

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JUNE 9, 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
Public Works Director Dean Buhner

ABSENT: Chief of Police Frank M. Nucera, Jr.

Mayor Benowitz called the meeting to order at approximately 7:04 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 Police Department Personnel Matter; Municipal Court Personnel Matter; Barbara Woolley-Dillon v. Township of Bordentown; Borden's Crossing Performance Bond Issue (Potential Litigation); Bradford Pointe Contract Matter (COAH Funds); Tax Appeals; seconded by Deputy Mayor Cann.

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.

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:07 pm and reconvened the regular meeting at 7:56 pm.

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced that Resolution #2014-160-11 is being pulled; there were outstanding professionals bills that need to be paid, which no longer leave a balance in the escrow account.

CONSENT AGENDA

Resolution #2014-160-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2014-160-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

Resolution #2014-160-9 entitled TRANSFER OF ESCROW BALANCES RELATED TO THE BORDENTOWN WATERFRONT COMMUNITY PLANNING APPLICATIONS AND CONSTRUCTION.

Resolution #2014-160-10 entitled REFUND OF ESCROW BALANCE FOR DEVELOPMENT APPLICATION.

Resolution #2014-160-11 entitled REFUND OF ESCROW BALANCE FOR DEVELOPMENT APPLICATION. (PULLED)

Resolution #2014-160-12 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PYROTECNICO FOR JULY 4TH FIREWORKS DISPLAY.

Resolution #2014-160-13 entitled AUTHORIZING THE SUBMISSION OF RECYCLING TONNAGE GRANT APPLICATION FOR THE YEAR 2013.

Resolution #2014-160-14 entitled RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE SHARED SERVICES AGREEMENT WITH THE COUNTY OF BURLINGTON FOR CENTRAL COMMUNICATIONS/"911 CALLS" FOR PUBLIC SAFETY ENTITIES.

Resolution #2014-160-15 entitled RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87.

Resolution #2014-160-16 entitled A RESOLUTION AUTHORIZING AN APPLICATION TO AND COMMITTING TO THE MAINTENANCE OF A PROJECT FUNDED BY, THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) SAFE ROUTES TO SCHOOL PROGRAM.

Resolution #2014-160-17 entitled A RESOLUTION AUTHORIZING AN APPLICATION TO, AND COMMITTING TO THE MAINTENANCE OF A PROJECT FUNDED BY, THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP).

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Resolution #2014-160-18 entitled REJECTING BID FOR THE CHARLES BOSSERT PARK RECREATION IMPROVEMENTS PROJECT.

Resolution #2014-160-19 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO THE FOUNDATION FOR BORDENTOWN TRADITIONS.

Resolution #2014-160-20 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES.

Resolution #2014-160-21 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY DISTRIBUTION LICENSE.

Resolution #2014-160-22 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL COMSUMPTION LICENSES WITH SPECIAL CONDITIONS.

Resolution #2014-160-23 entitled RENEWING ALCOHOLIC BEVERAGE CLUB LICENSE.

Township Committee reviewed and discussed Consent Agenda Items #2014-160-7 through #2014-160-23, excluding Resolution #2014-160-11. Committeewoman Popko and Deputy Mayor Cann commented/asked questions.

Resolution #2014-160-7. Committeewoman Popko asked for a monetary comparison between renting and purchasing copiers. She also asked for an update on the payment to Capehart & Scatchard regarding a legal matter. Township Clerk Eckert will follow-up with the payment to Providence House that is being charged to the Sr. Center instead of the Police Department. Committeewoman Popko noted that Guardian Document Destruction deducted \$150 off their bill for showing up 1 hour late to the Shredding Day Event.

There was discussion regarding funding of the 4th of July Fireworks and the bids received for the Charles Bossert Park Recreation Improvements Project.

Deputy Mayor Cann inquired why the Township is still receiving postage bills from Pitney-Bowes. He said that Police Chief Nucera followed up and the e-stamp companies were cheaper, and the Township would start using it. Township Clerk Eckert said she will follow-up on this matter.

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

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

NAY: None

WALT KOSUL, 539 Route 206: In regard to Resolution #2014-160-9, Mr. Kosul asked where the credit balances would be transferred to.

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

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

NAY: None

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

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

NAY: None

Public Hearing on Ordinance #2014-17 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF BORDENTOWN RELATING TO LAND DEVELOPMENT, TO INCLUDE A SPECIFIC DEFINITION IN SECTION 202 OF THE CODE TO DEFINE THE TERM “CONVENIENCE STORE”.

At this time, Deputy Mayor Cann made a motion to open the public hearing on Ordinance #2014-17; seconded by Committeeman Moynihan.

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

NAY: None

WALT KOSUL, 539 Route 206: Mr. Kosul asked what the purpose of the ordinance was.

Seeing no further public comment, Deputy Mayor Cann made a motion to close the public hearing on Ordinance #2014-17; seconded by Committeeman Carson.

