

**TOWNSHIP OF BORDENTOWN
TOWNSHIP COMMITTEE REGULAR MEETING AGENDA**

DATE: MARCH 23, 2020 TIME: 7:30 P.M.

Via computer: <https://attendee.gotowebinar.com/register/6234700826602022924>

Dial In: (213) 929-4212; Access Code: 845-901-185

1. Call to Order and Roll Call

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

2. Salute to the flag and moment of silence

3. Open Public Meeting 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 written form of the minutes. Minutes are kept for all meetings, whether open or closed to the public.

5. Administrative Review of Agenda

6. CONSIDERATION OF CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.
- b. Public comment on Consent Agenda items.

7. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2020-86 to #2020-91

- a. Resolution #2020-86 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS
- b. Resolution #2020-87 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC FOR ENVIRONMENTAL SERVICES FOR THE JOSEPH LAWRENCE PARK RECREATION EXPANSION PROJECT
- c. Resolution #2020-88 entitled RESOLUTION AUTHORIZING EXTENSION OF AGRICULTURAL LEASE AGREEMENT BETWEEN THE TOWNSHIP OF BORDENTOWN AND MARK TURGYN

- d. Resolution #2020-89 entitled RESOLUTION APPOINTING MEMBERS TO THE BORDENTOWN TOWNSHIP PLANNING BOARD
 - e. Resolution #2020-90 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR GROUNDWATER MONITORING ABANDONMENT AND INSTALLATION FOR THE PROPERTY LOCATED AT 262 CROSSWICKS ROAD
 - f. Resolution #2020-91 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS
8. Ordinance #2020-06 entitled ORDINANCE AMENDING THE BORDENTOWN TOWNSHIP MUNICIPAL CODE ADDING CHAPTER 8.31 REGARDING COMMERCIAL TENANCY CHANGE
 - a. Motion to Table
 - b. Public Hearing Date: April 13, 2020
 9. Ordinance #2020-07 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE AGWAY (GROWMARK)/YATES REDEVELOPMENT PLAN
 - a. Motion to Table
 - b. Public Hearing Date: April 13, 2020
 10. Ordinance #2020-08 entitled ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 183 CROSSWICKS ROAD AND KNOWN AS BLOCK 66, LOT 12.02 PURSUANT TO N.J.S.A. 40A:12-5
 - a. Public Hearing (Motion to open/close to public)
 - b. Consideration of Adoption
 11. Ordinance #2020-09 entitled AN ORDINANCE AMENDING THE BORDENTOWN TOWNSHIP MUNICIPAL CODE AND CREATING A PROJECT LABOR AGREEMENT REQUIREMENT FOR CERTAIN PUBLIC WORKS CONTRACTS AND PUBLICLY FUNDED PROJECTS
 - a. Motion to Table
 - b. Public Hearing Date: April 13, 2020
 12. New Business: None
 13. Administrator's Report
 14. Township Committee Liaison Reports
 15. Public Participation: Questions, comments or statements from members of the public
 16. Final Comments from Township Committee
 17. Motion to Adjourn – Next Township Committee Meeting scheduled for Monday, April 13, 2020.

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

RESOLUTION #2020-86

APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Budget Workshop Minutes of March 7, 2020 and both the Regular and Closed Session Meeting Minutes of March 9, 2020; as submitted by the Clerk, are hereby approved as (_____ submitted) (_____ corrected) and authorized to be posted to the Municipal Bulletin Board and website.

BE IT RESOLVED that the following reports for the month of February 2020 as submitted by the Township Officials have been received, provided to the Township Committee and filed with the Township Clerk: Finance, Tax Collector, Township Clerk, Community Development, Construction and Municipal Court.

RESOLUTION #2020-87

RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC FOR ENVIRONMENTAL SERVICES FOR THE JOSEPH LAWRENCE PARK RECREATION EXPANSION PROJECT

WHEREAS, there is a need for wetlands delineation and associated reporting to the NJ Department of Environment Protection with regard to the Joseph Lawrence Park Recreation Expansion Project; and

WHEREAS, Turek Consulting LLC has submitted a proposal of services for said purposes; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Turek Consulting LLC will best fulfill the needs of the Township at a price not to exceed \$4,600.00; and

WHEREAS, this is to certify to the Township Committee of the Township of Bordentown that funds for this resolution are available as follows:

BUDGET ACCOUNT	YEAR	COST	DETAIL
C-04-55-965-600	CAPITAL	\$4,600.00	Environmental Services – JLP Recreation Expansion

JEFFREY C. ELSASSER
CMFO/CTC/PURCHASING AGENT

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

The Township Administrator is hereby authorized enter into a contract with Turek Consulting LLC of 712 E. Main Street, Suite 1A, Moorestown, NJ 08057 for Vapor Intrusion Mitigation System Inspections in an amount not to exceed \$4,600.00.

RESOLUTION #2020-88

RESOLUTION AUTHORIZING EXTENSION OF AGRICULTURAL LEASE AGREEMENT
BETWEEN THE TOWNSHIP OF BORDENTOWN AND MARK TURGYAN

WHEREAS, the Township of Bordentown entered into a farmland lease agreement with Stephen Turgyan on December 5, 2016 (“the Lease”), for Township-owned open space parcels for the period of January 1, 2017 through December 31, 2017; and

WHEREAS, the Lease provides for annual renewals, at the option of the Township, for five (5) additional one-year terms; and

WHEREAS, the Township Committee of the Township of Bordentown approved the lease transfer from Stephen Turgyn to Mark Turgyn via Resolution 2010-125; and

WHEREAS, it is the desire of the Township Committee of the Township of Bordentown to amend the lease agreement to Mark Turgyn, President of Bet2Win Farm LLC for the third of the five additional one-year terms.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Township Committee hereby authorizes the Mayor and Township Clerk to execute the Farmland Lease Amendment to effectuate the Lease renewal.

RESOLUTION #2020-89

RESOLUTION APPOINTING ALTERNATE MEMBERS TO THE BORDENTOWN
TOWNSHIP PLANNING BOARD

WHEREAS, in accordance with N.J.S.A. 40:55D-23 and Section 25.704 of Bordentown Township Municipal Code, the Mayor is authorized to make appointments to the Planning Board; and

WHEREAS, the Planning Board currently has a Class IV vacancy due to a resignation; and

WHEREAS, the Township Committee adopted Ordinance 2020-01 allowing for two additional alternate members to the Planning Board serving two year terms.

BE IT RESOLVED this 23rd day of March, 2020, by the Township Committee of the Township of Bordentown, in the County of Burlington, and the State of New Jersey, that the Township Committee hereby memorializes the Mayor's appointment of the following people as Members of the Bordentown Township Planning Board:

Class IV Member – Completion of Term Expiring 12/31/20: Erica Boyer

Class IV Member (Alternate #2) – Completion of Term Expiring 12/31/20: Linda Schiano

RESOLUTION #2020-90

RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR GROUNDWATER MONITORING ABANDONMENT AND INSTALLATION FOR THE PROPERTY LOCATED AT 262 CROSSWICKS ROAD

WHEREAS, there is a need for Groundwater Monitoring, Abandonment and Installation regarding the property located at 262 Crosswicks Road in the Township of Bordentown; and

WHEREAS, the Turek Consulting LLC has provided a proposal of services for said purpose; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that Turek Consulting LLC will best fulfill the needs of the Township at a price not to exceed \$7,500.00; and

WHEREAS, this is to certify to the Township Committee of the Township of Bordentown that funds for this resolution are available as follows:

BUDGET ACCOUNT	YEAR	COST	DETAIL
C-04-55-965-600	CAPITAL	\$ 7,500.00	Groundwater Monitoring

JEFFREY C. ELSASSER
CMFO/CTC/PURCHASING AGENT

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

The Township Administrator is hereby authorized enter into a contract with Turek Consulting LLC of 220 North Coles Avenue, Maple Shade NJ 08052, for Groundwater Monitoring Abandonment Installation regarding 262 Crosswicks Road in an amount not to exceed \$7,500.00

RESOLUTION #2020-91

APPROVING 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 March 23, 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 2020-08

**ORDINANCE AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 183
CROSSWICKS ROAD AND KNOWN AS BLOCK 66, LOT 12.02 PURSUANT TO
N.J.S.A. 40A:12-5**

WHEREAS, the owner of those property located at 183 Crosswicks Road and identified on the official tax map of the Township of Bordentown as Block 66, Lot 12.02 has offered this property for sale to the Township of Bordentown; and

WHEREAS, an appraisal was obtained, and due diligence undertaken to determine the suitability of the property for public purposes; and

WHEREAS, the Township Committee of the Township of Bordentown has determined that this property is suitable for a legitimate public purpose, more specifically, to be used for affordable housing; and

WHEREAS pursuant to N.J.S.A. 40A: 12-5(a)(l) et. seq., a municipality may acquire real property for public use.

WHEREAS, funding for this purchase, totaling \$265,000 will be provided from the Affordable Housing Trust.

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

Section 1. The purchase of the property identified as Block 66, Lot 12.02 for the sum of \$265,000 which funds shall be provided from the Township's Affordable Housing Trust is hereby authorized, such purchase to be contingent upon compliance with the Local Lands and Building Law, N.J.S.A. 40A:12-1.

Section 2. The Township Administrator and Township Attorney are hereby authorized to prepare a contract of sale and to negotiate its terms in accordance with applicable law and to do and to perform all other acts as are necessary to complete the real estate transaction including retaining such professionals including, but not limited to, engineers, land surveyors, title company and the like. The Township's acquisition shall be contingent upon satisfaction of all conditions and requirements contained in the contract documents.

Section 3. The Mayor, Township Clerk, Township Administrator, Township Attorney, and such other Township Officials and/or professionals as required are authorized and directed to execute any and all documents on behalf of the Township and undertake all necessary actions in regard to this matter.

Section 4. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

Section 5. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudicated by a court of competent jurisdiction to be involved or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 6. This ordinance shall take effect immediately upon adoption and publication according to law.

INTRODUCED: MARCH 9, 2020
ADOPTED: