

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
NOVEMBER 23, 2020

The Regular meeting of the Township Committee of the Township of Bordentown was held virtually using Zoom due to the ongoing public health emergency.

PRESENT: Mayor Stephen Benowitz
Deputy Mayor Eric Holliday
Committeeman Eugene Fuzy
Committeeman James Kostoplis
Administrator Michael Theokas
Chief Financial Officer Jeffrey Elsasser
Clerk Maria Carrington
Attorney Eileen Fahey

ABSENT: Committeeman Ken Mason

Mayor Benowitz called the meeting to order at approximately 7:00 p.m.

Roll Call was taken by Township Clerk Carrington.

Resolution 2020-11-23 entitled RESOLUTION TO MEET IN CLOSED EXECUTIVE SESSION moved by Committeeman Kostoplis and seconded by Committeeman Fuzy. Voice Vote: All Aye.

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:

- Attorney/Client Privilege: Litigation/Affordable Housing

No formal action was taken during the closed session. The minutes of the closed session may be disclosed to the public when it is determined that the above matters no longer require confidentiality.

The meeting was reopened to the public at approximately 7:12 p.m. through a motion made by Committeeman Kostoplis, seconded by Committeeman Fuzy. Voice Vote: All Aye.

The meeting was then recessed until 7:30 p.m.

The Mayor led a salute to the flag and dedicated a moment of silence in honor of Gary N. Pelehaty who passed away. Mr. Pelehaty served as Township Committeeman from 1989 to 1991 and is a past president of Bordentown's Peoples Bank. The flags will be flown at half-mast tomorrow in his memory.

Township Clerk Carrington read the following Open Public Meeting Announcement:

This meeting is called pursuant to the provisions of the Open Public Meeting Act. A notice of the 2020 meetings was sent to the *Burlington County Times* and *The Times* on January 8, 2020 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 was 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 although virtual are open to the public and 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.

Correspondence: None

Administrative Review: Clerk Carrington stated that there were no changes to the agenda.

Consent Agenda:

Resolution #2020-271 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS

Resolution #2020-272 entitled RESOLUTION DIRECTING THE DISTRIBUTION OF THE TOWNSHIP OF BORDENTOWN NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

Resolution #2020-273 entitled RESOLUTION SUPPORTING AN APPLICATION BY HABITAT FOR HUMANITY OF BURLINGTON AND MERCER COUNTIES, INC. TO THE DEPARTMENT OF COMMUNITY AFFAIRS, NEW JERSEY AFFORDABLE HOUSING TRUST FUND PROGRAM

Resolution #2020-274 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

Resolution #2020-275 entitled RELEASE OF PERFORMANCE GUARANTEE FOR PUBLIC IMPROVEMENTS FOR HSC BORDENTOWN, LLC A.K.A. TRACTOR SUPPLY BLOCK: 138.01 LOT: 43

Resolution #2020-276 entitled RELEASE OF PERFORMANCE GUARANTEE FOR LANDSCAPE PERIMETER BUFFER FOR HSC BORDENTOWN, LLC A.K.A. TRACTOR SUPPLY BLOCK: 138.01 LOT: 43

Resolution #2020-277 entitled RESOLUTION TO AWARD A CONTRACT FOR THE DEMOLITION OF THE TOWNSHIP-OWNED CROSSWICKS ROAD PROPERTIES

Resolution #2020-278 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

Resolution #2020-279 entitled RESOLUTION AUTHORIZING BUDGET TRANSFERS

Resolution #2020-280 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS

Township Committee review and discussion of Consent Agenda Items Resolutions #2020-271 through #2020-280: None.

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

EDWIDGE THEOKAS, 1 ANNA ROSE COURT, asked about Resolutions #2020-275 and 2020-276. The Administrator explained that when developers are approved by the Planning Board they are required to post performance bonds to assure that the project is built in compliance with the Planning Board's approval. When the project is completed, inspected and found to be in compliance, the performance bond is released and replaced with a maintenance bond for two years. These bonds protect the Township and are held to assure compliance with approved site plan specifications. In the case of Tractor Supply, trees were taken down to build the building. The developer posted money to a tree fund that allows for trees to be planted elsewhere in the Township to offset the loss of trees from the project.

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

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

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

NAY: None

Ordinances:

Introduction of Ordinance #2020-24 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE AGWAY (GROWMARK)/YATES REDEVELOPMENT PLAN

Mayor Benowitz explained that the Redevelopment Plan is being amended so that it mirrors the affordable housing settlement. Deputy Mayor Holliday made a motion to introduce Ordinance #2020-24; seconded by Committeeman Fuzy. Roll Call Vote:

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

NAY: None

Ordinance #2020-24 will be forwarded to the Planning Board for review at its December 10, 2020 meeting. The public hearing will be held on December 14, 2020.

New Business: Outside Dining

Earlier this year the Committee passed a resolution outlining the policy and procedures for restaurants to extend their dining outdoors. The State has extended the ability for restaurants to serve alcohol outdoors until March 31, 2020. Most of the Township restaurants have decided to end their outside dining as of November 30. Chickie's and Pete's is seeking to extend their outside dining through the winter. The construction department is working with them to assure their tent structures are safe, and the Fire Marshall is working with them to assure that the heating mechanism meets safety standards. The Township's resolution is still valid, and no action is needed.

COVID-19 Update:

The Mayor stated that the Township has had 230 confirmed cases of COVID-19 since the start of the pandemic; however, in the last week it has increased by over 30. There is no particular event or circumstance to account for the increase, and the increase is consistent with the rising numbers in the County and the State. The municipal building is closed to the public; however, the staff is still working. Payments may be placed in the lock box located in the lobby. Also in the lobby, each department has boxes for drop offs. All services continue to be provided. Each morning temperatures are taken of all staff and a questionnaire of coronavirus symptoms must be completed. We are following all guidelines as closely as possible. Buildings are routinely cleaned. We encourage all Township residents to remain vigilant.

Administrator's Report:

The Township held a successful blood drive last Friday which saved 117 lives. Besides the election, our facilities have only been opened for blood drives as blood is crucially needed.

Town Hall will be closed this coming Thursday and Friday for the Thanksgiving holiday.

Leaf pick up continues. Please be patient. Wet leaves slow the process down.

The grading and seeding of the playing fields at Joseph Lawrence Park is underway. The walking paths and parking lot will be worked on this spring.

In the Consent Agenda, a contract was awarded for the demolition of the Township-owned properties at 179, 181 and 183 Crosswicks Road where Habitat for Humanity will be constructing duplexes. Also on the Consent Agenda was a resolution supporting Habitat for Humanity's DCA grant application to fund the project.

Have a happy and safe Thanksgiving.

Township Committee Liaison Reports

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

Public Participation

Committeeman Fuzy made a motion to open the meeting for public participation; seconded by Deputy Mayor Holliday. Voice Vote: All aye. There being no public comment, Deputy Mayor Holliday made a motion to close the meeting to the public; seconded by Committeeman Kostoplis. Voice Vote: All aye.

As a final comment, Deputy Mayor Holliday extended wishes for a happy Thanksgiving. He asked all to please be safe. Mayor Benowitz urged the community to participate in lowering the number of coronavirus cases. The virus has no home in Bordentown Township. Happy Thanksgiving!

Deputy Mayor Holliday made a motion to adjourn the Regular Meeting at approximately 8:10 p.m.; seconded by Committeeman Kostoplis. Voice Vote: All aye.

Respectfully Submitted,

MARIA CARRINGTON, TOWNSHIP CLERK