

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JANUARY 13, 2014

The Regular meeting of the Township Committee of the Township of Bordentown was held in the Main Meeting Room in the Municipal Building.

PRESENT: Mayor Stephen Benowitz
Deputy Mayor Cann
Committeeman Richard Carson (via video-conference)
Committeeman John Moynihan
Committeewoman Jill Popko
Township Clerk Colleen Eckert
Attorney William J. Kearns, Jr.
Chief Financial Officer David Kocian
Public Works Director Dean Buhrer
Chief of Police Frank M. Nucera, Jr.

ABSENT: None

Mayor Benowitz called the meeting to order at approximately 7:06 p.m. and led a salute to the flag and a moment of silence.

Township Clerk Eckert read the following Open Public Meeting Announcement:

In compliance with the Open Public Meetings Act, adequate notice of this meeting was provided in the following manner:

On January 6, 2014, advance written notice of this meeting was posted on the bulletin board opposite the main entrance to the meeting room in the Municipal Building; was FAXED to the REGISTER NEWS, BURLINGTON COUNTY TIMES and THE TIMES; was filed with the Clerk of Bordentown Township; and was mailed to all persons who requested and paid for such notice.

The proceedings of this meeting, which are open to the public, are being electronically recorded. Requisite minutes are kept for all meetings, whether open or closed to the public.

Mayor's Proclamation proclaiming January 11 of each year as Human Trafficking Awareness Day in the Township of Bordentown. Mayor Benowitz read the Proclamation into the record.

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced there is an addendum adding Resolution #2014-013-15A. There is also a final version replacing the draft of the Southern Gateway Redevelopment Area Plan which corresponds to Ordinance #2014-01. In addition, Public Works Expansion Contract Matter is being added to the Closed Session Agenda.

CONSENT AGENDA

Resolution #2014-013-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

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Resolution #2014-013-8 entitled RESOLUTION APPROVING STIPENDS TO CYNTHIA DZUIRA AND THERESA EZZO FOR CERTAIN ASSIGNED CLERICAL DUTIES WITHIN THE COMMUNITY DEVELOPMENT OFFICE.

Resolution #2014-013-9 entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT.

Resolution #2014-013-10 entitled RESOLUTION AUTHORIZING THE FUNDING OF THE TOWNSHIP OF BORDENTOWN SHARE OF THE MACCS CONTRACT WITH CENTRAL JERSEY WASTE & RECYCLING, INC., FOR BASIC SERVICES SOLID WASTE AND REPUBLIC SERVICES OF MOUNT LAUREL FOR BULK COLLECTION.

Resolution #2014-013-11 entitled AUTHORIZE SETTLEMENT AGREEMENT WITH NEW JERSEY TURNPIKE AUTHORITY TO PROVIDE EXEMPT STATUS FOR BLOCK 129, LOTS 18 AND 15.01 AND BLOCK 132, LOTS 2 AND 4. (PULLED)

Resolution #2014-013-12 entitled APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE SUSTAINABLE GRANT CERTIFICATION PROGRAM FOR “WATER CONSERVATION CAMPAIGN”.

Resolution #2014-013-13 entitled APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE SUSTAINABLE GRANT CERTIFICATION PROGRAM FOR “MOW IT AND LEAVE IT” CAMPAIGN.

Resolution #2014-013-14 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2014-013-15 entitled RESOLUTION AMENDING RESOLUTION #2014-4-7 ENTITLED ADOPTING TEMPORARY BUDGET FOR 2014.

Resolution #2014-013-15A entitled RESOLUTION OF THE TOWNSHIP OF BORDENTOWN OPPOSING THE APPLICATION OF ROUTE 13 BRIDGE PARTNERS, LP, SUBMITTED TO THE BRISTOL TOWNSHIP ZONING BOARD.

Township Committee reviewed and discussed Consent Agenda Items #2014-013-7 through #2014-013-15A. Committeeman Carson, Committeeman Moynihan, and Mayor Benowitz commented/asked questions.

Resolution #2014-013-7. Committeeman Moynihan cited two typographical changes to the December 9, 2013 minutes. Township Clerk Eckert will amend the minutes.

Resolution #2014-013-11. Committeeman Carson said that he thought there was a tax court case approximately 7 years ago that allowed the Township to tax the Turnpike. He added that businesses located on federal property can be taxed if they are making a profit. This resolution was pulled and these items will be researched. Deputy Mayor Cann said that the Turnpike’s attorney said that this was tax-exempt land and they should never have been paying taxes on it.