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

NAY: None

Consideration of Adoption of Ordinance #2014-17 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF BORDENTOWN RELATING TO LAND DEVELOPMENT, TO INCLUDE A SPECIFIC DEFINITION IN SECTION 202 OF THE CODE TO DEFINE THE TERM “CONVENIENCE STORE”.

The Township Committee members gave comments/discussed this ordinance and the proposed Quick-Chek gas station/convenience store to be located in the Waterfront Redevelopment Area.

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At this time, Deputy Mayor Cann made a motion to adopt Ordinance #2014-17; seconded by Committeeman Moynihan.

AYE: Deputy Mayor Cann, Mayor Benowitz

NAY: Committeeman Carson, Committeeman Moynihan, Committeewoman Popko

Public Hearing on Ordinance #2014-18 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE WATERFRONT VILLAGE REDEVELOPMENT AREA REDEVELOPMENT PLAN FOR WATERFRONT VILLAGE TO ESTABLISH REVISED PERMITTED OR CONDITIONAL USES.

At this time, Deputy Mayor Cann made a motion to open the public hearing on Ordinance #2014-18; seconded by Committeeman Moynihan.

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

NAY: None

BOB DALE, Representing Bordentown Waterfront Village: Mr. Dale explained that the Township Committee referred them to the Planning Board. The Planning Board's strongest objection was the location of the gas pumps at the corner at the traffic light. Working with the Planning Board, they purchased other land which is a better location for senior housing, and worked with Quick-Chek to change their plan. Mr. Dale presented the Township Committee the new computer generated renderings of the Quick-Check and retail area which they feel is attractive to the residents of development. He strongly expressed that the retail market has changed dramatically and Bordentown's local population is not enough to attract small retailers to the location, and thus the project will stall. Quick-Chek will not build a convenience store without fuel.

WALT KOSUL, 539 Route 206: Mr. Kosul stated that Bordentown has lots of opportunity because of the surrounding major highways.

Seeing no further public comment, Committeeman Carson made a motion to close the public hearing on Ordinance #2014-18; seconded by Committeeman Moynihan.

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

NAY: None

Consideration of Adoption of Ordinance #2014-18 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE WATERFRONT VILLAGE REDEVELOPMENT AREA REDEVELOPMENT PLAN FOR WATERFRONT VILLAGE TO ESTABLISH REVISED PERMITTED OR CONDITIONAL USES.

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At this time, Deputy Mayor Cann made a motion to adopt Ordinance #2014-18; seconded by Committeeman Moynihan.

AYE: Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: Committeeman Carson, Committeeman Moynihan

NOTE: After lengthy discussion regarding the Bordentown Waterfront Village, Ordinance #2014-17 is re-introduced as Ordinance #2014-19.

Consideration of Introduction of Ordinance #2014-19 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF BORDENTOWN RELATING TO LAND DEVELOPMENT, TO INCLUDE A SPECIFIC DEFINITION IN SECTION 202 OF THE CODE TO DEFINE THE TERM "CONVENIENCE STORE".

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-19; seconded by Mayor Benowitz.

AYE: Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: Committeeman Carson, Committeeman Moynihan

TOWNSHIP CLERK ECKERT: The public hearing will be June 23rd.

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 9:06 pm and reconvened the regular meeting at 9:14 pm.

Township Committee discussion of Dedication of PILOT Funds to the Bordentown Regional School District.

As follow-up to prior discussions, Committeeman Carson discussed possible percentages of the PILOT funds that are proposed to go to the School District. Deputy Mayor Cann will work with Attorney Kearns to present to the Township Committee at the next meeting.

Township Committee discussion of Proposed Redevelopment Area.

Mayor Benowitz suggested that the proposed redevelopment area by Borden's Crossing on Route 130 up to Rydal Apartments be referred to the Planning Board to review for feasibility to declare as a redevelopment zone.

Committeeman Carson made a motion to refer this area to the Planning Board for study; seconded by Committeeman Moynihan.

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

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NAY: None

Township Committee discussion of the Creation of a Township Newsletter.

Mayor Benowitz said the approximate cost for creation in-house and mailing of a Township Newsletter would be \$850 per issue. Committeewoman Popko said that residents should be encouraged to go onto the Township website for information regarding the Township. The intern in the Police Department will be responsible for creating the Newsletter.

Committeeman Carson made a motion to create a Township Newsletter and send out via bulk mail to residents semi-annually; seconded by Deputy Mayor Cann.

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

NAY: None

Township Committee discussion of the Proposed Road Improvement Program for Year 2014.

Mayor Benowitz gave a status of the Program and indicated Amboy, Mission, Shelburne, and Yorktown Roads are scheduled to be done. Public Works Director Buhner stated there may be reconstruction at the end of Mission Road. Committeewoman Popko inquired about the letter sent by the Environmental Commission to the Township Committee requesting that the Township not use Coal Tar. This letter will be discussed later in the meeting.

Township Committee discussion of the status of the Public Works Expansion Facility Utilization.

Mayor Benowitz gave a status of the new Public Works facility. Emergency Management Coordinator Andy Law's new office is already set up there. Recycling at the site may start in the fall.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CARSON: Committeeman Carson and Deputy Mayor Cann met to discuss the procedures that would be followed in the hiring of an Administrator. An ad created by Township Clerk Eckert and approved by the both of them, will be placed in the League Magazine, the Courier Times, the Star Ledger, the Trenton Times, and the Burlington County Times (2 Sundays each) with a deadline of July 30 to apply. Upon receipt of the resumes, Township Clerk Eckert will scan and e-mail them to all the Committee Members. Attorney Kearns suggested creating and having on hand a profile sheet of the Township.

Committeeman Carson said he spoke with C.D. Director Brian Johnson regarding the clean-up of the vacant home on Arlington Road.

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

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The Police Department extended their thanks to everyone who supported the Special Olympics Fundraiser held at Town and Country Diner held on May 20, 2014. Over \$2,000 was raised for the charity.

The Police Department radio tower took a lightning strike during a recent electrical storm. Several pieces of equipment were knocked out and are being repaired.

Mothers Against Drunk Driving (MADD) has recognized Sergeant Mount and Patrolman Biddle for 15 and 16 DWI arrests respectively in 2013. He said there were a total of 88 Township-wide DWI arrests in 2013.

COMMITTEEWOMAN POPKO: The Public Works Department has cleared the storm drains on Hinkle and Orchard Drives. The Bossert Park Bridge is complete. Roadway repair is being done at 10 Windsor Road. The punchlist and photos for the work being done on Municipal Drive between Town Hall and the Senior Community Center have gone out. P.W. Director Buhner and Emergency Management Coordinator Andy Law will be attending a class for Ready Solutions, the Township's Emergency Computer Program.

In regard to the Environmental Commission, the poster award ceremony for the Girl Scouts was held.

The Environmental Commission turned in their application for bronze certification, and will know in December if they will be certified. The Community Garden is in and the crops are growing. There is a lot of involvement from residents and girl scouts. A harvest party will be held in September with invitations being extended to parishioners of St. Mary's and Holy Cross Lutheran.

The Paper Shredding Event accumulated over 8,000 lbs. of paper, which broke the record for previous events. Another Event will be scheduled in October.

The Environmental Commission will have a table at the Bordentown City Green Fair on Saturday, June 14, 2014.

Music in the Park is in the process of being organized.

DEPUTY MAYOR CANN: Deputy Mayor Cann said he spoke with Emergency Management Coordinator Andy Law and the Township has a new FEMA representative. The County, the new FEMA representative, and Mr. Law are meeting to discuss the revised Orchard Road application.

The annual audit is going on. There are no significant problematic areas.

He met with Assessor Eileen Carlos and there are still outstanding cases from 2010, 2011, 2012, and 2013, as well as a couple of older troublesome settlements. Three cases are headed to state court, which will require expended funds.

MAYOR BENOWITZ: Mayor Benowitz announced the staff's JIF weight loss results totaled over 100 lbs. in 6 weeks.

The Bordentown Township website has 5,000 unique visitors.

The Mayor has been performing ribbon cutting ceremonies for new businesses, and has several more scheduled. There will also be a ribbon cutting at the Bossert Park bridge.

The Fire Commissioners are still meeting regarding consolidation.

There is a meeting on May 30, 2014 to discuss consideration of a redevelopment zone. They are requesting it for the properties across the highway from the Team 85 project at route 130 south.

Mayor Benowitz gave an update on the Bordentown Waterfront Community Project. The Engineering Company for the Bordentown City Water Company, Matthew Pey of Cardino BCM, will no longer be retained by the Bordentown City Water Company.

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Mayor Benowitz read into the record a letter from Amber Mack, who is entered in the Mrs. New Jersey Contest thanking the Township. Bordentown Township did a Proclamation for her at a prior meeting.

Initial discussions with Bordentown City have begun for the exploration of Shared Services.

There was meeting on May 29, 2014 with a construction firm for our new neighbors on Bordentown-Hedding Road. The meetings with the Meadow Run Association and the contractor are going to occur. Tentatively this week there will be further news including a press release by the end user.

The Economic Development Advisory Committee (EDAC) business breakfast is scheduled for June 16, 2014 at Town and Country. Jeffrey Albert will be the guest speaker. All are invited.

A letter from the Environmental Commission that Committeewoman Popko referred to will be held until the next Township Committee Meeting.

COMMITTEEMAN CARSON: Committeeman Carson announced that the League of Municipalities Magazine highlighted the tax cut in Bordentown Township.

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

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

NAY: None

DEAN BUHRER, Director of Public Works, Bordentown Township: Mr. Buhler addressed the recent Route 545 and Route 528 road closures. He said that Emergency Management Coordinator, Andy Law and he are creating a letter urging the State, County, and Municipalities to coordinate a road closure in the event an emergency vehicle should need to utilize the road or be informed of an alternate route.

At this time, Committeeman Moynihan made a motion to close the meeting for public participation; seconded by Committeeman Carson.

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

NAY: None

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 Committeeman Moynihan.

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

NAY: None

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The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 10:11 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK