

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: JANUARY 13, 2020 TIME: 7:30 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Benowitz
_____	_____	Deputy Mayor Holliday
_____	_____	Committeeman Fuzy
_____	_____	Committeeman Kostoplis
_____	_____	Committeeman Mason
_____	_____	Administrator Theokas
_____	_____	Clerk Carrington
_____	_____	Attorney Fahey
_____	_____	Chief Financial Officer Elsasser

1. Salute to the flag and moment of silence
2. Roll Call
3. Open Public Meeting Announcement & Fire Announcement

This meeting is called pursuant to the provision of the Open Public Meeting Act. On January 8, 2020, a notice of the 2020 meeting schedule was sent to the *Burlington County Times* and *The Times* and was subsequently published by the Burlington County Times on January 10, 2020. The notice is posted on the bulletin boards in the Municipal Building and has remained continuously posted as required under the statute. In addition, a copy of the notice is available to the public and is on file in the office of the Township Clerk.

Proper notice having been given, the Township Clerk is directed to include this statement in the minutes of the meeting. 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.

In case of an emergency, please note where the fire exits are, the rear of the room and the side behind me. During a fire do not use the elevator. Assistance will be provided to those in need.

4. Resolution #2020-29 entitled RESOLUTION APPROVING PROMOTION OF NATHAN ROOHR TO THE POSITION OF LIEUTENANT IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT
5. Resolution #2020-30 entitled RESOLUTION APPROVING PROMOTION OF FRANK NUCERA III TO THE POSITION OF LIEUTENANT IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT
6. Statement by the Mayor
7. Administration of Oaths of Office to Lieutenants Nathan Roohr and Frank Nucera III by Township Clerk Maria Carrington
8. Correspondence: None
9. Administrative Review of Agenda

10. CONSIDERATION OF CONSENT AGENDA ITEMS:
 - a. Township Committee review and discussion of Consent Agenda Items.
 - b. Public comment on Consent Agenda items.
11. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2020-31 through #2020-36
 - a. Resolution #2020-31 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS
 - b. Resolution #2020-32 entitled GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FY2021 (FISCAL GRANT CYCLE JULY 2020-JUNE 2021)
 - c. Resolution #2020-33 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO TERMINATE PER DIEM EMT
 - d. Resolution #2020-34 entitled RESOLUTION AUTHORIZING BUDGET TRANSFERS
 - e. Resolution #2020-35 entitled RESOLUTION RECOGNIZING THE IMPORTANCE OF THE 2020 CENSUS
 - f. Resolution #2020-36 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS
12. Introduction of Ordinance #2020-01 entitled AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BORDENTOWN AND GRANTING TO THE PLANNING BOARD OF THE TOWNSHIP OF BORDENTOWN THE POWERS FORMERLY HELD BY THE BORDENTOWN ZONING BOARD OF ADJUSTMENT
13. Introduction of Ordinance #2020-02 entitled ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING TITLE 2 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE TO ELIMINATE CHAPTER 2.106 ENTITLED “PARKS AND RECREATION ADVISORY COMMITTEE”
14. New Business: None
15. Administrator and Staff Reports
16. Township Committee Liaison Reports
17. Public Participation: Questions, comments or statements from members of the public in attendance
18. Final Comments from Township Committee
19. Motion to Adjourn – Next Township Committee Meeting scheduled for Monday, January 27, 2020.

**ALL LEGISLATION LISTED ABOVE IS SUBJECT TO CHANGE
UNTIL IT IS OFFICIALLY ADOPTED BY THE GOVERNING BODY.**

RESOLUTION #2020-29

RESOLUTION APPROVING PROMOTION OF NATHAN ROOHR TO THE POSITION OF LIEUTENANT IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT

BE IT RESOLVED by the Township Committee of the Township of Bordentown that, as recommended by the Chief of Police, it does hereby promote from the Certification of Eligibles for Appointment dated December 16, 2019, Certification Number PL191861, Sergeant Nathan A. Roohr, to the position of Police Lieutenant effective January 13, 2020; and

BE IT FURTHER RESOLVED that compensation shall be at Police Lieutenant level in accordance with the Collective Bargaining Agreement between the Township of Bordentown and the Bordentown Township Police Command Officers Association dated January 22, 2018; and

BE IT FURTHER RESOLVED that said promotion is subject to the rules and regulations promulgated by the New Jersey Civil Service Commission.

RESOLUTION #2020-30

RESOLUTION APPROVING PROMOTION OF FRANK NUCERA III TO THE POSITION OF LIEUTENANT IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT

BE IT RESOLVED by the Township Committee of the Township of Bordentown that, as recommended by the Chief of Police, it does hereby promote from the Certification of Eligibles for Appointment dated December 16, 2019, Certification Number PL191861, Sergeant Frank M. Nucera III, to the position of Police Lieutenant effective January 13, 2020; and

BE IT FURTHER RESOLVED that compensation shall be at Police Lieutenant level in accordance with the Collective Bargaining Agreement between the Township of Bordentown and the Bordentown Township Police Command Officers Association dated January 22, 2018; and

BE IT FURTHER RESOLVED that said promotion is subject to the rules and regulations promulgated by the New Jersey Civil Service Commission.

RESOLUTION #2020-31

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Regular and Closed Session Meeting Minutes of December 23, 2020 and the Reorganization Meeting of January 4, 2020; as submitted by the Clerk, are hereby approved as (_____ submitted) (_____ corrected) and authorized to be posted to the Municipal Bulletin Board and website.

TOWNSHIP OF BORDENTOWN

RESOLUTION 2020-32

**GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE
FY2021 (FISCAL GRANT CYCLE JULY 2020-JUNE 2021)**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Committee of the Township of Bordentown in the County of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and, therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Burlington.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington and State of New Jersey that it hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Bordentown Alliance known as (BRAD) grant for fiscal year 2021 in the amount of:

DEDR	\$ 14,049.00
Cash Match	\$ 3,512.25
In-Kind	\$ 10,536.75

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION # 2020-33

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
BORDENTOWN TO TERMINATE PER DIEM EMT

WHEREAS, the Township has made a determination that a Per Diem Emergency Medical Technician is not able to serve as a Per Diem employee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby terminate the following per diem EMT effective January 13, 2020:

Bosy Jose Sance-Taversiere

BE IT FURTHER RESOLVED that the above named individual is to be removed from the NJ Civil Service County and Municipal Personnel System (CAMPS); and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Bordentown that the above employment termination is in accordance with and under the regulations of the New Jersey State Civil Service Commission.

RESOLUTION #2020-34

RESOLUTION AUTHORIZING BUDGET TRANSFERS

BE IT RESOLVED by the Township of the Township of Bordentown that it hereby approves and authorizes the Chief Financial Officer to make the following 2019 Budget Appropriation transfers pursuant to N.J.S.A. 40A:4-58:

<u>ACCOUNT NUMBER</u>	<u>NAME</u>	<u>DEBIT</u>	<u>CREDIT</u>
9-01-20-165-215	Engineering - Misc Expense	\$ 3,000.00	
9-01-20-155-200	Legal - Other Expense		\$ 3,000.00
TOTAL		\$ 3,000.00	\$ 3,000.00

RESOLUTION RECOGNIZING THE IMPORTANCE OF THE 2020 CENSUS

WHEREAS, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy; and

WHEREAS, the Township of Bordentown is committed to ensuring every resident is counted; and

WHEREAS, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing; and

WHEREAS, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and municipal councils, and voting districts; and

WHEREAS, information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment; and

WHEREAS, the information collected by the census is used only to produce statistics and is confidential and protected under Title 13 of the United States Code and identifiable information cannot be used by any government agency or court; and

WHEREAS, a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our citizens;

Now, therefore, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey that the Township of Bordentown is committed to partnering with the U.S. Census Bureau and the State of New Jersey and will:

1. Support the goals and ideals for the 2020 Census and will disseminate 2020 Census information.
2. Encourage all Township of Bordentown residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation.
3. Provide Census advocates to speak to the Township of Bordentown and Community Organizations.
4. Support census takers as they help our Township complete an accurate count.
5. Strive to achieve a complete and accurate count of all persons within our borders

RESOLUTION #2020-36

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated January 13, 2020, as submitted by the Office of Treasurer are hereby approved for payment and the Office of the Treasurer is directed to pay the same.

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2020-01

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BORDENTOWN AND GRANTING TO THE PLANNING BOARD OF THE TOWNSHIP OF BORDENTOWN THE POWERS FORMERLY HELD BY THE BORDENTOWN ZONING BOARD OF ADJUSTMENT

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-25c, specifically allows municipalities having a population of 15,000 or less by Ordinance to grant to the Planning Board, to the same extent and subject to the same restrictions, all the powers of a Board of Adjustment operating within such a municipality; and

WHEREAS, the Township of Bordentown has a population of 15,000 or less; and

WHEREAS, it is the desire of the Bordentown Township Committee to reduce tax burdens on the Township taxpayers by eliminating the dual expenses of having two Boards; and

WHEREAS, it is further the desire of the Bordentown Township Committee to consolidate zoning matters into one body so that uniform and consistent zoning in accordance with the Municipal Land Use Law would be advanced within the Township; and

WHEREAS, when the Planning Board exercises the powers of the former Bordentown Township Zoning Board of Adjustment, any Class I and Class III member of said Planning Board shall not participate in the consideration of any applications for development which involve relief pursuant to subsection (d) of N.J.S.A. 40:55D-70; and

WHEREAS, any matters pending before the Township Zoning Board of Adjustment prior to March 1, 2020 and the adoption of this Ordinance shall be heard in accordance with N.J.S.A. 40:55D-72.1; and

WHEREAS, the Bordentown Township Municipal Code will require amendment to incorporate the changes as contemplated by this Ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Bordentown, County of Burlington, and State of New Jersey as follows:

SECTION 1. As of March 1, 2020, the Zoning Board of Adjustment of the Bordentown Township is hereby abolished except that any applications then pending before said Zoning Board of Adjustment will continue to be heard in accordance with N.J.S.A. 40:55D-72.1.

SECTION 2. Any Class I and Class III member of the Planning Board shall not participate in the consideration of any applications of development which involve relief pursuant to subsection (d) of N.J.S.A. 40:55D-70.

SECTION 3. The purpose of this Ordinance is to grant the powers of the former Zoning Board of Adjustment to the Municipal Planning Board. To that extent, this Ordinance may not be all inclusive so that if there is any Ordinance, whether the same be a Municipal Land Use Ordinance or otherwise, which grants powers to the Municipal Zoning Board of Adjustment, said powers shall now lie with the Planning Board.

SECTION 4. Amendment of Chapter 25, Section 700 of the Bordentown Township Municipal Code entitled “Zoning Board of Adjustment and Planning Board”: All sections and references to the Zoning Board of Adjustment shall be deleted to the extent that any provisions thereof may now be redundant, and any powers, criteria and jurisdiction contained therein shall now lie with the Municipal Planning Board.

SECTION 5. Chapter 25, Section 700 of the Bordentown Township Municipal Code entitled “Zoning Board of Adjustment and Planning Board” shall be retitled "Planning Board" and any references to Zoning Board of Adjustment shall be deleted.

SECTION 6. Chapter 25, Section 704 of the Bordentown Township Municipal Code entitled “Establishment of a Planning Board” is hereby amended, pursuant to N.J.S.A. 40:55D-23.1 to provide for four alternate members. The revisions to this Chapter are as follows (changes in **boldface**):

- A. A Planning Board is hereby created consisting of nine regular and **four** alternate members of the following four classes:

Class IV-Alternate	Four other citizens of the Township to be appointed by the Mayor. Alternate members shall be designated by the Mayor at the time of their appointment as “Alternate No. 1” Alternate No. 2” Alternate No. 3” and Alternate No. 4.”
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SECTION 7. When necessary for the purposes of implementing this Chapter and the election to have the Municipal Planning Board exercise, to the same extent and subject to the same restrictions, all the powers of a Zoning Board of Adjustment, the term "Planning Board" shall be substituted for the term "Zoning Board of Adjustment" or equivalent in each and every instance where "Zoning Board of Adjustment" or equivalent appears in any Bordentown Township Ordinance, Resolution, rule, regulation or amendments thereto.

SECTION 8. Where the substitution of "Planning Board" for "Zoning Board of Adjustment" or equivalent results in an apparent duplication, redundancy, or conflict in any Ordinance, Resolution, rule or regulation, the same shall be liberally construed and interpreted in accordance with the intent and purpose of N.J.S.A. 55D-25c as adopted herein, whereby the Municipal Planning Board replaces and to the same extent and subject to the same restrictions exercises all the powers of the Zoning Board of Adjustment.

SECTION 9. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 10. Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 11. This ordinance shall take effect immediately upon adoption and publication according to law.

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2020-02

ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING TITLE 2 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE TO ELIMINATE CHAPTER 2.106 ENTITLED "PARKS AND RECREATION ADVISORY COMMITTEE"

WHEREAS, Chapter 2.106 of the Bordentown Township Municipal Code established an advisory committee to recommend, plan and implement improvements to the parks and recreational areas; and

WHEREAS, the Township Administrator has recommended that this advisory committee be eliminated, and that future parks or recreation planning be addressed by use of issue-specific ad hoc committees; and

WHEREAS, the Township Committee has considered the recommendation of the Administrator and has determined that the use of ad hoc committees would better serve the needs of the Township.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Bordentown, in the County of Burlington and the State of New Jersey that Chapter 2.106 of Title 2 of the Bordentown Township Municipal Code be rescinded; and

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Bordentown as follows:

SECTION 1: That Chapter 2.106 entitled "Parks and Recreation Advisory Committee" of the Bordentown Township Municipal Code be amended to remove Chapter 2.106 in its entirety.

SECTION 2: This Ordinance shall take effect as provided by law.