

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JANUARY 27, 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
Chief of Police Frank M. Nucera, Jr.

ABSENT: Public Works Director Dean Buhner

Mayor Benowitz called the meeting to order at approximately 7:03 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 Honoring Randi Temple Roohr for Athletic Hall of Fame Inductee.

Mayor's Proclamation Honoring the "Dream Team" for Athletic Hall of Fame Inductees.

Mayor's Proclamation Honoring Howard McCue.

Mayor's Proclamation Recognizing Black History Month.

Mayor Benowitz read the Proclamations into the record.

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced there is an addendum adding Resolution #2014-027-17A.

CONSENT AGENDA

Resolution #2014-027-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2014-027-11 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2014-027-12 entitled APPROVING RAFFLE LICENSE #RL:394.

Resolution #2014-027-13 entitled APPROVING RAFFLE LICENSE #RL:395.

Resolution #2014-027-14 entitled APPROVING RAFFLE LICENSE #RL:396.

Resolution #2014-027-15 entitled RESOLUTION OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, RECOGNIZING AND HONORING THE ARMED FORCES HERITAGE HOUSE MUSEUM.

Resolution #2014-027-16 entitled AUTHORIZING YEAR 2014 TEMPORARY EMERGENCY APPROPRIATIONS (N.J.S.A. 40A:4-20).

Resolution #2014-027-17 entitled AUTHORIZING 2014 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:4-59).

Resolution #2014-027-17A entitled APPROVING RAFFLE LICENSE #RL:397.

Township Committee reviewed and discussed Consent Agenda Items #2014-027-10 through #2014-027-17A. Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, and Mayor Benowitz commented/asked questions.

Resolution #2014-027-10. Committeewoman Popko stated that the trash disposal bill was \$26,625.28 for one month. She said the residents need to be educated on proper disposal of trash; i.e. re-using, recycling, etc. This is a large portion of their taxes.

Mayor Benowitz asked the Township Committee their opinion on asking questions about the bill list at the meetings or if they think it should be done prior to the meeting. Mayor Benowitz asked the Committee to try to ask questions prior to the meeting if they can, but they could also ask in public session if they wished.

Resolution #2014-027-11. Mayor Benowitz cited a typographical change to the January 4, 2014 minutes. Township Clerk Eckert will amend the minutes.

Mayor Benowitz reviewed various items in the CFO's Financial Report.

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

PAGE 3
REGULAR MEETING
JANAURY 27, 2014

NAY: None

SID MORGINSTIN, 849 East Drive: Mr. Morginstin said the bill list is not on the website with the Agenda. In the future, the bill list will be put on the website.

Mr. Morginstin also said that Resolution #2014-027-16 did not have the temporary appropriations attached. Township Clerk Eckert responded that the Finance Department was still working on it at the time the Agenda was being prepared. It was posted on the bulletin board, but not the website.

WALT KOSUL, 539 Route 206: Mr. Kosul commented on the 98% tax collection. He said the identity of the individual who is delinquent is under tax appeal and under state law when you file a tax appeal, taxes need to be current. Deputy Mayor Cann said it is because of the PILOT that was previously agreed upon but not followed up with.

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, Committeeman Moynihan made a motion to adopt the consent agenda; seconded by Deputy Mayor Cann.

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

NAY: None

Public Hearing on 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 open the public hearing on Ordinance #2014-2; seconded by Committeewoman Popko.

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

NAY: None

Seeing no public comment, Committeeman Moynihan made a motion to close the public hearing on Ordinance #2014-2; seconded by Deputy Mayor Cann.

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

PAGE 4
REGULAR MEETING
JANAURY 27, 2014

NAY: None

Consideration of Adoption 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 adopt Ordinance #2014-2; seconded by Committeewoman Popko.

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

NAY: None

Public Hearing on 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 open the public hearing on Ordinance #2014-3; seconded by Committeewoman Popko.

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

NAY: None

CAROL de GROOT, 8 Arlington Road: Mrs. de Groot asked if these officials would have office hours. Deputy Mayor Cann responded that the current ordinance requiring certain office hours is in violation of state law. This is the purpose of this ordinance. Police Chief Nucera added that the office is open all day long.

Seeing no further public comment, Committeewoman Popko made a motion to close the public hearing on Ordinance #2014-3; seconded by Deputy Mayor Cann.

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

NAY: None

Consideration of Adoption 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.

PAGE 5
REGULAR MEETING
JANAURY 27, 2014

At this time, Deputy Mayor Cann made a motion to adopt Ordinance #2014-3; seconded by Committeewoman Popko.

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

NAY: None

Public Hearing on 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 open the public hearing on Ordinance #2014-4; seconded by Committeewoman Popko.

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

NAY: None

Seeing no public comment, Deputy Mayor Cann made a motion to close the public hearing on Ordinance #2014-4; seconded by Committeewoman Popko.

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

NAY: None

Consideration of Adoption 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 adopt Ordinance #2014-4; seconded by Committeewoman Popko.

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

NAY: None

Consideration of Introduction of Ordinance #2014-5 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN PROVIDING FOR A SYSTEM OF HOUSE AND BUILDING NUMBERING FOR ALL STRUCTURES AND REQUIRING THE PLACEMENT

OF THE NUMBERS ON EACH STRUCTURE IN ORDER TO PROVIDE FOR PUBLIC SAFETY.

COMMITTEEMAN CARSON: Committeeman Carson asked if assigning numbers should be handled by the Community Development or Construction Office instead of the Police Department. He also said that some individuals currently have cursive numbers on their homes instead of Arabic. Attorney Kearns stated that Arabic numbers will have to be put on homes or mailboxes where they can be seen. He added that the ordinance states that the Police Chief can assign a designee. Committeeman Carson suggested the ordinance state that numbering should be handled by the Administrator rather than the Police Chief. Police Chief Nucera responded that the Police Department has to coordinate with the County for the 9-1-1 system, but will coordinate with the Community Development office when a prospective development comes in.

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-5: seconded by Committeeman Moynihan.

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

NAY: None

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

Consideration of Introduction of Ordinance #2014-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$2,088,181 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,516,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

The Township Committee was in agreement that this is a good plan and said they'd like a listing of what roads are identified and equipment that the monies will be allocated to.

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-6: 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 February 10th.

Consideration of Introduction of Ordinance #2014-7 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF BORDENTOWN TO CREATE SECTION 1200, ENTITLED RENEWABLE

PAGE 7
REGULAR MEETING
JANAURY 27, 2014

ENERGY, AND TO PROVIDE FOR STANDARDS REGARDING SUCH RENEWABLE ENERGY FACILITY USES AND INSTALLATIONS.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan commented that he was concerned that the ordinance discourages solar development by referring to unsightly solar production facilities.

At this time, Committeewoman Popko made a motion to introduce Ordinance #2014-7: seconded by Deputy Mayor Cann.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be February 24th.

TOWNSHIP COMMITTEE AND STAFF REPORTS

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

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said the Veteran's Advisory Committee has not had a meeting since the last Township Committee Meeting.

Since the beginning of the month, there have been 22 Animal Control Dog calls between Bordentown Township, Chesterfield, and Florence.

In regard to the Police Department, there has been a spike in motor vehicle collisions due to the weather. This generates additional crash investigations and reports.

The Bordentown Sewerage Authority met tonight prior to this meeting. They approved a draft project development agreement and deferred connection agreement between Bordentown Sewerage Authority and Rock-IDI Central Crossing.

COMMITTEEWOMAN POPKO: Committeewoman Popko said the Senior Citizen Meetings are scheduled for February 3 and 17, 2014. She discussed their upcoming events.

Regarding the Environmental Commission, she presented 2014 Green Team Challenge Forms for everyone to complete. There is a meeting scheduled for January 30, 2014. On January 29, 2014, the Green Team is having an Open House orientation at Northern Community Park; she invited everyone to attend.

DEPUTY MAYOR CANN: Deputy Mayor Cann reported that the Planning Board had a (informal) meeting on January 23, 2014 to consider the request by Waterfront Properties for recommendations to the Redevelopment Authority (the Township Committee) to changes to their plan; specifically in regard to permitting a Quik-Check Super Convenience Store with 12 pumping stations at the corner of route 130 and to move the COAH Senior Housing to the Woolston-Craft site. They would also add approximately 6,200 sq. ft. of retail space, indoor parking, and a 29 unit apartment. There were no decisions made because the applicant, Waterfront Properties recognized that things were not going well. A consensus, not formal vote, was taken and a 24/7 convenience store with gas

PAGE 8
REGULAR MEETING
JANAURY 27, 2014

pumps at the corner of the front of what is supposed to be the Gateway to Bordentown was not served by having gas pumps located on the corner. The Planning Board considered potentially moving the convenience store to the back of the site. A meeting is being scheduled with Township officials and Waterfront representatives regarding moving the COAH Senior Housing to the Woolston-Craft property.

The Planning Board also reviewed a draft of the sign ordinance. The suggestions are being considered before a recommendation is made to the Township Committee.

There will be a Special Meeting of the Planning Board on February 5, 2014 for PSE&G to present their proposed solar field for the Parklands Landfill on Route 206.

In regard to introduced Ordinance #2014-6 on road maintenance, Rutgers' Center for Advanced Infrastructure and Transportation (the CAIT Program), introduced Pavement Management System (PMS), where they will come to communities to analyze and rate the streets. Deputy Mayor Cann said this program should be part of the ordinance.

At the request of Waterfront, a letter was sent to N.J. Transit requesting that Waterfront be put on the Transportation and Improvement Plan (TIP) for the State. N.J. Transit responded that they've notified DVRPC and on demand they will supply a letter that the project is being added to the TIP program, but it is not necessary for the Waterfront to be on the TIP Program to get Tiger Grant Funding.

Deputy Mayor Cann said he was reviewing information from the League of Municipalities and there is a scholarship available to high school students, the Louis Bay 2nd Future Municipal Leaders Competition. It is generated from the Mayor and will be forwarded to the school for their potential participation.

The Community Development Director has responded to the multitude of signs being placed around the Township by local businesses.

Deputy Mayor Cann commended Township Clerk Eckert; there were two letters received from residents: one on dog licenses and rabies shots which was handled efficiently and appropriately and another letter regarding off-road vehicles.

Deputy Mayor Cann extended his condolences and announced the death of former Township employee, Mike Marinelli.

MAYOR BENOWITZ: Mayor Benowitz said he attended the Economic Development Advisory Committee Meeting on January 14, 2014. The business breakfast date will be March 17, 2014 at Town and Country Diner. Bandit signs were discussed.

He attended the Parks and Recreation Committee Meeting on January 15, 2014. There were three members present. The dog park and the status of the committee were discussed.

A letter was received from the American Legion Auxiliary requesting the annual sponsorship of a Bordentown Regional High School girl to Girl's State.

At this time, Committeewoman Popko made a motion to sponsor a high school girl for Girl's State at the cost of \$215; seconded by Deputy Mayor Cann.

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

NAY: None

PAGE 9
REGULAR MEETING
JANAURY 27, 2014

MAYOR BENOWITZ (CONTINUED): Mayor Benowitz reiterated Deputy Mayor Cann's comments about the Waterfront Development's presentation and review of sign ordinance discussed at the Planning Board meeting.

A letter was sent to the Mayors of Bordentown City and Fieldsboro to discuss possible implementation of shared services. Progress is being made.

A Black History Month Celebration is being held at the Senior Community Center on February 22, 2014.

A meeting with the fire districts is tentatively scheduled for March.

The Mayor's office hours will begin on Tuesday, February 18, 2014.

COMMITTEEWOMAN POPKO: Committeewoman Popko reported that the Northern Community Park sign has been vandalized. Police Chief Nucera will follow-up.

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

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

NAY: None

SID MORGINSTIN, 849 East Drive: Mr. Morginstin stated there is a cross directly underneath the Welcome to Bordentown Sign at the north end of the Township on Route 130.

He also asked if a tractor trailer was allowed to be parked in the front side of the Shop-Rite parking lot. Police Chief Nucera will check into it.

Mr. Morginstin said he is happy with the progress on the solar ordinance.

In regard to the house numbering ordinance, he commented that there are corner homes in the tree streets where the mailbox and/or home do not face the street address. Police Chief Nucera will follow-up.

Mr. Morginstin said he'd like to see East Drive repaved and storm drains put in. Deputy Mayor Cann responded it is on the list. Committeewoman Popko inquired if this could be paid by the CDBG Grant. Deputy Mayor Cann responded it wouldn't be until next year.

WALT KOSUL, 539 Route 206: Mr. Kosul asked what the status was of the budget. Deputy Mayor Cann responded that there was a telephone conference with him, the bond counsel, the financial advisors, Police Chief Nucera, and CFO Kocian to review and get direction on the upcoming bond issues. He described what was discussed. Mr. Kosul was told that budget discussions are on schedule.

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

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

NAY: None

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

PAGE 10
REGULAR MEETING
JANAURY 27, 2014

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 the Germantown Road/Municipal Drive Drainage Improvement Project Contract Matter, Professional Services Contract Matter (Bristol Incinerator), Public Works Expansion Project Contract Matter; seconded by Committeewoman Popko.

AYE: Committeeman Benowitz, Committeeman Feltes, Committeeman Moynihan, Deputy Mayor Popko, Mayor Cann

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 8:58 pm and reconvened the regular meeting at 9:20 pm.

Resolution #2014-027-17B entitled A RESOLUTION TO AWARD A CONTRACT TO ALLSTATE POWER VAC FOR THE DRAINAGE IMPROVEMENTS TO MUNICIPAL DRIVE & GERMANTOWN ROAD PROJECT.

There was discussion that the contract did not specify a “not to exceed amount.” Attorney Kearns stated that a change order has to be approved by the governing body. In an emergency situation, you get the work completed and then settle payment later.

At this time, Deputy Mayor Cann made a motion to approve Resolution #2014-027-17B; seconded by Committeeman Moynihan.

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 adjourn the regular meeting; seconded by Committeewoman Popko.

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 9:27 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK