

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
FEBRUARY 10, 2020

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 Eric Holliday
Committeeman Eugene Fuzy
Committeeman James Kostoplis
Committeeman Ken Mason
Administrator Michael Theokas
Chief Financial Officer Jeffrey Elsasser
Township Clerk Maria Carrington
Attorney David Serlin

ABSENT: Attorney Eileen Fahey

Mayor Benowitz called the meeting to order at approximately 7:00 p.m. Roll Call was taken by Township Clerk Carrington.

Committeeman Fuzy made a motion, seconded by Committeeman Kostopolis, to move Resolution #2020-2-10 for the Township Committee to meet in closed executive session for the purpose of discussing:

- Attorney/Client Privilege: Municipal Complex

Voice Vote: All Aye.

The meeting resumed at 7:30 p.m. Mayor Benowitz led a salute to the flag and a moment of silence.

Township Clerk Carrington read the following Open Public Meeting Announcement:

This meeting is called pursuant to the provision of the Open Public Meeting Act. On January 6, 2020, a notice of the 2020 meetings 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 was 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 and has been 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.

Mayoral Proclamation recognizing February as Black History Month. At this time, Mayor Benowitz read the Proclamation into the record.

New Business

a. New 2020 Trash Pick-Up System

Mayor Benowitz deviated from the Agenda and proceeded to 12a, New 2020 Trash Pick-Up System. He read a prepared statement into the record regarding the articulated vs. manual garbage collection. Administrator Theokas added some comments.

Committeeman Fuzy made a motion to open the meeting for public participation; seconded by Deputy Mayor Holliday. Voice Vote: All Aye.

SID MORGINSTIN, 849 East Drive: Mr. Morginstin asked why there is a charge for the second trash can. Administrator Theokas responded for the cost of the can and to cover the additional tipping fees at the landfill. Mayor Benowitz said residents can swap the trash cans for a different size.

NOREEN CARDNALLI, 28 Windingbrook Road: Ms. Cardnalli said the lids blow open on the cans and the trash blows out very easily. She also wanted to make the Township aware that there may be a replacement cost with the broken lids. Administrator Theokas responded that she could still mark her address on the can

ANNE KETTNER, 69 Edgewood Road: Ms. Kettner inquired about grass clippings & weeds. (She has a 17' x 90 garden.) Administrator Theokas responded they can go in with the trash, however, the Township recommends other methods. Brush, twigs, and branches cannot go in the trash cans; they need to be picked up by Public Works. Ms. Kettner also asked why there was no public input or warning. Administrator Theokas responded that this was discussed over several public Township Committee meetings last year when the bid was forthcoming and subsequently awarded.

ROGER SCHNEIDER, 93 Charles Bossert Drive: Mr. Schneider said a lot of his issues were addressed. He said he pays a lot in taxes, and asked if the Township is saving money with the articulated system. Mayor Benowitz responded, yes. Mr. Schneider said residents shouldn't have to pay for a second can if the Township is saving money. He said the Code Enforcement Officer should drive around and see all the contractors that are using our services. Administrator Theokas responded if everyone received a second can, there is more opportunity for abuse and putting things in there requiring additional tipping fees for items that don't belong in regular household trash. Mr. Schneider said he will be needing a second can for grass clippings alone.

SEAN JENNINGS, 77 Charles Bossert Drive: Mr. Jennings said he will need more than one 95 gallon can. When he called the Municipal Clerk's office after he received his first can, he was told that during the transition to hold the excess trash aside until the next pick up, and stated this is unacceptable. Administrator Theokas responded that the Township recognizes that during the first couple weeks there may be an additional pick up of the extra garbage. He said without knowing everyone's personal situation, and wanting to make sure everyone got their first can, the Township is intended to wait to take orders for additional cans. He apologized to Mr. Jennings for the confusion. Mr. Jennings asked what will happen next week to the extra bags that don't fit in the can. Administrator Theokas said he understood that the garbage company would pick them up next week for the first week to account for the 10-day lag.

DAVID CALDWELL, 39 Van Drive: Mr. Caldwell asked what to do about the extra trash accumulated after entertaining. He asked if an extra pick-up could be scheduled after holidays. He also asked if trash pick-up falls on a holiday, will it be picked up the following day; Administrator Theokas responded yes. Mr. Caldwell asked where the \$100 fee came from; Administrator Theokas responded it is the cost of the

can and additional landfill fees, and the Township is trying to be as equitable as possible. The focus is on recycling properly, and a lot of bags can fit in the 95 gallon container. Mr. Caldwell asked about leaves and grass clippings. Mayor Benowitz said the Public Works department goes around town and picks up brush (you can call the PW office to schedule if needed). Grass clippings go in the garbage can in a bag. We are looking into other environmentally friendly ways to use grass clippings.

NOREEN CARDINALLI, 28 Windingbrook Road: Ms. Cardinalli asked if paint cans were included in the hazardous materials that the Public Works facility accepts. Mayor Benowitz responded, yes, and the next shredder event is in May.

ROGER SCHNEIDER, 93 Charles Bossert Drive: Mr. Schneider inquired about bulk pick-up. Administrator Theokas responded the trash company will do the bulk pick-up. Grass clippings must be placed in a bag in the can.

Seeing no further comment, Committeeman Fuzy made a motion to close the meeting to the public; seconded Deputy Mayor Holliday. Voice Vote: All Aye.

Correspondence:

- a. January 13, 2020 memorandum from Burlington County Public Works regarding Municipal Agreement Forms for Aerial Larval/Adult Mosquito Control Activities
ACTION NEEDED: Authorization for Township Administrator to (sign/decline) Aerial Mosquito Control

Committeeman Fuzy made a motion to decline the County's authorization to do the Aerial Mosquito Control Spraying; seconded Deputy Mayor Holliday. Voice Vote: All Aye

- b. January 24, 2020 memorandum from Michael Theokas, Acting Community Development Director regarding the Report on Variance Applications heard by the Zoning Board of Adjustment during the 2019 Calendar Year; No Action Needed

Administrator Theokas said this report lists the Zoning Board applications for the year. It is a statutory requirement that the Township Committee receive a copy.

Administrative Review

Township Clerk Carrington stated there were no changes in the Agenda. Resolution #2020-53 has been clarified to specify what the terms of the agreement were. The UCC services for conflict is for the year 2020.

Consent Agenda

Resolution #2020-50 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS

Resolution #2020-51 entitled AUTHORIZING REFUND OF OVERPAYMENT OF PERMIT FEES

Resolution #2020-52 entitled RESOLUTION AUTHORIZING BUDGET TRANSFERS

Resolution #2020-53 entitled RESOLUTION AUTHORIZING AN EXCHANGE OF CONSTRUCTION UCC CODE SERVICES FOR CONFLICT OF INTEREST AND EMERGENCY SITUATIONS

Resolution #2020-54 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE RENEWAL OF THE TERM OF AN INTERLOCAL SERVICES AGREEMENT WITH BORDENTOWN CITY, MANSFIELD, CHESTERFIELD, NORTH HANOVER AND SPRINGFIELD TOWNSHIPS CONCERNING EXTRA DUTY ASSIGNMENT OF POLICE OFFICERS

Resolution #2020-55 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT FOR POLICE CAR LETTERING BETWEEN THE TOWNSHIP OF BORDENTOWN AND CITY OF BORDENTOWN

Resolution #2020-56 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC AND DESIGN FOR GENERATIONS FOR THE TERRY FIELD ENHANCEMENT AND BEAUTIFICATION PROJECT – PHASE II

Resolution #2020-57 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM RUSSELL REID FOR PICK UP, TRANSPORTATION AND DISPOSAL OF NON-HAZARDOUS MONITORING WELL PURGE WATER AND SOIL CUTTINGS

Resolution #2020-58 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS

Township Committee review and discussion of Consent Agenda Items Resolutions #2020-50 through #2020-58. There were no comments from the Township Committee.

Deputy Mayor Holliday made a motion to open to the public the Consent Agenda items; seconded by Committeeman Fuzy. Voice Vote: All Aye.

Seeing no comment, Committeeman Mason made a motion to close to the public; seconded by Deputy Mayor Holliday. Voice Vote: All Aye.

Committeeman Fuzy made a motion to adopt the Consent Agenda; seconded Deputy Mayor Holliday. Roll Call Vote

AYE: Committeeman Fuzy with abstention on Res. #2020-50; Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

Ordinance #2020-03 entitled AN ORDINANCE TO AMEND ORDINANCE #2019-07 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES

Public Hearing: Committeeman Fuzy made a motion to open the public hearing on Ordinance #2020-03; seconded by Deputy Mayor Holliday. Voice Vote: All Aye,

Seeing no public comment, Committeeman Fuzy made a motion to close the public hearing on Ordinance #2020-03; seconded by Deputy Mayor Holliday. Voice Vote: All Aye.

Adoption: Deputy Mayor Holliday made a motion to adopt Ordinance #2020-03; seconded by Committeeman Mason. Roll Call Vote.

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Holliday, Mayor Benowitz
NAY: None

Introduction of Ordinance #2020-04 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE TO ESTABLISH PERMIT AND FEE SCHEDULE

Deputy Mayor Holliday made a motion to introduce Ordinance #2020-04: seconded by Committeeman Fuzy.

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Holliday, Mayor Benowitz
NAY: None
TOWNSHIP CLERK CARRINGTON: The public hearing will be February 24th

New Business (Cont.)

b. Open Space Diversion Public Scoping Hearing to be held on March 2, 2020 at 6 p.m.

Mayor Benowitz stated that after the hearing is held, questions will be entertained.

Administrator’s Report

Administrator Theokas reported that the internal safety meeting was held on February 6, 2020. The Township was awarded a \$150,000 Parks Grant for the expansion and renovations at Northern Community Park. The Township was also awarded \$75,000 in CDBG Grants for ADA ramps and sidewalks as part of the ongoing improvements for pedestrian safety. The Budget workshop is scheduled for March 7, 2020 where CFO Elsasser and they will talk about the 2020 Budget and long-term, 3 and 5 year financial picture for the Township. The Township is closed February 17, 2020 for President’s Day.

TOWNSHIP COMMITTEE REPORTS

Committeeman Fuzy, Committeeman Kostoplis, Deputy Mayor Holliday, and Mayor Benowitz gave their reports.

PUBLIC PARTICIPATION

Deputy Mayor Holliday made a motion to open the meeting for public participation; seconded by Committeeman Fuzy. Voice Vote: All Aye.

ROGER SCHNEIDER, 93 Charles Bossert Drive: Mr. Schneider stated there was a difference in the amount of calls for Fire District #2 vs. Fire District #1. He also asked about the Scoping Hearing and why it wasn’t on the Township’s website. Administrator Theokas responded that the reason for the Scoping Hearing is to give information and answer questions about the project. Mr. Schneider asked as a participant of the scoping meeting, do letters have to be submitted to the NJ D.E.P. and the Township? Administrator Theokas responded that the transcript and all correspondence received at the meeting will

be sent to the Department of the Environmental Protection. Administrator Theokas was not sure the NJ D.E.P. would be in attendance, but he will confirm this and make sure it is placed on the website.

SID MORGINSTIN, 849 East Drive: Mr. Morginstin said the State has been discussing banning plastic bags and styrofoam containers. He asked if it would be possible for the Township to also look into this. Administrator Theokas said the Township is looking into it, and would like to set up a meeting with both our grocery stores.

Mr. Morginstin said he's in favor of more development/ratables, and there have been quite a bit of warehouses and gas stations recently. He asked if it was possible to curb allowing more warehouses and gas stations. Mayor Benowitz responded that the Township passed on ordinance in 2017 that prohibits any more gas stations on highway commercial. In regard to warehouses, with the reexamination of our Master Plan and examination of two elements, the Township will be creating ordinances in the future to address this.

Seeing no further comment, Committeeman Fuzy made a motion to close the meeting to the public; seconded Committeeman Kostoplis. Voice Vote: All Aye.

There being no further comments from the Township Committee, Deputy Mayor Holliday made a motion to adjourn the Regular Meeting at approximately 9:01 p.m.; seconded by Committeeman Kostoplis. Voice Vote: All Aye.

The next Township Committee Meeting will be held on February 24, 2020.

Respectfully Submitted,

MARIA CARRINGTON, TOWNSHIP CLERK