

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
MAY 5, 2014

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 James Cann
Committeeman Richard Carson
Committeeman John Moynihan
Committeewoman Jill Popko
Township Clerk Colleen Eckert
Attorney William J. Kearns, Jr.
Chief Financial Officer David Kocian
Chief of Police Frank M. Nucera, Jr.

ABSENT: Public Works Director Dean Buhrer

Mayor Benowitz called the meeting to order at approximately 7:03 p.m. and led a salute to the flag and a moment of silence.

Township Clerk Eckert read the following Open Public Meeting Announcement:

In compliance with the Open Public Meetings Act, adequate notice of this meeting was provided in the following manner:

On January 6, 2014, advance written notice of this meeting was posted on the bulletin board opposite the main entrance to the meeting room in the Municipal Building; was FAXED to the REGISTER NEWS, BURLINGTON COUNTY TIMES and THE TIMES; was filed with the Clerk of Bordentown Township; and was mailed to all persons who requested and paid for such notice.

The proceedings of this meeting, which are open to the public, are being electronically recorded. Requisite minutes are kept for all meetings, whether open or closed to the public.

At this time, Committeeman Carson made the following motion:

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby recess this Regular Meeting to meet in Closed Session for the purpose of discussing LSM Contract Matter; Bradford Pointe COAH Funds Disbursement (Contract Matter); Municipal Court Personnel Matter; Public Works Personnel Matter; Nissim Redevelopment Contract Matter; seconded by Committeeman Moynihan.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

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The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:05 pm and reconvened the regular meeting at 7:43 pm.

Mayor's Proclamation Acknowledging and Supporting Mrs. Amber Mack, Mrs. Greater Burlington County. At this time, Mayor presented the Proclamation to Mrs. Amber Mack and read it into the record.

Public Hearing on 2014 Municipal Budget as introduced.

Mayor Benowitz commented on the budget prior to the hearing.

Deputy Mayor Cann made a motion to open the public hearing on the 2014 Municipal Budget as introduced; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

WALT KOSUL, 539 Route 206: Mr. Kosul asked for a statement from each of the Committee Members on the budget. Committeeman Carson, Committeewoman Popko, Deputy Mayor Cann, and Mayor Benowitz each commented and said they were in favor of the budget, as introduced. Committeeman Moynihan offered no comment.

LEN de GROOT, 8 Arlington Road: Mr. de Groot commented/asked questions on several categories of the budget. He also inquired about ordinances for stipends and salaries. Township Clerk Eckert responded that there is a provision in the personnel relations within the code that does allow for awards, stipends, merits, etc. to employees that perform above their assigned duties. Township Clerk Eckert will provide the Township Committee copies of the ordinance that includes salary ranges.

SIDNEY MORGINSTIN, 849 East Drive: Mr. Morginstin asked what the Township's indebtedness is. CFO Kocian did not know off hand but would investigate and respond later in the meeting.

WALT KOSUL, 539 Route 206: Mr. Kosul asked about stipulations and surplus money and the hiring of an Administrator. Mayor Benowitz responded that the position will be filled in 2014 after the State approves the budget.

Mr. Kosul inquired about the PILOT money that was due to the school district. Committeeman Carson explained that the Township verbally agreed to pass an ordinance giving money to the school district even though under a PILOT, they are not required to.

Mr. Kosul inquired about the status of the Township maps. Police Chief Nucera responded that Community Development Director Brian Johnson is working on them.

TIM KIEL, Bowman and Company, Township Auditor: Mr. Kiel responded to Mr. Morginstin's previous questions on the Township's indebtedness. CFO Kocian responded to the questions on percentage of debt.

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TOWNSHIP CLERK ECKERT: Township Clerk Eckert provided the code that allows for awards for meritorious service.

At this time, Committeeman Carson made a motion to close the public hearing; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced that as a result of the Closed Session Meeting, Resolution #2014-125-13A is being added to the Consent Agenda.

CONSENT AGENDA

Resolution #2014-125-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2014-125-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

Resolution #2014-125-11 entitled REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS.

Resolution #2014-125-12 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.

Resolution #2014-125-13 entitled RESOLUTION ACCEPTING PROPOSAL FROM BLACK LAGOON FOR POND MANAGEMENT PROGRAM LOCATED AT NORTHERN COMMUNITY PARK.

Resolution #2014-125-13A entitled A RESOLUTION TO DESIGNATE NISSIM REALTY CO AS THE REDEVELOPER FOR CERTAIN PROPERTY SUBSTANTIALLY OWNED BY NISSIM REALTY CO.

Township Committee reviewed and discussed Consent Agenda Items #2014-125-9 through #2014-125-13A. Committeeman Moynihan and Mayor Benowitz commented/asked questions.

Resolution #2014-125-10. Mayor Benowitz made corrections to the April 21, 2014 Minutes.

At this time, Committeewoman Popko made a motion to open to the public the consent agenda items; seconded by Committeeman Moynihan.

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AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

SIDNEY MORGINSTIN, 849 East Drive: Mr. Morginstin asked about Resolution #2014-125-13 and what was being done at the Park. Committeewoman Popko responded that she is working with Black Lagoon to control the algae with more natural remedies.

Seeing no further comments, Deputy Mayor Cann made a motion to close to the public; seconded by Committeeman Moynihan.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

At this time, Deputy Mayor Cann made a motion to adopt the consent agenda; seconded by Committeewoman Popko.

AYE: Committeeman Carson with an abstention to Resolution #2014-125-10, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2014-16 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP CODE TO ESTABLISH FEES AND TO FURTHER PROVIDE A PROCEDURE FOR REVIEWING AND AMENDING THE FEE SCHEDULE.

At this time, Committeewoman Popko made a motion to open the public hearing on Ordinance #2014-16; seconded by Committeeman Moynihan.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

Seeing no public comment, Deputy Mayor Cann made a motion to close the public hearing on Ordinance #2014-16; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

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Consideration of Adoption of Ordinance #2014-16 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP CODE TO ESTABLISH FEES AND TO FURTHER PROVIDE A PROCEDURE FOR REVIEWING AND AMENDING THE FEE SCHEDULE.

At this time, Committeeman Carson made a motion to adopt Ordinance #2014-16; seconded by Committeewoman Popko.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

Township Committee discussion regarding Rules and Regulations Pertaining to the Dog Park.

Mayor Benowitz stated that the Burlington County JIF provided recommended signage of rules for the dog park. The Township Committee discussed the rules and how the rules would be enforced. Dog park etiquette and dog park rules signs will be posted. Committeewoman Popko announced there will be a meeting about the dog park on Wednesday, May 7, 2014 at 7:00 pm at Northern Community Park. The opening of the dog park will be Saturday, May 10, 2014 from 10:00 am - 2:00 pm, with a ribbon cutting at 12:00 noon.

DEPUTY MAYOR CANN: In response to Mr. Kosul's question of why the Township was not advertising now for the Administrator's position, Deputy Mayor Cann said that the Township does not have assured stable revenue at this time.

Township Committee discussion regarding Utilization of Rolling Sign Machines.

Currently the Township has one electronic rolling sign, and the County allows the Township to use another one. Committeewoman Popko said the Bordentown City Farmer's Market asked to use the sign twice a month on Wednesdays for community notification. Police Chief Nucera said lending them the sign would be okay as long as there are no conflicts, the Township would set up and take down the sign, and the Township would have to deem the area safe where it is being set up. Committeeman Carson expressed concern on control and that other groups would want to borrow it. After discussion, the Township Committee agreed to loan the BMS for notification of the Farmer's Market, with limitation of Bordentown Township Environmental Commission to Bordentown City Environmental Commission, two Wednesdays each month.

Township Committee discussion regarding Creation of a Quarterly Newsletter.

Committeewoman Popko suggested creating a quarterly newsletter for people who are not connected to the Township website or social media. Deputy Mayor Cann suggested the newsletter be produced by Township Administration rather than political. Police Chief Nucera suggested the intern in the Police Department create the newsletter. The discussion will continue at the next meeting, and the cost of a bulk mailing will be provided.

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TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CARSON: Committeeman Carson asked when the ordinance for the PILOT monies going to the schools would be discussed. (It was pulled from the April 21, 2014 meeting agenda.) Attorney Kearns will not be present at the May 19, 2014 meeting, so it will be listed as a discussion item at the June 9, 2014 meeting.

Committeeman Carson said he would like to see a plan developed on what preliminarily would be done in the hiring of the proposed Administrator. Mayor Benowitz appointed a subcommittee consisting of Deputy Mayor Cann, Committeeman Carson, Township Clerk Eckert, and Police Chief Nucera (as available).

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said the Sewerage Authority and the Veteran's Advisory Committee have not met since the last Township Committee Meeting.

Regarding the Police Department: 1) There recently was a disturbance at a local hotel involving young people (not from Bordentown Township) which led to an assault on one of our police officers. Police Chief Nucera has advised that future disturbances of this type could lead to citations against the hotel involved for creating a public nuisance; basically, posting parties instead of offering overnight accommodations. 2) As part of the Law Enforcement Torch Run for the Special Olympics New Jersey, the Township Police Department and Town and Country Diner are holding a fundraiser on May 20, 2014. There will be a meet and greet for New Jersey Special Olympic Athletics and it will be advertised on the website. The Bordentown Township Police will be bussing tables at Town and Country Diner that day. 3) Police Chief Nucera received a letter from Florence Township thanking the Bordentown Township Police Department for its support and attendance at the memorial service after the passing of Chief Alvin Scully. Committeeman Moynihan read part of the letter into the record.

COMMITTEEWOMAN POPKO: On behalf of the Environmental Commission, Committeewoman Popko thanked everyone who took part in the Health and Wellness and the Green Fair.

In regard to the Paper Shredding Event held on May 3, 2014, Guardian, the company who was doing the shredding never showed up. Police Chief Nucera was instrumental in getting the truck there.

The Environmental Commission is working on the Community Garden at West Constitution Drive. The planting will be May 17, 2014, rain date May 18, 2014 beginning at 10:00 a.m. The boy scouts and girl scouts will be there. The harvest will again go to the food pantries.

The Environmental Commission is working on 3 new actions for Sustainable Jersey: 1) the Mow it and Leave it Program, 2) the Anti-Idling Campaign, and 3) the Water Conservation Program.

The Shredder Day Event was successful. There was between 5,000-6,000 lbs. of shredding and electronic recycling which was more than anticipated.

The opening of the dog park will be Saturday, May 10, 2014 from 10:00 am - 2:00 pm, with a ribbon cutting at 12:00 noon.

Bossert Park Bridge repair continues by the Public Works Department. Mowing in the Township has begun.

The next meeting for Senior Citizens is scheduled for May 19, 2014.

DEPUTY MAYOR CANN: Deputy Mayor Cann said he asked Community Development Director Brian Johnson to contact Rick Eustace of the Sewerage Authority to get a status on the TWA (the waste plan) for the large Hedding Road warehouse. Approximately 2 weeks ago, the N.J. DEP

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met with the Sewerage Authority and IDI-Rock Construction to review the TWA. The TWA is just waiting for the approval letter from N.J. DEP, and should immediately be followed by the Sewerage Authority issuing permits. This is the last hurdle.

Deputy Mayor Cann received the final plan for the proposed roadway from DVRPC. The Township can now solicit for funds.

Township Planner Jack Carman compiled a list of areas in the Township that need trees.

The Township will put the Bossert Park Improvements out to bid on May 11, 2014, with bid opening on May 22, 2014, and award on June 9, 2014.

The Hedding Road Traffic Light should be ready for advertisement on May 18, 2014, bids will be in by May 29, 2014, and award on June 9, 2014.

Deputy Mayor Cann said that Mayor Benowitz attended the District #1 Fire Commissioner's meeting for him and gave a summary on what was discussed at the meeting.

MAYOR BENOWITZ: Mayor Benowitz said he will ask Angel Sauro to send a list with dates and times of future Township events to the Township Committee. The Bordentown Street Fair is scheduled for May 17 & 18 from 10:00 am to 4:00 pm.

Deputy Mayor Cann and he attended the Elk's Flag Ceremony on April 27, 2014.

He thanked the Environmental Commission Members and Police Chief Nucera for their part in the Shredder Day Event.

The Health and Wellness Fair had a good turnout and was well-advertised. He thanked the Bordentown Township and Chesterfield Environmental Commissions and all the persons involved.

In regard to the large Hedding Road warehouse, Alternate Engineer Fred Turek is also providing assistance with the County.

The total cost for the Bossert Park Bridge repair is approximately \$20,000; if it went out to bid, it would have been approximately \$450,000. It will be completed in 2 weeks and there will be an opening ceremony.

He attended the May 1, 2014 Waterfront Community meeting. They are expecting rentals in August.

PUBLIC PARTICIPATION: At this time, Committeewoman Popko made a motion to open the meeting for public participation; seconded by Committeeman Moynihan.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

CAROL de GROOT, 8 Arlington Road: Mrs. de Groot asked that the public's comments be summarized and included in the minutes of the Department Head Budget Special meetings that take place on Saturdays. Township Clerk Eckert said that the Township Committee has already approved these minutes. Deputy Mayor Cann said that public participation was not formalized at that meeting, and the public was permitted to interject at any time so it would be a long and difficult process to try to summarize. Committeeman Moynihan added that audio copies of the meetings are available.

Mrs. de Groot asked why some stores in the Township do not have more handicapped parking spots. Attorney Kearns said that it may have pre-dated the ADA. Deputy Mayor Cann responded that Community Development Director Brian Johnson would have to follow-up with enforcement, if needed.

Mrs. de Groot showed the Committee a past Township Newsletter.

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ROBERT PECHT, 40 Crosswicks Street, Bordentown City: Mr. Pecht said he was a former Vice-President of the Bordentown Foundations of Traditions and Co-Chairman of the Art Auction which will be held Saturday, May 10, 2014. Mr. Pecht invited the Township Committee and the public to the Art Auction which is being held at the Scottish Rite at 7:00 pm. He also stated that he has donated from his business \$5,000 to the 4th of July Fireworks with monies obtained through fundraising; i.e. the Car Show, Street Fair, selling shirts, etc. He gave 5 tickets to the Township Committee members for the art Auction.

LEN de GROOT, 8 Arlington Road: Mr. de Groot inquired about the K. Johnson project and Bordentown Waterfront PILOTS. Deputy Mayor Cann addressed his questions.

Mr. de Groot offered information on the mailing of the Township newsletter.

WALT KOSUL, 539 Route 206: Mr. Kosul said he was in favor of the hiring of the Administrator.

Mr. Kosul commented on the PILOT programs and the monies that will be going to the School District. Deputy Mayor Cann addressed his questions. Committeewoman Popko said there is a resolution pertaining to the Waterfront PILOT and dedicating PILOT funds to the school.

At this time, Committeeman Carson made the following motion:

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby adjourn the regular meeting; seconded by Deputy Mayor Cann.

AYE: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 10:23 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK