

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

DATE: JUNE 8, 2020      TIME: 7:00 P.M.      VIRTUAL MEETING

Join at URL: <https://us02web.zoom.us/j/84910037780?pwd=TTJ4Q3VnbklKVmNSQ1pwcjRGaGN4UT09>

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. Resolution #2020-6-8 to meet in closed session

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby exclude the public to meet in Closed Executive Session for the purpose of discussing:

- Personnel

No action will be taken during the closed session. The minutes of the closed session may be disclosed to the public when it is determined that the above matter(s) no longer require confidentiality.

3. Salute to the Flag and Moment of Silence

4. Open Public Meeting Announcement

This meeting is called pursuant to the provisions 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. Mayoral Proclamations

- a. Proclamation recognizing Emily Wheeler for earning the Gold Award with the Girl Scouts of the USA
- b. Proclamation recognizing Alison Wall for earning the Gold Award with the Girl Scouts of the USA

6. Correspondence: None
7. Administrative Review of Agenda
8. CONSIDERATION OF CONSENT AGENDA ITEMS:
  - a. Township Committee review and discussion of Consent Agenda Items.
  - b. Public comment on Consent Agenda items.
9. CONSENT AGENDA: Motion, Second and Roll Call to adopt Resolutions #2020-122 to #2020-126
  - a. Resolution #2020-122 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS
  - b. Resolution #2020-123 entitled RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF BORDENTOWN POLICE DEPARTMENT AND THE BORDENTOWN REGIONAL SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER
  - c. Resolution #2020-124 entitled RESOLUTION AUTHORIZING THE PREPARATION OF ESTIMATED TAX BILLS FOR THE YEAR OF 2020
  - d. Resolution #2020-125 entitled RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES
  - e. Resolution #2020-126 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS
10. New Business: Outdoor Dining
11. Administrator's Report
12. Township Committee Liaison Reports
13. Public Participation: Questions, comments or statements from members of the public in attendance
14. Final Comments from Township Committee
15. Motion to Adjourn – Next Township Committee Meeting scheduled for Tuesday, June 22, 2020.

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

RESOLUTION 2020-6-8

RESOLUTION TO MEET IN CLOSED EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee of the Township of Bordentown wishes to discuss:

Personnel

WHEREAS, minutes of the closed session will be kept and not be made public until the above matters no longer require confidentiality.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby exclude the public to meet in Closed Executive Session for the purpose of discussing the above matter.

*Office of the Mayor  
Township of Bordentown  
Proclamation*

**WHEREAS**, the Gold Award is the highest award in Girl Scouting; and

**WHEREAS**, the Gold Award can be earned by a Girl Scout high school student that commits to completing 80 hours to make a sustainable change in their communities; and

**WHEREAS**, the Gold Award fosters and nurtures leadership qualities and encourages a Girl Scout to inspire her community through hard work and dedication; and

**WHEREAS**, **Emily Wheeler, #Troop 23921**, has earned the Gold Award by completing her project which is known as, “**Smart Wheelers**”; and

**WHEREAS**, Emily’s project encouraged people to ride bikes to get more exercise and she educated community members about bike maintenance and safety. She participated in many venues including Bordentown Township Community Day and the Bordentown Fall Festival providing information and educational tools. She motivated people to build relationships with Second Life Bikes encouraging others to reuse and recycle bikes; and

**WHEREAS**, Emily will receive her Gold Award on July 12<sup>th</sup>, 2020 at The Merion in Cinnaminson, New Jersey during an Award Ceremony; and

**WHEREAS**, Emily has made a huge impact on her community by being diligent and conscientious as she completed her 80 hours of work on her project.

**NOW, THEREFORE, LET IT BE RESOLVED**, I, Steve Benowitz, Mayor, of the Township of Bordentown, County of Burlington and State of New Jersey, do hereby proclaim **Emily Wheeler** as a shining example of an ideal citizen of this Township showcasing her hard work for the betterment of this community.



  
\_\_\_\_\_  
**STEVE BENOWITZ**  
**MAYOR**

*Office of the Mayor  
Township of Bordentown  
Proclamation*

**WHEREAS**, the Gold Award is the highest award in Girl Scouting; and

**WHEREAS**, the Gold Award can be earned by a Girl Scout high school student that commits to completing 80 hours to make a sustainable change in their communities; and

**WHEREAS**, the Gold Award fosters and nurtures leadership qualities and encourages a Girl Scout to inspire her community through hard work and dedication; and

**WHEREAS**, Alison Wall, #Troop 23921, has earned the Gold Award by completing her project which is known as, “Act Outside the Box”; and

**WHEREAS**, Alison’s project is an effort to combat the decline of face to face communication issue. She identified that children do not know how to communicate effectively with each other because of the constant availability of technology. She was able to address this situation by giving hypothetical situations in a group or one on one by using the element of theatre. Her efforts support exercising their imaginations and having fun creating life long bonds; and

**WHEREAS**, Alison will receive her Gold Award on July 12<sup>th</sup> , 2020 at The Merion in Cinnaminson, New Jersey during an Award Ceremony; and

**WHEREAS**, Alison has made a huge impact on her community by being diligent and conscientious as she completed her 80 hours of work on her project.

**NOW, THEREFORE, LET IT BE RESOLVED**, I, Steve Benowitz, Mayor, of the Township of Bordentown, County of Burlington and State of New Jersey, do hereby proclaim Alison Wall as a shining example of an ideal citizen of this Township showcasing her hard work for the betterment of this community.



  
\_\_\_\_\_  
**STEVE BENOWITZ**  
**MAYOR**

RESOLUTION #2020-122

APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the Regular Meeting Minutes of May 26, 2020 as submitted by the Clerk, are hereby approved as ( \_\_\_\_\_ submitted) ( \_\_\_\_\_ corrected) and authorized to be posted to the Municipal Bulletin Board and website.

RESOLUTION #2020-123

RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF BORDENTOWN POLICE DEPARTMENT AND THE BORDENTOWN REGIONAL SCHOOL DISTRICT FOR THE SCHOOL RESOURCE OFFICER

WHEREAS, a Memorandum of Understanding has been agreed upon between the Bordentown Township Police Department and the Bordentown Regional School District for a School Resource Office for the 2020-2021 school year; and

WHEREAS, the Memorandum of Understanding provides details relating to the duties, responsibilities, and hours of the School Resource Office, along with funding in the amount of \$55,000 payable to the Township of Bordentown by the Bordentown Regional School District;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby accept and approve the Memorandum of Understanding, as written, between the Bordentown Township Police Department and the Bordentown Regional School District for the 2020-2021 school year.

**RESOLUTION# 2020-124**

**A RESOLUTION AUTHORIZING THE PREPARATION OF  
ESTIMATED TAX BILLS FOR THE YEAR OF 2020**

**WHEREAS**, the Division of Local Government Services, State of New Jersey has the authority by State Statute to examine, review and then certify all local government budgets to the County Board of Taxation for the purpose of real estate taxation, and

**WHEREAS**, the Burlington County Board of Taxation has not yet received certification of the Township of Bordentown's budget and cannot strike a tax rate until such certification is received from the State of New Jersey and will therefore cause the delay in receiving state funding, and

**WHEREAS**, the Township Committee has determined that there will be insufficient cash flow to support operations in August 2020 unless third quarter revenue is received on time, and

**WHEREAS**, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3.

**NOW THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, hereby authorized that:

1. The Tax Collector is directed to prepare and issue estimated tax bills for the Municipality of Bordentown Township for the third quarter 2020, in accordance with the provisions of N.J.S.A. 54:4-66.2et seq.
2. The entire estimated tax levy for 2020 is hereby set at \$39,721,447.64
3. The Tax Collector takes any additional steps necessary to immediately implement this resolution.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk provides a certified copy of this resolution to the Tax Collector.

**TOWNSHIP OF BORDENTOWN  
CALCULATION OF THE 2020 ESTIMATED TAX RATE**

**2019 TAX LEVY & TAX RATE**

**2020 ESTIMATED RANGE FOR LEVY**

	<u>LEVY</u>	<u>TAX RATE</u>	<u>95%</u>	<u>105%</u>
LOCAL	6,543,493.22	.557	6,216,318.56	6,870,667.88
OPN SPC	349,088.69	.029	349,088.69	349,088.69
SCHOOL	25,188,850.00	2.147	23,929,407.50	26,448,292.50
COUNTY	5,765,170.07	.493	5,476,911.57	6,053,428.57
<b>TOTALS</b>	<b>37,846,601.98</b>	<b>3.226</b>	<b>35,971,726.32</b>	<b>39,721,477.64</b>

**2020 ESTIMATED GENERAL TAX RATE**

<b>AMOUNT TO BE RAISED BY TAXATION:</b>		<b>TAX RATE:</b>
LOCAL	6,870,667.88	.585
OPN SPC	349,088.69	.030
SCHOOL	26,448,292.50	2.254
COUNTY	6,053,428.57	.516
<b>TOTALS</b>	<b>39,721,477.64</b>	<b>3.385</b>

**PREPARED AND CERTIFIED BY:**

  
\_\_\_\_\_  
Municipal Tax Collector

  
\_\_\_\_\_  
Municipal Finance Officer

**RESOLUTION #2020-125**

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES**

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of overpayment of 2020 taxes in the amount of \$1,582.42 to SLATER, BARRY for Block 41 Lot 19 commonly known as 11 PINE AVE.

RESOLUTION #2020-126

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 June 8, 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.

RESOLUTION #2020-128

RESOLUTION PERMITTING TEMPORARY OUTDOOR SEATING FOR RESTAURANTS

**WHEREAS**, Covid-19 Pandemic has had a significant economic impact on the Township's restaurants and eateries;

**WHEREAS**, Governor Murphy has signed Executive Order No. 150 permitting the outdoor service of food and/or beverages, effective 6:00 a.m. Monday June 15, 2020;

**WHEREAS** the Acting Director of the Division of Alcoholic Beverage Control has released Special Ruling SR2020-10 and the State Department of Health has issued Executive Directive No 20-014 both providing guidance on the implementation of temporary outdoor dining;

**WHEREAS**, The Township supports temporary, practical measures that enable Township restaurants to boost customer activity while continuing proactive measures to curtail the spread of the Covid-19 virus.

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

1. Outdoor seating will be temporarily permitted as an accessory use to a restaurant, fast-food restaurant and drive-in restaurant. The temporary period shall be up to 120 days unless a longer or shorter time is established by Executive Order issued by the Governor.
2. A Temporary Outdoor Restaurant Seating Application must be approved by the Township prior to the installation of any outdoor seating. A drawing of the proposed outdoor restaurant seating area must accompany the Application. This drawing shall show the location of all proposed tables and chairs, any other structures such as a host podium and serving stations, and the onsite vehicle circulation pattern. Where available, the sketch shall be superimposed upon an existing site plan drawing, aerial image, or survey. The property owner shall certify that they have approved the application and that the business owner will comply with all applicable County and State Health regulations and directives, Executive Orders issued by the Governor as well as any other local requirements, conditions and/or limitations and will designate an employee onsite for compliance at all times the area is open.
3. The application fee for a Temporary Outdoor Restaurant Seating Application is \$0.00
4. No Site Plan Application, performance bond, maintenance bond or engineering inspection fees will be required in connection with an approved outdoor restaurant seating plan.
5. The following standards are hereby created in connection with outdoor restaurant seating:

- a. Outdoor dining areas must be designed and operated in accordance with State Department Directive 20-014 and any amendments or subsequent directives, and any required County Health Department requirements.
- b. Outdoor restaurant seating areas may be located upon public sidewalks (with approval from the appropriate jurisdiction, County or Municipal) where adequate provision is made for pedestrian safety; on relatively level grass areas, and in parking lots. Preference should be given to creating outdoor restaurant seating on sidewalks and upon grass areas.
- c. Where outdoor seating is proposed to be created in a parking lot, bollards or other protection structures shall be erected along the perimeters of the outdoor restaurant seating area in order to enhance public safety;
- d. Temporary lighting will be required if the outdoor restaurant seating area is proposed to be utilized after dusk;
- e. A tent, awning or umbrellas may be utilized within an outdoor restaurant area but should not restrict pedestrian access; the installation of certain tents and awnings may require construction permit approval;
- f. Serving stations and a host podium may be located within an outdoor restaurant seating area. There shall be no outdoor cooking allowed, unless approved by the County Health Department and Fire Marshal and/or any other designee of the Township Administrator.
- g. No change in grading will be permitted in order to create an outdoor restaurant seating area, and no temporary flooring or mats may be utilized;
- h. Restaurants with existing outdoor seating areas may seek to expand the existing area;
- i. The proposed outdoor restaurant seating area may not affect the effective site circulation of vehicles for employees, customers, emergency vehicles, delivery vehicles and trash pickup of a prior approved site plan;
- j. The operator of an outdoor seating area shall be responsible for maintaining a sanitary, safe litter-free, and well-kept appearance of the property.
- k. Licensees or permittees with on-premises retail consumption privileges are responsible for obtaining a Covid-19 Expansion Permit and compliance with the New Jersey Alcoholic Beverage Control Commission (See ABC Special Ruling 2020-10 dated 6/3/2020.)
- l. In multi-tenanted properties, an approved outdoor restaurant seating area must be discontinued or reduced in size if other retail, personal service and/or commercial

establishments are permitted to reopen and there is then an inadequate number of parking stalls available in the discretion of the Township Zoning Officer and or if the Township Administrator or his designee identifies a safety issue that may involve but not be limited to traffic, fire, pedestrian safety and trash management.

- m. All outdoor seating areas must operate within the hours of the Township's existing Noise Ordinance, Chapter 8.20 which does not allow permitted activities between 10 p.m. and 7 a.m.
- n. The Township Zoning Officer, Township Administrator, Traffic Safety Officer and Fire Marshal shall have the discretion to create additional standards for a particular property and to fashion such conditions as may be necessary to further the purposes of the Township Zoning Ordinance as well as the goals and objectives of the Township's Master Plan.
- o. An approved outdoor restaurant seating area shall be discontinued or reduced in size if the restaurant establishment fails to comply with applicable sanitary and cleaning standards, use of masks and partitions, social distancing or other requirements issued by the Governor, State or County Department of Health or the Township.