

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
AUGUST 12, 2019

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 Eugene Fuzy  
Committeeman James Kostoplis  
Committeeman Ken Mason  
Administrator Michael Theokas  
Chief Financial Officer Jeffrey Elsasser  
Acting Township Clerk Maria Carrington  
Attorney Eileen Fahey

ABSENT: Committeeman Eric Holliday

Mayor Benowitz called the meeting to order at approximately 7:00 p.m. and led a salute to the flag and a moment of silence. The moment of silence is being dedicated to the victims and families of the mass shootings in the cities of El Paso, TX and Dayton, OH, and for the politicians to take fast action.

Acting Township Clerk Carrington 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 7, 2019, 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 emailed to the 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 and will act as the minutes of the meeting in conjunction with the abbreviated form of the minutes. Requisite minutes are kept for all meetings, whether open or closed to the public.

At this time, Deputy Mayor Fuzy 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:

- Environmental Litigation

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

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

PAGE 2  
REGULAR MEETING  
AUGUST 12, 2019

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 6:32 pm and reconvened the regular meeting at approximately 7:30 pm.

**Mayor's Proclamation recognizing the 2019 Softball Group 2 Sectional Champions from Bordentown Regional High School and further recognizing the accomplishments of Burlington County Player of the Year, Annabella Pisapia, and the entire Girls Softball Team.** At this time, Mayor Benowitz read the Proclamation into the record and congratulated the team and coaches.

**ADMINISTRATIVE REVIEW**

Acting Township Clerk Carrington stated there were no additions to the Consent Agenda.

Review of correspondence:

- 1) Bordentown Sewerage Authority is holding a public hearing regarding proposed rate adjustments on September 16 at 6 p.m. Notice is posted on the township bulletin board.

Administrator Theokas reviewed some of the Consent Agenda Resolutions.

**CONSENT AGENDA**

**Resolution #2019-213 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.**

**Resolution #2019-214 entitled ACKNOWLEDGING RECEIPT OF REPORT OF AUDIT FOR THE YEAR 2018.**

**Resolution #2019-215 entitled RESOLUTION to RENEW MEMBERSHIP IN THE SOUTHERN NEW JERSEY REGIONAL EMPLOYEE BENEFITS FUND.**

**Resolution #2019-216 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.**

**Resolution #2019-217 entitled AUTHORIZING REFUND OF OVERPAYMENT OF LICENSE FEES.**

**Resolution #2019-218 entitled AUTHORIZING EXECUTION OF THE FY2019 BURLINGTON COUNTY ANNUAL ALLIANCE PLAN AGREEMENT.**

**Resolution #2019-219 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF FIELDSBORO AND THE TOWNSHIP OF BORDENTOWN FOR CONSTRUCTION CODE SERVICES.**

**Resolution #2019-220 entitled RESOLUTION TO APPOINT THOMAS KENNEDY TO THE POSITION OF PUBLIC WORKS LABORER IN THE DEPARTMENT OF PUBLIC WORKS.**

**Resolution #2019-221 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING MICHAEL THEOKAS AS THE MUNICIPAL HOUSING LIAISON FOR THE TOWNSHIP OF BORDENTOWN.**

**Resolution #2019-222 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPROVING THE AFFORDABLE HOUSING SPENDING PLAN.**

**Resolution #2019-223 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY TO APPROPRIATE FUNDS OR BOND IN THE EVENT OF A SHORTFALL IN FUNDING FOR THE TOWNSHIP'S AFFORDABLE HOUSING PROGRAMS.**

**Resolution #2019-224 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE PLANNING BOARD.**

**Resolution #2019-225 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY ADOPTING THE 'AFFIRMATIVE MARKETING PLAN' FOR THE TOWNSHIP OF BORDENTOWN.**

**Resolution #2019-226 entitled RESOLUTION PARTIALLY RESCINDING RESOLUTION #2019-167 AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE #0304-33-008-015 HELD BY 175 ROUTE 130, LLC.**

**Resolution #2019-227 entitled A RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR ADDITIONAL ARCHAEOLOGICAL SERVICES REGARDING THE CULVERT REPLACEMENT.**

**Resolution #2019-228 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.**

Township Committee review and discussion of Consent Agenda Items Resolutions #2019-213 through #2019-228. There were no comments.

At this time, Deputy Mayor Fuzy made a motion to open to the public the Consent Agenda items; seconded by Committeeman Kostoplis.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

PAGE 4  
REGULAR MEETING  
AUGUST 12, 2019

Seeing no comment, Committeeman Mason made a motion to close to the public; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

At this time, Committeeman Mason made a motion to adopt the Consent Agenda; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

**Public Hearing on Ordinance #2019-13 entitled AN ORDINANCE REPEALING AND REPLACING CHAPTER 5.44 OF THE TOWNSHIP CODE AND ORDINANCE #2013-17 REGARDING PEDDLING AND SOLICITING.**

At this time, Deputy Mayor Fuzy made a motion to open the public hearing on Ordinance #2019-13; seconded by Committeeman Mason.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

Seeing no public comment, Deputy Mayor Fuzy made a motion to close the public hearing on Ordinance #2019-13; seconded by Committeeman Kostoplis.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

**Consideration of Adoption of Ordinance #2019-13 entitled AN ORDINANCE REPEALING AND REPLACING CHAPTER 5.44 OF THE TOWNSHIP CODE AND ORDINANCE #2013-17 REGARDING PEDDLING AND SOLICITING.**

At this time, Deputy Mayor Fuzy made a motion to adopt Ordinance #2019-13; seconded by Committeeman Kostoplis.

PAGE 5  
REGULAR MEETING  
AUGUST 12, 2019

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

**Public Hearing on Ordinance #2019-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, CREATING CHAPTER 95 SECTION 905, ENTITLED “DEVELOPMENT FEES”.**

At this time, Deputy Mayor Fuzy made a motion to open the public hearing on Ordinance #2019-14; seconded by Committeeman Kostoplis.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

Seeing no public comment, Committeeman Mason made a motion to close the public hearing on Ordinance #2019-14; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

**Consideration of Adoption of Ordinance #2019-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, CREATING CHAPTER 95 SECTION 905, ENTITLED “DEVELOPMENT FEES”.**

At this time, Committeeman Mason made a motion to adopt Ordinance #2019-14; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

**Public Hearing on Ordinance #2019-15 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE GENERAL CODE OF THE TOWNSHIP OF BORDENTOWN BY REPEALING AND REPLACING SECTION 1100 OF CHAPTER 25 TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATIONS.**

PAGE 6  
REGULAR MEETING  
AUGUST 12, 2019

At this time, Deputy Mayor Fuzy made a motion to open the public hearing on Ordinance #2019-15; seconded by Committeeman Kostoplis.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

Seeing no public comment, Committeeman Mason made a motion to close the public hearing on Ordinance #2019-15; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

**Consideration of Adoption of Ordinance #2019-15 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE GENERAL CODE OF THE TOWNSHIP OF BORDENTOWN BY REPEALING AND REPLACING SECTION 1100 OF CHAPTER 25 TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATIONS.**

At this time, Committeeman Mason made a motion to adopt Ordinance #2019-15; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

**ADMINISTRATOR AND STAFF REPORTS**

Administrator Theokas stated that the next Township Committee meetings are scheduled for September 9, 2019 and September 23, 2019.

**TOWNSHIP COMMITTEE REPORTS**

Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, and Mayor Benowitz each gave their report.

PAGE 7  
REGULAR MEETING  
AUGUST 12, 2019

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

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz complained about the Thursday trash pick-up. Administrator Theokas stated that their contract states that is the company does not finish on the scheduled day, they are required to finish within 24 hours.

Ms. Heinz asked if the Township has to accept the lowest bidder. Attorney Fahey responded that the Township must take the lowest responsible bidder.

Seeing no further comments, Deputy Mayor Fuzy made a motion to close the meeting to the public; seconded by Committeeman Mason.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

**ADDITIONAL MATTERS:** None

At this time, Committeeman Mason 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 Kostoplis.

AYE: Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeeman Holliday

The Regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 8:12 p.m. The next meeting is scheduled for Monday, September 9, 2019.

Respectfully Submitted,

---

MARIA CARRINGTON, ACTING TOWNSHIP CLERK