discussion

township of Willingboro

Cluck
discussed
3/26/91

MEMO TO: MEMBERS OF TOWNSHIP COUNCIL #3-1991
FROM: SADIE L. JOHNSON
DATE: MARCH 26, 1991
SUBJECT: WILLINGBORO PLAZA - OWNER REQUESTS PAYMENT PLAN
FOR DELINQUENT TAXES

Mr. Walt Robbins, Jr., Chairman of the Board for Walt Robbins, Inc., has submitted the following proposal to catch up on tax payments for the Willingboro Plaza property:

1. \$15,000 per month, beginning April 1991.
2. Increasing to \$20,000 per month upon Site Plan approval.
3. Delinquency balance to be paid upon acquisition of construction financing.
4. Interest reduction requested to 8% on all delinquent amounts.

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SLJ:lpk
Attachments

Sadie L. Johnson
Sadie L. Johnson
Township Manager

	<u>Agenda Date</u>	<u>Action</u>
Memo #3-91 March 26, 1991 Subject: <u>Willingboro Plaza - Owner Requests Payment Plan for Delinquent Taxes</u>	3/26/91	Discussion

next meeting folder
KEARNS & KEARNS
ATTORNEYS AT LAW

WILLIAM JOHN KEARNS, JR.
ELLEN B. KEARNS

SUNSET PROFESSIONAL BUILDING
215 SUNSET ROAD
WILLINGBORO, NEW JERSEY 08046-1195

609-877-6550
FAX 609-835-4646

March 21, 1991

Sadie L. Johnson
Township Manager
Township of Willingboro
Municipal Complex
One Salem Road
Willingboro, New Jersey 08046

Re: Willingboro Plaza - Real Estate Taxes
Walt Robbins Incorporated

Dear Mrs. Johnson:

Enclosed herewith please the letter proposal received from Walter C. Robbins, Jr., regarding the back taxes due on the Willingboro Plaza.

Aside from the reasons set forth by Mr. Robbins, the *Municipal Land Use Law* provides that an application not be considered by the Planning Board unless all taxes are paid.

While Mr. Robbins proposal calls for fairly substantial monthly payments and it may be in the interest of the Township to work something out on the interest charges, I suggest that any agreement **not** reduce the interest at this time.

The interest could be adjusted, should the Council be willing to do so, to a rate comparable to that which would be charged on loans from a financial institution. To reduce it below that amount would encourage the developer to treat Willingboro as a low cost lender. Additionally, the adjustment should not be made until the completion of the project, so that if it does not go forward the Township will not be out the interest due.

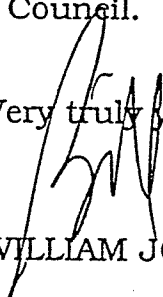
If the project is completed, then there is a substantial reason for the Township to work with the developer, in light of the asset received, the additional ratable for the community, the increase in employment opportunities, etc. Knowing that the adjustment comes at the end of the process should add an extra bit of incentive to the developer to work with

Sadie L. Johnson
Re: Willingboro Plaza - Past Due Taxes
March 21, 1991
Page 2.

the Township to make sure that the project is a real asset for the community.

I hope that these comments are of some assistance in your evaluation of the proposal for consideration by the Council.

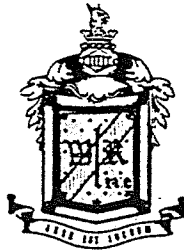
Very truly yours,



WILLIAM JOHN KEARNS, JR.

WJK:mm

Walt Robbins Incorporated



Builders-Developers

14014B Sullyfield Circle • 703-968-7744 • Chantilly, Va. 22021

March 14, 1991

William John Kearns, Jr., Esq.
Attorney-At-Law
Kearns & Kearns
215 Sunset Road
Willingboro, NJ 08046

RE: Real Estate Taxes
Willingboro Plaza

Dear Mr. Kearns:

As you are well aware, we have been planning the renovation and expansion of the Willingboro Plaza for two years now. We have spent several million dollars trying to make the project a reality through many promotional activities. Recently we were able to obtain signed leases from two new anchors at the center, Acme Markets (57,848 sf) and Phar-Mor (65,500 sf). Ports of the World is considering an expansion as well. We would like to have our consultants finish the design of the project so that we may pursue site plan approval.

One problem that we are currently facing is that of delinquent real estate taxes. In its current condition, the Plaza generates barely enough income to cover its own operating expenses. This leaves real estate taxes and mortgage payments as expenses which we have been paying out of pocket since 1989. While we have paid all of the 1989 taxes, which amount to over \$220,000, we currently have \$166,607 in unpaid taxes in 1990 (see attached summary). 1990 taxes on Lot 4.1 have been paid which are approximately \$64,000. We understand that taxes for 1990 (or any portion thereof) which are unpaid after July 1, 1991 are subject to tax sale. If any one parcel or all parcels go to tax sale, this could be disastrous for the future of the project. It is certainly not in our best interest, nor that of the Township, if this occurs. It is highly unlikely at this point that we will be able to pay our consultants to get the proper designs completed and also pay all of our real estate taxes. We would like to set up a payment plan to catch up on our back taxes. Our proposal would be as follows: We will pay \$15,000 per month beginning in April, 1991, increasing to \$20,000 per month upon site plan approval, and all arrearages will be paid upon the acquisition of

Telecopier 703-968-6811

Real Estate Investments • Developers

William John Kearns, Jr., Esq.
March 14, 1991
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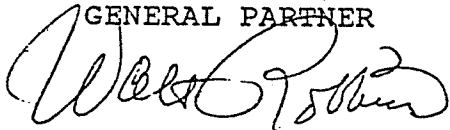
construction financing. Furthermore, we would request that interest be calculated at 8% rather than the 18% currently in effect.

We would greatly appreciate it if you would approach the Town Council with our proposal, as we understand that their approval is needed for such an arrangement. We sincerely believe that the project will move forward and that the Township will greatly benefit with the addition of a larger commercial tax base. This project could certainly attract more commercial renovation in Willingboro and help relieve the citizenry of its heavy tax burden.

If you would like any further information or if we can help in any manner, please give me a call at your earliest convenience.

Warmest Personal Regards,

BURLINGTON PLAZA LIMITED PARTNERSHIP
BY: WALT ROBBINS, INCORPORATED
GENERAL PARTNER



Walter C. Robbins, Jr.
Chairman of the Board

KTS

MEMORANDUM

TO: WALT

FROM: KEN SACHS

DATE: MARCH 7, 1991

SUBJECT: WILLINGBORO PLAZA
UNPAID TAXES

BELOW IS A SUMMARY OF THE TAXES DUE ON THE COMMONS AT WILLINGBORO:

LOT #	OUTSTANDING TAXES FOR 1990	
	GROSS DUE	INTEREST ACCRUED
LOT 2	\$37,749.12	\$4,744.89
LOT 3	\$3,768.87	\$338.50
LOT 3.3	\$7,178.12	\$767.27
LOT 4	\$117,910.97	\$15,174.82
	-----	-----
TOTAL.....	\$166,607.08	\$21,025.48
	=====	=====

NOTATIONS:

INTEREST ACCRUED IS SHOWN THROUGH 3/7/91.

RESOLUTION NO. 62 - 1992

WHEREAS, Burlington Plaza Limited Partnership has submitted an installment proposal to catch up on property tax payments for the Willingboro Plaza (Block 3; Lots 2, 3, 3.3 and 4); and

WHEREAS, any arrangement for installment payments of property taxes must be approved by Township Council; and

WHEREAS, these installment payments will have no effect on the interest rate charged on delinquent taxes; and

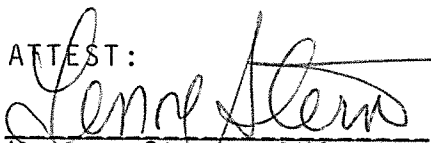
WHEREAS, Township Council believes that it is in the best interests of Willingboro Township and its taxpayers to accept installment payments for the Willingboro Plaza and bring the account to current Status;

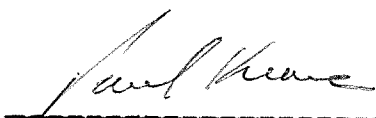
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 21st day of April, 1992, that Burlington Plaza Limited Partnership is approved to make the following installment payments on delinquent taxes for Block 3; Lots 2, 3, 3.3 and 4:

1. Payments of \$15,000 per month shall continue from April, 1992 until such time as site plan approval is obtained from the Planning Board of the Township of Willingboro.
2. Immediately upon receipt of site plan approval the monthly payments shall increase to \$20,000.
3. All delinquent balances to be paid in full immediately upon sale of the subdivided portion of land to American Stores Properties, Inc., which sale is expected to take place in the fall of 1992.
4. Interest, as authorized by law and by Resolution adopted by the Willingboro Township Council shall be applicable on all balances. (8% to \$1,500, \$18% on balance over \$1,500);

BE IT FURTHER RESOLVED, that this Resolution will supersede Resolution No. 59-1991.

ATTEST:


Lenore Stern, RMC, CMC
Township Clerk


PAUL KRANE
MAYOR

township of Willingboro

April 22, 1992

Mr. Kenneth T. Sachs
Metropolitan Asset Management Inc.
7704 Richmond Highway - Suite 210
Alexandria, Virginia 22306

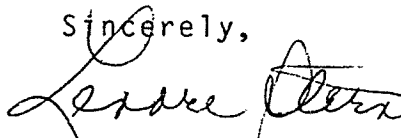
Re: Real Estate Taxes - Willingboro Plaza

Dear Mr. Sachs:

With regard to the above, attached you will find a certified copy of Resolution No. 62, 1992, adopted by Willingboro Township Council on April 21, 1992.

If you have any questions please feel free to contact Mrs. Sadie L. Johnson, Township Manager.

Sincerely,



Lenore Stern
Township Clerk

/ma
Att.

RESOLUTION NO. 63 - 1992

WHEREAS, the provisions of N.J.S. 40A:5-16 permit the governing body of any local unit, by resolution, to provide for and authorize payment of advances to officers and employees of the local unit toward their expenses for authorized official travel; and

WHEREAS, any such resolution shall provide for the verification and adjustment of such expenses and advances and the repayment of any excess advanced, by means of a detailed bill of items or demand; and

WHEREAS, the Willingboro Township travel expense report, certified by the Department Head and approved by the Township Manager, shall be submitted within ten (10) days after the completion of the travel for which an advance was made;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 21st day of April, 1992, that this resolution covers all such expenditures from the 1992 budget; and


BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Township Department Heads and the Township Finance Director for their information and compliance.

*Please
Copy + distribute
According to
last paragraph*



PAUL KRANE
MAYOR

ATTEST:



Lenore Stern, RMC, CMC
Township Clerk

TOWNSHIP OF WILLINGBORO

Resolution No. 1992-64

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. 65 - 1992

WHEREAS, the proposed budget for current expenses for the fiscal year 1992-1993 of the Board of Education of the Township of Willingboro was rejected by the voters of the district at the annual school election held on April 7, 1992; and

WHEREAS, pursuant to R.S. 18A:22-37, the Board of Education has delivered the budget to the Township Council of the Township of Willingboro as the governing body of the Township of Willingboro; and

WHEREAS, pursuant to R.S. 18A:22-37, the Township Council, after consultation with the Board of Education, is required to certify the amount necessary to be appropriated in order to provide a thorough and efficient education to the students of the Willingboro public school system; and

WHEREAS, it is appropriate for the Township Council to further certify to the Burlington County Board of Taxation the amount necessary to be raised by taxation pursuant to the budget hereby certified;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 22nd day of April, 1992, that in accordance with the provisions of R.S. 18A:22-37, the Township Council hereby certifies the following amounts to be necessary to be appropriated in order to provide a thorough and efficient system of schools in the School District of the Township of Willingboro:

To be appropriated for current expense.....	\$52,317,746.00
To be appropriated for capital expense.....	421,429.00
To be appropriated for debt service.....	788,941.00
TOTAL TO BE APPROPRIATED	<u>\$53,528,116.00</u>

BE IT FURTHER RESOLVED, that the following amounts are hereby certified to the Burlington County Board of Taxation as the amounts necessary to be raised by taxation for the 1992-93 budget of the School District of the Township of Willingboro.


To be raised by taxation for current expense	\$15,654,965.00
To be raised by taxation for capital expense	00.00
To be raised by taxation for debt service.....	181,467.00
TOTAL TO BE RAISED BY TAXATION	<u>\$15,836,432.00</u>

BE IT FURTHER RESOLVED, that the attached statement setting forth the underlying determinations and supporting reasons of the Township Council be and hereby is made a part of this Resolution; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution and the attached statement be submitted to the Secretary of the Board of Education of the Township of Willingboro, to the Secretary of the Burlington County Board of Taxation and to the Burlington County Superintendent of Schools for their information and attention.



PAUL KRANE
MAYOR

ATTEST:


Lenore Stern, RMC, CMC
Township Clerk

STATEMENT
of the
WILLINGBORO TOWNSHIP COUNCIL
on the
1992-1993 SCHOOL BUDGET

The annual school election has been held and for the fifth consecutive year the voters have rejected the school budget. Under the law, the Willingboro Township Council now has the responsibility of reviewing the budget and certifying the amount that the Council determines is necessary to provide a thorough and efficient system of public schools in our community.

This task is unwanted by the Council, but the Council will, as it has in the past, meet its responsibility. This is the thirteenth school budget which the Council has had to act upon in the last nineteen years and the eighth in the last ten years.

Over the years, the rejected budgets have reflected the diverse range of educational and budgetary philosophies held by individual members of the Board of Education. The pattern of rejected budgets appear to reflect both discontent with the educational and budgetary priorities established by the School District and an almost automatic negative vote by voters who simply want the Council to provide an independent review of the school budget.

Each year the Council members have devoted considerable time to studying the budget information, to consulting with the Board of Education and the administrative staff of the School District, and to listening to the public comments and suggestions on the budget.

The Council has repeatedly expressed its belief that a quality education for the children of our community is essential for their future and for the future of our society. Accordingly, the Council has never sought to make cuts merely for the sake of cutting and has always made a serious effort to evaluate the school budget and to find those areas in which savings can be achieved without impairment of the educational program.

The members of the Township Council have developed, over the years, an ability to focus on budgetary areas that can be given a lower priority for expenditures without affecting educational quality. Some expenditures, however, can be postponed only for a limited time and must eventually be given attention.

This year the time available for the Council to review the budget is exceptionally short, but the Council members have been able to draw on their prior experience in order to give the 1992-1993 budget as thorough a review as has been possible. We have listened to those members of the Board of Education who have taken the time to discuss the budget with us and to members of the public who came to a public hearing held by the Council on the budget. We have requested and received additional information from the school administration and have tried to consult with the Board of Education so that the budget can be resolved within our community.

The school budget is an exceptionally complex document. Even with the experience that the members of the Township Council have gained in reviewing school budgets over the years, the very complexity of the budget makes the process difficult.

Every time that the school budget has been defeated, the Township Council has expressed its concern with the legal process that brings a school budget before the Township Council. The members of the Board of Education are elected to govern the School District. They serve throughout the year and are familiar with the programs and the needs of the School District. While individual members of the Board of Education may differ in their views of the budget, the fact remains that the budget is the result of the democratic process of representative government.

In most years the voter response in school elections is relatively small. The voter turnout has been steadily growing, however, and in 1992 there was a high voter response. The conclusions to be drawn from the election results, however, are less than clear. The voters elected three new Board of Education members who generally favored the educational and budgetary priorities reflected in the budget, but the voters rejected the budget itself by a very substantial margin. At the same time the voters approved the referendum on repairing swimming pools, as the first step in a transfer of that program to the Township.

We reach the conclusion that the voters simply do not have confidence in the budget itself and want to have an independent review of the budget by the members of the Township Council.

The entire school budget review process is unrealistic and is a reflection of the difficulties that local governments have in meeting legislatively imposed mandates. The law requires that the Board of Education prepare and submit a budget to the voters when reliable information on state aid and available surplus from the current school year is unavailable, because the budget must be prepared with slightly over half of the current year completed. This year there has been an even greater level of uncertainty regarding the amounts of state aid to be received by the School District and that has certainly contributed to a lack of confidence in the process or the budget by the voters.

Even in years that have not experienced the uncertainty over state aid that confronted both School Districts and municipalities this year, the legislature has moved the annual school election around. The school elections used to be held in February, so that even those budgets that were defeated were finalized by early April and the school administrations could prepare for the new school year. Over the years it has been impossible for the State to provide accurate and reliable calculations of state aid early in the calendar year.

Last year revisions in state aid programs made it necessary to delay the annual school election to April 30th, and action by municipal governing bodies on defeated school budgets was not required until May 22nd.

This year the final date for action by the Township Council is April 28th and the process is especially difficult as there are conflicting budgetary priorities between the legislative and executive branches of state government.

If municipal governing bodies are to be a part of the process for the fixing of the annual school budget, and we question whether they should be part of that process where there is an elected Board of Education, then the law should require that accurate and detailed information be provided to those governing bodies early in the budget process, including the opportunity for consultation with the school administration and the Board of Education, even if the budget is modified by the Board of Education before it is submitted to the voters. The early provision of that information will certainly ease the formal review process if the budget is defeated and the municipal governing body is required to certify the amount that it finds necessary to provide a thorough and efficient system of public schools.

The vote on the school budget should not be interpreted as being against education or against quality education, including the provision of innovative and challenging programs. To the contrary, the substance of comments made by citizens to the Council members have expressed a willingness to meet the financial needs of the School District, if those same voters had a greater confidence that there would be a direct relationship between the expenditures and the quality of the education being provided. Citizens do not see fiscal responsibility as harmful to education, nor do they believe that the expenditures of the past have translated into quality education for our children.

The members of the Council, the members of the Board of Education, parents, students, teachers, administrators and citizens all are concerned that our students receive a quality education. In order for the students of today, and those who follow them, to compete in a world where advances occur daily in technology, science, engineering, business, finance, and other fields that impact on the very future of our nation, they must have a solid educational foundation. It is essential that our children receive the "thorough and efficient" education mandated by law.

The nation continues to experience a recession. The NorthEastern States have been affected to a greater degree than are other parts of the country. In New Jersey, governmental revenues at all levels have been severely impacted by the decline in economic conditions. Even those citizens who continue to be fully employed are concerned about the economic conditions and the uncertainty that the future may bring. The Burlington County area, including Willingboro, is faced with the potential cutback, loss or threatened loss of major employment centers.

Employers in both the private and public sectors have found it necessary to substantially reduce the number of employees, to limit the extent of benefit programs provided to the remaining employees, and to carefully restrict the size of wage increases.

The consultation with the Board of Education and the school administration and the review of the detailed budget by the members of the Council have indicated a number of areas in which savings can be achieved that are not essential to the provision of a thorough and efficient system of public schools. There are, undoubtedly,

other savings that might be achieved by the Board of Education which is far more familiar with the items included in the budget than is the Council.

In that regard, the Council understands that the Board of Education, even if it agrees on the total amount of the budget to be certified by the Council, has the ability to achieve savings in areas other than those recommended by the Council and that it has the ability to restore items which it determines to be important, even if the Council has recommended reductions in those areas.

It should also be noted that the Board of Education does have the power to achieve other reductions during the year if it believes that further reductions are warranted. The fact that money is budgeted does not mean that it must be spent in the same amount as projected in the budget.

This year, in contrast to prior years, the public comments have not generally called for massive cuts in the school budget, but have focused on the "process" and the concern that the Board of Education has not taken effective control of the budget or the process that leads to development of the budget.

As in past years, this Council has scrupulously avoided any action which could even remotely affect the classroom education process. Salaries and employee benefits represent, by far, the major portions of the budget and the bulk of these are currently covered by an existing contract with the WEA. Council's options are, therefore, limited and we had to turn our attention to contracts and benefit packages of three other unions, the EAW, the WEAA and the WSA, as well as the non-affiliates, who do not belong to any of the bargaining units.

Our perusal of the budget revealed considerable over budgeting in these areas. We do not intend to intrude in the negotiations ongoing or soon to be started between the Board and these employee groups. We are reducing the financial resources available for these negotiations, confident that the amounts left in the budget are ample to successfully complete negotiations at salary and benefit levels commensurate with today's economic realities and our community's fiscal ability.

We have carefully scrutinized the legal expense budget for the School District, in direct response to what appears to be a widely held perception that the Board of Education is involved in unnecessary and wasteful litigation. The Board of Education, the Board Solicitor and the Administration were candid in discussing matters with the Council.

While we find the legal expense budget to be high, it is not out of line with the level of exposure the School District faces, in view of the numerous suits instituted against it by a variety of parties. When litigation is filed against the School District, the Board of Education must defend the interests of the community.

As in the past, the Council is concerned with an apparent disparity between administrative costs and present size of our District. The recently issued "School District Report Card", issued by the State of New Jersey, points out that the percentage of administration as part of total staffing (4.7%) is generally in line with the figures for the region (4.6%) and the State (4.9%).

On the other hand, this document also points out that only 137 students are serviced by each administrator in our District, considerably below the Regional (163) and State figures (154.8). This Council had addressed this disparity in previous years and was disappointed that two retirements scheduled for December, 1991, and budgeted accordingly, did not materialize. We are assured that these two positions are not budgeted for 1992-93. Certain re-assignments of duties and realignment of the Basic Skills and Reading Coordinator positions will provide the means of further reductions in the administrative budget for a savings of **\$ 60,000.00**.

Of considerable impact on administrative costs is the unresolved status of the Superintendent of Schools for the School District. This community cannot be expected to support, for still another year, salaries for two superintendents. Available information appears to indicate that the issue currently being adjudicated should be resolved, at least at the Administrative Law Judge level, around June 15, 1992. Allowing for unforeseen delays, we are recommending that the budget be adjusted so as to provide a salary for the Acting Superintendent until the end of September, 1992. The savings of 75% of the budgeted salary for the Acting Superintendent will enable the budget to be reduced by **\$ 60,000.00**. It should be clearly understood that this recommendation is not based on any dissatisfaction with the Acting Superintendent. The Council expressed its admiration for the Acting Superintendent last year and our respect for him has steadily increased since then. The recommendation to reduce the budget is based solely on the fact that the community cannot continue to carry the financial burden of paying for both a Superintendent of Schools and for an Acting Superintendent of Schools.

A restructuring of the classroom framework within Memorial Junior High, as has been proposed by the Administration, will reduce the number of classroom teachers by three. While as yet not finalized, we were assured of the soundness of this restructuring and, accordingly, have recommended a reduction in the salary account reflecting a savings in the amount of **\$ 90,000.00**.

"Breakage" results from the difference between salaries paid to new employees and those they replace, either through resignation or retirement, usually provides a considerable source of resources available. This year, much of that savings will be used to fund the "buy-out" provision of the current WEA contract which allows an 80% per diem sick leave buy-out for retiring members of that unit. Since there are no funds specifically budgeted to address this buy-out, any breakage occurring will have to finance these buy-outs. The "buy-out" will not result in substantial savings in this budget, but should result in significant savings in future years. Other negotiating units are not bound by this buy-out provision and we are, therefore, reducing the salary account in the amount of **\$ 48,000.00** to reflect savings resulting from breakage in non-WEA employees.

The position of Community Information Secretary was not abolished when the Community Information Office was disbanded during a prior budget year. The School District Administration has now recommended that the position be eliminated with the duties distributed among the existing staff, resulting in a savings of **\$ 20,000.00**. The Council, accordingly recommends the reduction of the salary account in the amount of **\$ 20,000.00** reflecting that savings.

During the past months there has been a great community debate over a proposal for privatization of certain services presently provided by School District employees. That community debate focused on the need of the School District to achieve savings in labor costs, but also included a significant concern that many of the employees to be affected were residents of the community. The debate over the perceived necessity of privatization seemed to come to a conclusion when the representatives of the employee bargaining groups assured the Board of Education that comparable savings could be achieved thru the negotiating process for new Collective Bargaining Agreements. It is necessary that those savings be achieved for the community, hopefully in a constructive and cooperative effort with the employee groups.

The issue of privatization has not yet been resolved by the Board of Education, although there has been support for achieving the savings by negotiations with employee groups rather than by moving in the direction of privatization with its disruption of the lives of many long serving employees and the loss to the School District of the ability to provide those services without reliance on outside contractors. It is difficult to determine the exact amount of savings that can be achieved either by privatization or by a negotiated cooperative effort with the employees. Conservative estimates, however, support the Council recommendation of a cut in the appropriate salary and benefit accounts of **\$ 300,000.00** to be achieved in this budget year. The Board of Education may wish to pursue potential additional savings in order to support additional programs that the Board of Education may consider important for the School District [such as the alternate school and other programs currently under consideration].

Last year we shared the concern of members of the Board of Education and the administration on the depletion of the surplus to what appeared to be a dangerously low level.

The Audit Report available to the Council last year recommended that

The Board of Education should begin to increase its surplus maintained under current expense of the general fund. A general rule of thumb for school districts is to have a 3% of budgeted revenues as a reserve. This will allow the Board to meet unexpected emergency expenditures and to provide for any legal contingencies that may develop.

On the basis of that calculation the Board of Education should have a General Fund Balance of approximately \$1,590,831.00 on a total budget of \$53,027,746.00. While no "general rule of thumb" provides the basis for a precise calculation of the appropriate General Fund Balance to be maintained, that "guideline" of 3% appears to be a generally accepted standard.

The current Free Balance [Surplus] is shown as \$1,628,829.00. The Board of Education reasonably anticipates an additional \$500,000.00 to be generated as surplus at the end of the current 1991-92 budget year, which has just 10 weeks remaining. That will result in a Free Balance at the start of the 1992-93 budget year of \$2,128,829.00

It is the recommendation of the Township Council that the revenue side of the budget be increased by appropriating an additional **\$ 360,000.00** from the Free Balance to the 1992-93 Budget, which will leave a Free Balance of \$1,768,829.00, an amount substantially in excess of the 3% commonly accepted standard of the appropriate surplus to be maintained.

The Board of Education has now had almost two years of negative experiences with discipline and related problems, primarily at the Junior High School. The community has clearly demonstrated that it is greatly concerned about the situation in which a relative few disruptive students are able to impair the ability of other students to learn in a positive educational environment.

The Board of Education must address this situation if it is to be able to provide the vast majority of the students with the thorough and efficient education to which they are entitled. During our consultation with the Board of Education, we have been assured that various approaches, including campus police and the re-establishment of the alternate school, are under consideration.

The decisions on the solution and the direction to take rightly rests with the Board of Educaiton. Solutions, however, will involve expenditures, although we have also been told that some of the costs can be covered by reallocation of resources.

We are leaving a sizeable amount in the free balance over and above the acceptable 3% minimum to enable the Board of Education to fund appropriate measures needed to address existing discipline problems at the junior and senior high school levels. While we have no control over the manner in which these funds are used, we are convinced that the community will not tolerate their diversion to purposes other than those stated above and are confident that the Board of Education will use the funds specifically in that area.

In summary, the following constitute the recommendations of the Township Council with regard to the 1992-93 Willingboro School District Budget:

PROPOSED BUDGET REDUCTIONS

Reduction in classroom teachers at Memorial Junior HS (3)	\$	90,000.00
Reduce the overbudgeted salary account for:		
EAW		68,000.00
WEAA		24,000.00
WSA		10,000.00
NON-AFFILIATES		30,000.00
Reductions by anticipated "breakage" in areas other than WEA		48,000.00
Savings to be achieved by a negotiated reduction of benefits (Employee Groups or Unaffiliated whose contracts are still pending)		300,000.00
To be Appropriated from the Free Balance		360,000.00

Savings in the Salary of the Acting Superintendent beyond October 1, 1992	60,000.00
Abolish the Position of Community Information Secretary	20,000.00
Realignment of Basic Skills/Reading Coordinator Position	<u>60,000.00</u>
Savings to be achieved	\$ 1,070,000.00

It is also appropriate to recap the impact of the Council actions on the School District Budget with respect to the Free Balance [surplus] that will be available to provide a cushion for the School District in the event of an unanticipated loss of revenues or in the event that the Board of Education finds that changed conditions require emergency expenditures that are not reasonably anticipated at this time.

We have noted above that the Council has not cut the Free Balance to the guideline of 3% of the budget, in order to give the Board of Education the flexibility of addressing alternative means of dealing with those few disruptive students in the Junior High School and the High School who, by their actions and conduct, make it more difficult for the vast majority of the students to receive a quality education. It is our belief that Board members, Administrators, parents and citizens are united in a desire to address the problem.

The Council actions will leave a Free Balance for the 1992-93 school year as follows:

STATUS OF FREE BALANCE

CURRENT FREE BALANCE	\$1,628,829.00
Anticipated Surplus from the 1991-92 Budget	<u>500,000.00</u>
	2,128,829.00
To be appropriated to the 1992-93 Budget	<u>360,000.00</u>
	1,768,829.00
3% Generally Accepted Standard for Free Balance on a Total Budget of \$53,027,746	<u>1,590,831.00</u>
Excess available over the 3% standard which remains available to meet unanticipated needs	\$ 177,998.00

The result of all of the recommendations by the Township Council is that the Council has determined that a budget of \$53,528,116.00 is the amount to be certified as necessary to be appropriated in order to provide a thorough and efficient system of public schools in our community. That is a reduction from the \$54,238,116.00 budget submitted by the Board of Education to the voters in the annual school election. The

Township Council firmly believes that the reduced budget appropriation will meet the needs of the School District and will have no impact on the ability of the School District to meet the requirements of providing a thorough and efficient education.

After considering the various revenue sources and appropriations from the Free Balance, the Township Council has determined that the amount necessary to be raised by taxation totals \$15,836,432.00. That amount is certified to the Burlington County Board of Taxation. The amount certified by the Township Council is a reduction from the \$16,906,432.00 which would have been raised by taxation in accordance with the original budget submitted to the voters in the annual school election.

The comments on the 1991-92 school budget would not be complete without an acknowledgement that the members of the Board of Education serve our community as volunteers and they devote countless hours to their public service. Each member of the Board of Education, while they may differ on specific means of accomplishing the goal, is sincere in the effort to provide a "thorough and efficient" system of public schools for our community.

It is the hope of the Township Council that the members of the Board of Education will make a serious effort to work together in the interest of the students and the community and that they will rise above the temptation to support or oppose ideas on the basis of who submits the proposal. If a proposal is worthwhile, it should receive serious consideration and support, regardless of the author.

Constructive solutions to the educational needs must be found. It is essential that the different philosophical approaches reflected on the Board of Education should provide the basis not for "wins" or "losses" but for lasting solutions.

Again, the Township Council wishes to acknowledge the very professional manner in which Acting Superintendent Austin Gumbs has responded to the management problems confronting the School District. The efforts that he began and on which we commented a year ago have continued and will serve the School District well in the future.

WILLINGBORO COUNCIL ACTION ON SCHOOL BUDGETS, 1973-1992

Year	Reduction	Notes
1973-1974	\$ 480,620.00	various categories reduced
1974-1975	332,235.00	various categories reduced plus revenue anticipated
1975-1976	316,000.00	\$135,000 from current expense budget & \$181,000 from capital expense budget; \$96,000 was restored by the Commissioner of Education when the reduction was appealed by the Board of Education
1976-1977	300,000.00	Amount agreed upon by Council and School Board
1981-1982	291,000.00	\$108,000 from current expense budget & \$183,000 from capital expense budget
1983-1984	932,657.00	cuts based on overbudgeting
1985-1986	200,000.00	Additional appropriation from surplus
1986-1987	517,338.00	Recommended reinstatement of driver education & alternative school programs from free balance.
1988-89	251,000.00	\$351,000.00 from Current Expense plus \$90,000.00 from Capital Expense, but restored \$190,000.00 to Current Expense in order to restore swimming pools and behind-the-wheel driver education.
1989-90	563,000.00	The cuts were appealed to the Commissioner of Education. During the appeal process the Council and the Board of Education agreed on a modified budgetary reduction in the amount of \$400,000.
1990-91	2,413,480.00	The reductions were made after the Board of Education advised that it intended to close schools and that substantial savings would result from that action. The cut reflected the proposed closing of 2 schools. Additional reductions were made in accordance with recommendations by the Board of Education, and some expenditures were identified which could be postponed or reconsidered by the Board of Education without an impact on the educational program.
1991-92	\$ 595,796.00	Reductions as recommended in 1991-92 budget statement
1992-93	\$ 1,070,000.00	Reductions as recommended in the 1992-93 budget statement.
	\$ 8,263,126.00	Total Reductions recommended by the Township Council, 1973-1992.

RESOLUTION NO. 66 - 1992

WHEREAS, N.J.S. 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building and copies have been made available by the Clerk to persons requiring them; and


WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 5th day of May, 1992, that the budget shall be read by title only.



PAUL KRANE
MAYOR

ATTEST:



Lenore Stern, RMC, CMC
Township Clerk

RESOLUTION NO. 67 - 1992

WHEREAS, the records of the Tax Collector of the Township of Willingboro indicate overpayments of taxes due to payments in error, veterans' exemptions and homestead rebates; and

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

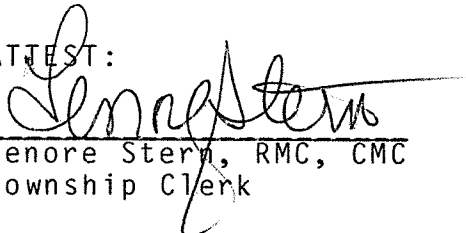
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 5th day of May, 1992, that refunds be made as per the attached schedule; and

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

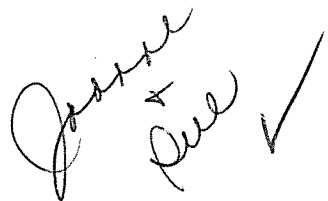


PAUL KRANE
MAYOR

ATTEST:



Lenore Stern, RMC, CMC
Township Clerk



RESOLUTION

GE Capital Mortgage P.O. Box 66815 St. Louis, MO 63166 For: 2 Middlebury Lane Willingboro, NJ Block 523 Lot 25 Overpayment Refund	\$ 10.00
Sandy Sandlin 8 Tarpon Court Willingboro, NJ Block 1118 Lot 24 Veterans Deduction 1991	\$ 50.00
Willie & Joyce Lawrence 65 Barnwell Lane Willingboro, NJ Block 231 Lot 23 Overpayment Refund	\$ 541.70
Helen Connell 138 Hillcrest Lane Willingboro, NJ Block 624 Lot 25 Overpayment Refund	\$ 536.14
Roxborough Manayunk Savings & Loan 6060 Ridge Avenue Mortgage Department Philadelphia, Pa. 424 Temple Court \$620.59 108 Central Avenue \$643.32 Monies Paid in Error	\$ 1,263.91
Albert & Nina Gerhold 57 Messenger Lane Block 523 Lot 70 Overpayment Refund	\$ 470.70
Household Mortgage 15 Merion Lane Block 530 Lot 9 Overpayment Refund	\$ 571.33

Countrywide Funding Corp. 57 Midvale Lane Block 517 Lot 35 Overpayment Refund	\$ 550.82
J. C. Bush 104 Club House Drive Block 409 Lot 56 Tax Refund	\$ 150.00
James R. & Shirley Larmore 20 Pebble Lane Block 317 Lot 6 Rebate Refund	\$ 66.45
Gerald & Geraldine Smith 73 Messenger Lane Block 523 Lot 75 Rebate Refund	\$ 23.98
Leonard & Genevieve Holmes 48 Midfield Lane Block 525 Lot 15 Rebate Refund	\$ 122.70
George & Gwendolyn Randall 28 Mayapple Lane Block 526 Lot 7 Tax Rebate Refund	\$ 41.72

RESOLUTION NO. 68 - 1992

WHEREAS, Willingboro Township Council, on the 1st day of January, 1992 did adopt a temporary budget appropriation resolution as provided by Revised Statute 40A:4-19; and

WHEREAS, under the provisions of 40A:4-20, Willingboro Township Council may, by Resolution adopted by a 2/3 vote of the full membership thereof, make an Emergency Temporary Appropriation for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year and did so by Resolution No. 39 on March 3, 1992; and

WHEREAS, it has been determined that additional monies will be necessary and these additional monies were not contained within the temporary budget appropriation adopted on January 1, and March 3, 1992;

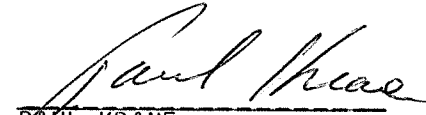
NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this 5th day of May, 1992, with not less than 2/3 of the full membership present, that an Emergency Temporary Appropriation as provided by 40A:4-20 be made as follows:


Township Council	SW	\$ 6,375
" "	OE	1,500
Township Manager	SW	32,600
" "	OE	5,200
Township Clerk	SW	12,050
" "	OE	5,000
Receptionist/Comm.	SW	4,550
" "	OE	8,500
Finance Dept.	SW	26,950
" "	OE	16,000
Tax Collection	SW	21,950
" "	OE	900
Tax Assessment	SW	18,450
" "	OE	1,000
Employee Grp. Ins.	OE	246,900
Other Insurance	OE	19,000
Legal Services	SW	10,625
" "	OE	9,650
Municipal Court	SW	36,600
" "	OE	3,600
Planning Board	SW	420
Zoning Board	SW	420
Construction Off.	SW	9,490
" "	OE	1,500
Uniform Fire Safety	SW	3,650
" " "	OE	750
Housing Insp.	SW	16,300
Fire Marshal	SW	2,400
" "	OE	500
Elec.&Plumb. Insp.	SW	20,000
" " "	OE	37,600
Advisory Boards	OE	3,700
Traffic Signals	OE	3,850
Fire Company	SW	13,800
" "	OE	61,800
Emergency Squad	OE	8,750
Police	SW	884,000
" "	OE	76,650
Public Works Admin.	SW	14,950
" "	OE	125
Roads & Streets	SW	160,102
" "	OE	28,000

Resolution No. 68 - 1992 cont'd

Pub.Bldgs/Grounds	SW	13,450
" " "	OE	37,100
Street Lighting	OE	93,250
Refuse Collection	OE	458,000
Township Engineer	OE	3,750
Library	OE	190,000
Recreation	SW	40,550
"	OE	32,200
Public Events	OE	3,000
Supplemental Safe/Clean	SW	35,900
Clean Neighborhoods	SW	23,050
Safe Streets	SW	79,400
Clean Communities	OE	1,350
Recycling	SW	10,000
"	OE	1,200
Senior Citizen Grants	SW	7,500
Handicapped Grant	OE	2,200
Social Security	OE	<u>111,500</u>

TOTAL TEMPORARY EMERGENCY APPROPRIATION \$2,979,557.00


PAUL KRANE
MAYOR

ATTEST:

Lenore Stern, RMC, CMC
Township Clerk

68-
RESOLUTION NO. 39 - 1992

WHEREAS, Willingboro Township Council, on the 1st day of January, 1992 did adopt a temporary budget appropriation resolution as provided by Revised Statute 40A:4-19; and

WHEREAS, under the provisions of 40A:4-20, Willingboro Township Council may, by Resolution adopted by a 2/3 vote of the full membership thereof, make an Emergency Temporary Appropriation for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year; and

WHEREAS, it has been determined that additional monies will be necessary and these additional monies were not contained within the temporary budget appropriation adopted on January 1, 1992;


NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Willingboro, assembled in public session this ~~3rd~~ day of ~~March, 1992~~, with not less than 2/3 of the full membership present, that an Emergency Temporary Appropriation as provided by 40A:4-20 be made as follows:

Township Council	SW \$	6,375	
" "	OE	1,500	
Township Manager	SW	32,600	
" "	OE	5,200	
Township Clerk	SW	12,050	
" "	OE	5,000	
Receptionist/Comm.	SW	4,550	
" "	OE	8,500	
Finance Dept.	SW	26,950	
" "	OE	16,000	
Tax Collection	SW	21,950	
" "	OE	900	
Tax Assessment	SW	18,450	
" "	OE	1,000	
Employee Grp. Ins.	OE	246,900	
Other Insurance	OE	292,605	19,000
Legal Services	SW	10,625	
" "	OE	9,650	
Municipal Court	SW	36,600	
" "	OE	3,600	
Planning Board	SW	420	
Zoning Board	SW	420	
Construction Off.	SW	9,490	
" "	OE	1,500	
Uniform Fire Safety	SW	3,650	
" "	OE	750	
Housing Insp.	SW	16,300	
Fire Marshal	SW	2,680	2,400
" "	OE	500	
Elec.&Plumb. Insp.	SW	24,960	20,000
" "	OE	37,600	
Advisory Boards	OE	3,700	
Traffic Signals	OE	3,850	
Fire Company	SW	13,800	
" "	OE	61,800	
Emergency Squad	OE	8,750	
Police	SW	884,000	
" "	OE	76,650	
Public Works Admin.	SW	14,950	
" "	OE	125	
Roads & Streets	SW	160,102	
" "	OE	28,000	


Pub.Bldgs/Grounds	SW	13,450	✓
" " "	OE	37,100	✓
Street Lighting	OE	93,250	✓
Refuse Collection	OE	458,000	✓
Township Engineer	OE	3,750	✓
Library	OE	190,000	✓
Recreation	SW	40,550	✓
"	OE	32,200	✓
Public Events	OE	3,000	✓
Supplemental Safe/Clean	SW	35,900	✓
Clean Neighborhoods	SW	23,050	✓
Safe Streets	SW	79,400	✓
Clean Communities	OE	1,350	✓
Recycling	SW	10,000	✓
"	OE	1,200	✓
Senior Citizen Grants	SW	7,500	✓
Handicapped Grant	OE	2,200	✓
Social Security	OE	111,500	✓

TOTAL TEMPORARY EMERGENCY APPROPRIATION

~~\$3,258,402.00~~
2,919,537.00



 PAUL KRANE
 MAYOR

ATTEST:


 Lenore Stern, RMC, CMC
 Township Clerk