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Resolution #2014-013-15A. Mayor Benowitz said he attended a meeting on January 10, 2014 at the Burlington City Firehouse regarding an incinerator planned to be built in Bristol, PA. He discussed what was proposed.

At this time, Deputy Mayor Cann made a motion to open to the public the consent agenda items; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

WALT KOSUL, 539 Route 206: Mr. Kosul commented about the Township's opposition to the planned incinerator. He also said he disagreed with Resolution #2014-013-11, and Committeeman Carson's comments were correct.

Seeing no further comments, Deputy Mayor Cann made a motion to close to the public; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

At this time, Deputy Mayor Cann made a motion to adopt the consent agenda, excluding Resolution #2014-013-11 and amending the December 9, 2013 minutes; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

Consideration of Introduction of Ordinance #2014-1 entitled ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN APPROVING REDEVELOPMENT PLAN FOR BLOCK 120, LOTS 1-14; BLOCK 121, LOTS 1-5; BLOCK 122, LOTS 1-10; BLOCK 127, LOTS 2-3; AND BLOCK 128.01, LOTS 1-12, 14-16, 29-32.02 AND 35-38.

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-01: seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

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TOWNSHIP CLERK ECKERT: The public hearing will be February 10th.

Consideration of Introduction of Ordinance #2014-2 entitled AN ORDINANCE TO AMEND ORDINANCE #2013-7 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-02: seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be January 27th.

Consideration of Introduction of Ordinance #2014-3 entitled AN ORDINANCE OF THE TOWNSHIP COMMITTEE TO RESCIND ORDINANCE #2010-18 ENTITLED AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN ESTABLISHING WORK HOURS FOR THE CONSTRUCTION CODE OFFICIAL AND SUB-CODE OFFICIALS.

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-03: seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be January 27th.

Consideration of Introduction of Ordinance #2014-4 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE BORDENTOWN TOWNSHIP CODE TO PROVIDE FOR THE NUMBER OF MEMBERS FOR THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE AND PROVIDING FOR A QUORUM FOR THE CONDUCT OF MEETINGS.

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-04: seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be January 27th.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CARSON: Committeeman Carson said he had nothing to report at this time.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said the January Veteran's Advisory Committee Meeting was cancelled, and Chairman Harry Havens is feeling better. Planning has started for the 2014 Veteran's Day Ceremony.

In regard to the Police Department, Patrolman Josh Pavlov has been reassigned to the Detective Bureau and his computer science background will enable the department to conduct investigations into matters such as computer fraud and identity theft. Patrolman Jessica Meyers started this past weekend in the Police Department.

Both Animal Control Officers have received their certification by SPCA as Animal Cruelty investigators.

He thanked Township Clerk Eckert for patiently assisting a resident with a dog license matter.

The Bordentown Sewerage Authority is currently working on replacing a collapsed 8 inch gravity main on Route 206 South.

COMMITTEEWOMAN POPKO: In regard to the Public Works Department, they are currently filling potholes which were caused by the bad weather. Final leaf collection has been scheduled. Due to the inclement weather, machine inventory is in need of repair and a cost analysis is not yet available.

Funds were received for the proposed dog park. CFO Kocian will find out, specifically, how the funds can be spent. The location has not yet been decided.

Committeewoman Popko said she attended the Senior Citizen Committee Meeting. She discussed their upcoming events.

The next meeting of the Environmental Commission is January 21, 2014. She said there is a problem with the Commission's e-mail address, and also asked if the e-mail address could be shortened.

Committeewoman Popko asked what the status was on the proposed Coal Tar Ordinance that was referred to Director of Community Development Brian Johnson and Construction Official Pete Carbone. Deputy Mayor Cann said it was agreed that a letter would go out to various government officials requesting that they support a law to remove coal tar substances from use in New Jersey. Deputy Mayor Cann will follow-up with Mr. Johnson and Mr. Carbone on the wording of the ordinance.

She also asked about the status of the solar ordinance. Police Chief Nucera will follow-up on this ordinance.

DEPUTY MAYOR CANN: Deputy Mayor Cann reported that the Planning Board re-appointed their current officers and professionals. A Special Meeting will be held on January 23, 2014 to hear an informal presentation by Bordentown Waterfront for a potential Quick-Chek coming into their Phase I site and potential moving of the COAH housing to another location. The Planning Board is reviewing the proposed sign ordinance. There is a Special Meeting scheduled for February 5, 2014 to hear an application by PSE&G for a solar field on the Waste Management Landfill. Deputy Mayor Cann gave a description of what they are proposing. The Community Development Office is still getting telephone calls from prospective businesses wanting to move here. Community Development Director Brian Johnson and Alt. Township Engineer Fred Turek will be looking at various grants.

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There has been recent telephone conversations with our Financial Advisor, Bond Counsel, CFO Kocian and Police Chief Nucera regarding rolling current notes and converting them into bonds.

On January 23, 2014 there is a bid opening for the FEMA work for the Senior Center and Georgetown Road. It will, tentatively, be awarded on January 27, 2014.

A letter was received from The Silver Decoy Winery dated December 18, 2013. They are applying for a special permit issued by the State to offer samplings of their product at Villa Mannino. The Township has to be notified in case there are some objections.

MAYOR BENOWITZ: Mayor Benowitz described the extra financial duties given to the Tax Collector, Mary Picariello and the Aide to the Mayor, Angel Sauro.

Worksheets have been distributed to Department Heads for a budget workshop scheduled for Saturday, February 15, 2014. Introduction of the budget is anticipated for March 10, 2014 at the Regular Township Committee Meeting.

He responded to a letter received from Kevin Johnson requesting a meeting regarding his project. Police Chief Nucera and Bordentown City Mayor Malone will also be present.

Mayor Benowitz sent letters to the fire districts regarding consolidation. There will be a meeting with him, the Commissioners, Liaison Deputy Mayor Cann, Police Chief Nucera, and another representative from the Board of Fire Commissioners.

A letter was sent to Bordentown City Mayor Malone inviting him and several representatives to a meeting on shared services.

He advised Township Clerk Eckert to provide the Committee with a list of Boards and Committees.

Mayor Benowitz said he instructed Police Chief Nucera and CFO Kocian to provide for funding for a full-time Administrator in the 2014 budget.

He said he is attempting to do Mayor's office hours 10:00-12:00 noon and 5:30-7:30 pm starting Tuesday, February 18, 2014. Appointments with Angel Sauro and walk-ins are welcome.

PUBLIC PARTICIPATION: At this time, Deputy Mayor Cann made a motion to open the meeting for public participation; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

MARILEE RYAN, 13 Ticonderoga Drive: Ms. Ryan commented about the addendum to the Agenda on the proposed incinerator in Bristol, PA and asked if the Environmental Commission could be notified and be part of creating the resolution, etc. Deputy Mayor Cann said the Township was notified of the meeting at the last minute and as liaison to the Environmental Commission, Committeewoman Popko was notified.

Ms. Ryan also asked if the Environmental Commission could assist with the Sustainable Grants. Committeewoman Popko responded that she presented these two Grant applications at the Environmental Commission's last meeting. Ms. Ryan volunteered to assist with completing the Grants.

JOE HAINES, Haines Towing, Route 130 South: Mr. Haines asked if the Redevelopment Plan will be available prior to the meeting. Mayor Benowitz responded, yes. He also asked if the impacted property owners would be notified. Attorney Kearns will research the noticing requirements.

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WALT KOSUL, 539 Route 206: Mr. Kosul asked about the openness of the budget process. Deputy Mayor Cann responded the Saturday workshop is open to the public, and documents are available for viewing.

Mr. Kosul also inquired about the Planning Board's January 23, 2014 Special Meeting. Deputy Mayor Cann responded that Waterfront will be presenting an informal hearing.

Mr. Kosul asked about the status of the garbage contract. Township Clerk Eckert responded that the bid opening is in the beginning of February, and the current contract is extended to the end of March.

Seeing no further comments, Deputy Mayor Cann made a motion to close the public portion of the meeting; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

At this time, Deputy Mayor Cann made the following motion:

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby recess this Regular Meeting to meet in Closed Session for the purpose of discussing Public Works Expansion Contract Matter; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 8:17 pm and reconvened the regular meeting at 8:52 pm.

At this time, Deputy Mayor Cann made the following motion:

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby adjourn the regular meeting; seconded by Committeeman Moynihan.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 8:53 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK