

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JUNE 23, 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 John Moynihan
Committeewoman Jill Popko
Township Clerk Colleen Eckert
Attorney William J. Kearns, Jr.
Chief Financial Officer David Kocian
Public Works Director Dean Buhrer

ABSENT: Committeeman Richard Carson
Chief of Police Frank M. Nucera, Jr.

Mayor Benowitz called the meeting to order at approximately 7:05 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, Deputy Mayor Cann 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 Professional Services Contract Matters; seconded by Committeewoman Popko.

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 Moynihan, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

ABSENT: Committeeman Carson

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The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:07 pm and reconvened the regular meeting at 7:34 pm.

Presentation by Volunteers of America.

A presentation was given by Owen McCabe and Daniel Lombardo of the Volunteers of America, a senior affordable housing provider. Volunteers of America expressed interest in building at the Bordentown Waterfront Community location.

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced that as a result of Closed Session there are several resolutions that are being added to the Consent Agenda: Resolutions #2014-174-26A through Resolutions #2014-174-26F. These are all related to engineering proposals for different projects currently being done in the Township.

CONSENT AGENDA

Resolution #2014-174-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2014-174-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2014-174-10 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWING MEMBERSHIP IN THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND.

Resolution #2014-174-11 entitled RESOLUTION AUTHORIZING TUREK CONSULTING TO SUBMIT A GRANT APPLICATION UNDER THE BURLINGTON COUNTY MUNICIPAL PARK DEVELOPMENT PROGRAM.

Resolution #2014-174-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2014-174-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2014-174-14 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHRING PERMIT TO STONY BROOK SEW & VAC.

Resolution #2014-174-15 entitled RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE EXTENSION OF TRANSPORT AGREEMENT FOR BORDENTOWN TOWNSHIP EMS.

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Resolution #2014-174-16 entitled ACCEPT AND APPROVE PERFORMANCE GUARANTEES FOR SITE IMPROVEMENTS, GRAINGER WAREHOUSE/GRAY CONSTRUCTION.

Resolution #2014-174-17 entitled RESOLUTION AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR CHARLES BOSSERT PARK IMPROVEMENTS PROJECT.

Resolution #2014-174-18 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE WITH SPECIAL CONDITIONS.

Resolution #2014-174-19 entitled RENEWING ALCOHOLIC BEVERAGE CLUB LICENSE.

Resolution #2014-174-20 entitled RESOLUTION AUTHORIZING THE PURCHASE OF PLAYGROUND EQUIPMENT FOR CHARLES BOSSERT PARK IMPROVEMENTS PROJECT.

Resolution #2014-174-21 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO MS. ANNMARIE ALLEN UPON RETIREMENT.

Resolution #2014-174-22 entitled RESOLUTION ENDORSING THE ADOPTION OF GREEN BUILDING PRACTICES FOR CIVIC, COMMERCIAL AND RESIDENTIAL BUILDINGS.

Resolution #2014-174-23 entitled PLEDGE SUPPORTING NJ WILDLIFE ACTION PLAN.

Resolution #2014-174-24 entitled A RESOLUTION TO ESTABLISH A COMPLETE STREETS POLICY.

Resolution #2014-174-25 entitled BORDENTOWN TOWNSHIP COMPANION ANIMAL PLEDGE.

Resolution #2014-174-26 entitled RESOLUTION ACCEPTING PROPOSAL FROM HORNER BROTHERS, LLC, FOR FENCING AT NORTHERN COMMUNITY PARK.

Resolution #2014-174-26A entitled RESOLUTION ACCEPTING THE PROPOSAL FROM CME ASSOCIATES FOR PROFESSIONAL LAND SURVEYING AND ENGINEERING SERVICES FOR THE 2014 ROAD IMPROVEMENT PROGRAM.

Resolution #2014-174-26B entitled RESOLUTION ACCEPTING THE PROPOSAL FROM THE LSRP THROUGH TUREK CONSULTING, LLC, FOR THE REMOVAL OF TWO (2) UNDERGROUND STORAGE TANKS AND REPLACING WITH ABOVE GROUND STORAGE TANKS.

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Resolution #2014-174-26C entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LLC, FOR THE NORTHERN COMMUNITY PARK – PHASE II IMPROVEMENTS PROJECT.

Resolution #2014-174-26D entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LLC, FOR THE DPW UNDERGROUND STORAGE TANKS, LSRP NOTIFICATION OF RETENTION PROJECT.

Resolution #2014-174-26E entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LLC, FOR THE CHARLES BOSSERT PARK IMPROVEMENTS PROJECT.

Resolution #2014-174-26F entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LLC, FOR THE RISING SUN ROAD & HEDDING ROAD TRAFFIC SIGNAL MODIFICATION PROJECT.

Township Committee reviewed and discussed Consent Agenda Items #2014-174-8 through #2014-174-26F. Committeeman Moynihan, Committeewoman Popko and Deputy Mayor Cann commented/asked questions.

Resolution #2014-174-26. Committeewoman Popko asked that the issues with the fencing at the dog park be fixed prior to accepting the proposal for additional work by Horner Brothers.

Deputy Mayor Cann asked CFO Kocian for a cost analysis of expense vs. income. He wants to know how Animal Control is working out relating to the municipalities we have shared services with.

Deputy Mayor Cann said that Police Chief Nucera is working on a vehicle issue with EMS. They are relying on certain vehicles, and he wanted to make sure the usage is being properly distributed.

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

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

NAY: None

ABSENT: Committeeman Carson

SID MORGINSTIN, 849 East Drive: In regard to Resolution #2014-174-24, Mr. Morginstin said the signed resolution from the Environmental Commission was not the one he created. Deputy Mayor Cann told him to discuss this with the Environmental Commission and they can make a further recommendation if needed.

WALT KOSUL, 539 Route 206: Mr. Kosul asked what engineering projects were discussed in Closed Session. Mayor Benowitz listed the projects that are being awarded to Turek Consulting, the Alternate Township Engineer.

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ROBERT DELANEY, 5 Alfred Drive: Mr. Delaney asked if there were competitive bids for the projects. Mayor Benowitz responded, no because he is our (alternate) engineer. Attorney Kearns added that it is professional service and the Township is not required to. Deputy Mayor Cann added there has been cost savings by going with our in-house professionals.

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

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

NAY: None

ABSENT: Committeeman Carson

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

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

NAY: None

ABSENT: Committeeman Carson

Public Hearing on 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, Committeewoman Popko made a motion to open the public hearing on Ordinance #2014-19; seconded by Deputy Mayor Cann.

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

NAY: None

ABSENT: Committeeman Carson

BOB DALE, Bordentown Waterfront Community, LLC: Mr. Dale thanked the Township Committee and the Planning Board for all their work in these deliberations and working with them. He commented on the ordinance and said he agreed with the restrictive elements of the ordinances.

WALT KOSUL, 539 Route 206: Mr. Kosul asked why the ordinance was re-introduced at tonight's meeting. Attorney Kearns responded with what had transpired at the last meeting.

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Seeing no further public comment, Deputy Mayor Cann made a motion to close the public hearing on Ordinance #2014-19; seconded by Committeeman Moynihan.

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

NAY: None

ABSENT: Committeeman Carson

Consideration of Adoption 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 adopt Ordinance #2014-19; seconded by Mayor Benowitz.

AYE: Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: Committeeman Moynihan

ABSENT: Committeeman Carson

Consideration of Introduction of Ordinance #2014-20 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.

CONSTRUCTION OFFICIAL PETE CARBONE: C.O. Carbone reviewed the changes to the fee schedule.

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-20; seconded by Committeewoman Popko.

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

NAY: None

ABSENT: Committeeman Carson

TOWNSHIP CLERK ECKERT: The public hearing will be July 7th.

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Consideration of Introduction of Ordinance #2014-21 entitled AN ORDINANCE TO AMEND ORDINANCE #2013-7 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

At this time, Committeewoman Popko made a motion to introduce Ordinance #2014-21; seconded by Committeeman Moynihan.

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

NAY: None

ABSENT: Committeeman Carson

TOWNSHIP CLERK ECKERT: The public hearing will be July 7th.

Township Committee discussion with Peter Carbone, Construction Official, relating to Inspection Schedule for Grainger Warehouse.

Peter Carbone, Construction Official, said there was a meeting with representatives from the Grainger Warehouse. They gave anticipated time frames for a very aggressive construction schedule.

Mr. Carbone noted several of the projects currently going on in the Township, and it is anticipated that another temporary inspector will be needed. He added that he did not want to interfere with resident inspections. He asked for flexibility for the inspectors to work as needed, not to exceed a certain number of hours per week.

Mr. Carbone will submit a proposal at the next Township Committee Meeting.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN MOYNIHAN: The Bordentown Sewerage Authority met on June 16, 2014. They met with Ocean Spray to plan the shut-down of their plant. In regard IDI Rock/Mazur Consulting, a letter was sent to detailing all the infrastructure improvement requirements, connection fees, and performance bonding requirements for the Grainger Warehouse.

In regard to the Police Department, in two separate incidents, two trucks were stolen from Merrill's Auto Body on Old Amboy Road and later recovered.

COMMITTEEWOMAN POPKO: Committeewoman Popko said that the Public Works Department has repaired sink holes in the Crystal Lake area. The storm drain in Clifton Mills is repaired.

The dog pots are up on the bike trail at Crosswicks and Independence. The dog park exercise equipment is getting done and should be completed by the end of August.

The National Guard Concert will be held July 2, 2014 and will be a free event.

The Fireworks are scheduled for July 3, 2014 at dusk. The Fishing Derby is July 4, 2014.

The Environmental Commission Meeting has been going strong and the girl scouts have been watering and mulching the Community Garden.

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The Environmental Commission inquired about the site (formerly the dump) where PSE&G is installing solar panels. Mayor Benowitz and Community Development Director Brian Johnson responded.

In regard to property foreclosures, Committeewoman Popko asked that a spreadsheet be put together to keep better track of the banks' continued property maintenance. Attorney Kearns added that there was legislation just passed effective July 15, 2014 making the banks responsible for maintaining the properties.

Committeewoman Popko, along with the entire Township Committee, attended the high school graduation.

Committeewoman Popko discussed Music in the Park. Bands are scheduled for July 10, 17, 24, 31, and August 7.

DEPUTY MAYOR CANN: Deputy Mayor Cann said the Planning Board had a discussion regarding the redevelopment study area at Borden's Crossing. It was suggested that the redevelopment study area be increased to the north up to Villa Mannino's and to the south to Southgate Apartments. A recommendation from the Planning Board to the Township Committee will follow.

Deputy Mayor Cann and other Township representatives are working with John Keller, Supervising Engineer of the N.J. Turnpike, regarding the Holloway Meadows detention basin which is still not draining.

There was a meeting with Township representatives and the Bordentown Waterfront Community to discuss the status of the development. Also discussed was their ability to pay the bond payment should there not be enough finished units. The first PILOT funds may be received by the end of the year.

Community Development Director Brian Johnson and he have been talking to parties who are interested in the Central Crossing Industrial Park and areas surrounding it. Meetings are being planned. The Township is coordinating their application, especially in regard to the Sewer Authority and their infrastructure demands so they can easily move forward.

Deputy Mayor Cann attended the high school and middle school graduations. He said the students are talented, and we have a lot to be proud of.

The Township has not yet collected any PILOT funds to date.

MAYOR BENOWITZ: Mayor Benowitz announced that a tour of the Bordentown Waterfront by Jeffrey Albert is scheduled for July 10, 2014 at 11:00 a.m. for the Economic Development Committee and open to anyone who wants to go.

The Economic Development Advisory Committee breakfast was held on June 16, 2014. Jeffrey Albert and Mayor Benowitz were the speakers.

There was a ribbon cutting at Holly's Barbershop and Farmer's Insurance.

He thanked Township Clerk Eckert and Sarah Lyons, the intern in the police department, for putting together the Township newsletter.

There will be counters on Mission and Groveville Roads dealing with the safety issues.

A meeting is schedule with Gray Construction who is the contractor for the Grainger warehouse. Mayor Benowitz is insisting that they meet with the Meadow Run residents.

He met with Mr. Taylor and Mr. Taylor regarding the Holiday Inn Express project which is beginning. A 101 room hotel is being built at the (current) Edgewood Motel site, with ground breaking tentatively scheduled for August 1, 2014.

The Bossert Park Bridge ribbon cutting ceremony is scheduled for July 12, 2014 at 11:00 a.m.

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Mayor Benowitz reviewed the upcoming Township events. The National Guard Free Concert will be held July 2, 2014, the Fireworks are scheduled for July 3, 2014 at dusk, and the Fishing Derby is July 4, 2014.

The Fire District Commissioners had a joint meeting on June 16, 2014. The talks on consolidation are progressing.

He attended both graduations.

Mayor Benowitz did his second taping for Comcast Newsmakers.

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

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

NAY: None

ABSENT: Committeeman Carson

SID MORGINSTIN, 849 East Drive: Mr. Morginstin inquired about the work hours required by the Construction Office. Deputy Mayor Cann responded that it is according to the volume of work the Township receives.

ROBERT DELANEY, 5 Alfred Drive: Mr. Delaney commented that the Planning Board will incorporate the already established properties into redevelopment study area at Borden's Crossing.

Mr. Delaney asked if the dog park was designed with safety in mind. Mayor Benowitz responded that it is being corrected. Committeewoman Popko added that the reason the dog park was erected so quickly was because it was stipulated in the Grant that it had to be completed in six months(which included the winter months).

Mr. Delaney asked Attorney Kearns about the Planning Board recommendation to the Township Committee concerning Quick-Chek. Attorney Kearns responded that the Planning Board has to make sure it is consistent with the Master Plan.

There was discussion about a meeting held at the end of 2012 with Quick-Chek, Waterfront, and township representatives. Deputy Mayor Cann explained to Mr. Delaney that there was no application at that time. Mr. Delaney said that at a recent Planning Board meeting, a decision was made to recommend to the Township Committee as a conditional use and the Township Committee could still act on accepting their recommendation.

WALT KOSUL, 539 Route 206: Mr. Kosul asked about the PILOT programs. Deputy Mayor Cann reiterated that no funds have been collected from the three Redevelopment areas that have PILOT programs: Waterfront, K. Johnson, and SAAJ (Holiday Inn Express).

There was discussion regarding the hold-up of St. Francis moving into their building.

Mr. Kosul inquired about the status hiring a Township Administrator.

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

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

NAY: None

ABSENT: Committeeman Carson

At this time, Committeeman Moynihan 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 Committeewoman Popko.

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

NAY: None

ABSENT: Committeeman Carson

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:22 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK