

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JULY 7, 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
Committeewoman Jill Popko
Township Clerk Colleen Eckert
Attorney William J. Kearns, Jr.
Chief Financial Officer David Kocian
Public Works Director Dean Buhner

ABSENT: Committeeman John Moynihan
Chief of Police Frank M. Nucera, Jr.

Mayor Benowitz called the meeting to order at approximately 7:02 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 Northern Community Park – Phase II Contract Matter, Bradford Pointe Contract Matter (COAH Funds), Borden's Crossing Performance Bonds (Potential Litigation), Public Works Department Contract Matter, Public Works Department Personnel Matter; 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.

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:07 pm and reconvened the regular meeting at 7:51 pm.

ADMINISTRATIVE REVIEW

Mayor Benowitz announced that Resolutions #2014-188-13A through #2014-188-13E were being added to the Agenda.

CONSENT AGENDA

Resolution #2014-188-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2014-188-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

Resolution #2014-188-9 entitled REFUND OF ESCROW BALANCE FOR DEVELOPMENT APPLICATION.

Resolution #2014-188-10 entitled RESOLUTION AUTHORIZING THE CANCELLATION OF 2014 OPERATING BUDGET ANTICIPATED REVENUE AND APPROPRIATION ITEMS.

Resolution #2014-188-11 entitled RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87.

Resolution #2014-188-12 entitled RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87.

Resolution #2014-188-13 entitled RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE FIRST AMENDMENT TO THE BURLINGTON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT 2015-2017.

Resolution #2014-188-13A entitled APPROVING RAFFLE LICENSE #RL:402.

Resolution #2014-188-13B entitled APPROVING RAFFLE LICENSE #BL:403.

Resolution #2014-188-13C entitled A RESOLUTION TO AWARD A CONTRACT TO J.H. WILLIAMS ENTERPRISES FOR THE NORTHERN COMMUNITY PARK – PHASE II IMPROVEMENTS PROJECT.

Resolution #2014-188-13D entitled RESOLUTION AUTHORIZING AN AMENDMENT TO THE AFSCME CONTRACT RELATING TO ARTICLER XVI.

Resolution #2014-188-13E entitled RESOLUTION TO APPOINT DENNIS SPUNDARELLI TO THE POSITION OF PROVISIONAL PUBLIC WORKS LABORER IN THE DEPARTMENT OF PUBLIC WORKS.

PAGE 3
REGULAR MEETING
JULY 7, 2014

Township Committee reviewed and discussed Consent Agenda Items #2014-188-7 through #2014-188-13E. Deputy Mayor Cann commented/asked questions.

Resolution #2014-188-8. Deputy Mayor Cann noted a revision to the June 23, 2014 minutes. Township Clerk Eckert will make the change.

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, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

ABSENT: Committeeman Moynihan

Seeing no comments, Committeeman Carson made a motion to close to the public; seconded by Committeewoman Popko.

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

NAY: None

ABSENT: Committeeman Moynihan

Deputy Mayor Cann, Mayor Benowitz, and Township Clerk Eckert announced what Resolutions #2014-188-13A through #2014-188-13E were.

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

AYE: Committeeman Carson with abstention to Resolution #2014-188-8, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

ABSENT: Committeeman Moynihan

Public Hearing on 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.

At this time, Deputy Mayor Cann made a motion to open the public hearing on Ordinance #2014-20; seconded by Committeewoman Popko.

PAGE 4
REGULAR MEETING
JULY 7, 2014

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

NAY: None

ABSENT: Committeeman Moynihan

Seeing no public comment, Deputy Mayor Cann made a motion to close the public hearing on Ordinance #2014-20; seconded by Committeewoman Popko.

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

NAY: None

ABSENT: Committeeman Moynihan

Consideration of Adoption 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.

At this time, Deputy Mayor Cann made a motion to adopt Ordinance #2014-20; seconded by Committeeman Carson.

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

NAY: None

ABSENT: Committeeman Moynihan

Public Hearing on 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 open the public hearing on Ordinance #2014-21; seconded by Deputy Mayor Cann.

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

NAY: None

ABSENT: Committeeman Moynihan

PAGE 5
REGULAR MEETING
JULY 7, 2014

WALT KOSUL, 539 Route 206: Mr. Kosul asked what the salary range was for the Administrator position. Committeewoman Popko responded, \$60,000-\$122,582. Township Clerk added that the ordinance was posted outside the Clerk's office.

Seeing no further comment, Committeeman Carson made a motion to close the public hearing on Ordinance #2014-21; seconded by Deputy Mayor Cann.

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

NAY: None

ABSENT: Committeeman Moynihan

Consideration of Adoption 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.

COMMITTEEMAN CARSON: Committeeman Carson suggested increasing the Administrator's salary range. There was discussion among the Township Committee on the various salary ranges. The ordinance as written was adopted. It will be amended at a future meeting to reflect the new Administrator's range. Attorney Kearns added that it is not unusual that Police leadership has a higher salary than a Township Administrator.

At this time, Deputy Mayor Cann made a motion to adopt Ordinance #2014-21; seconded by Committeewoman Popko.

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

NAY: None

ABSENT: Committeeman Moynihan

Township Committee discussion regarding the Status of the Hinkle Drive/Thorntown Lane Stop Sign and Restriping Project.

Community Development Director, Brian Johnson gave a status on the project. This intersection, as well as 3-4 other streets, will be completed at the same time. The Township is utilizing the County Cooperative Purchasing Striping Contract. The project will be completed in a couple of weeks.

Township Committee discussion regarding the Status of the Painting of the Crosswalk at Charles Bossert Drive and Cherry Lane.

Mayor Benowitz said that the Public Works Department will be completing this project by the end of the month.

PAGE 6
REGULAR MEETING
JULY 7, 2014

Township Committee discussion regarding the Status of the Property Maintenance of 17 Arlington Road.

Mayor Benowitz said that the property management company has been notified and if the maintenance has not been performed by today, a citation will be issued tomorrow (July 8, 2014). At that time, the Public Works Department will perform the maintenance and a bill will be issued according to the FEMA rates.

Committeeman Carson stated that the Township has to take quicker action in the future on these types of properties. Deputy Mayor Cann reminded everyone that there are legal procedures that have to be met before action can be taken. Attorney Kearns suggested waiting until a judge authorizes the Township to perform an every two weeks maintenance schedule.

Township Clerk Eckert stated that the State passed a law that when mortgage companies start foreclosure proceedings, they have to notify the municipality by sending a notice to her. Since the last meeting, Township Clerk Eckert will now scan and forward the notification to the Community Development Director, Construction Official, the Police Department, and the Tax Collector.

In regard to 64 Hinkle Drive, Community Development Director, Brian Johnson said they have been advised that there will be enforcement in accordance to the new state law effective July 15, 2014. Attorney Kearns said they can be issued a summons for the hazardous conditions and violation of the ordinance giving them 3 days.

Township Committee discussion of the MidJersey Chamber of Commerce Membership.

Mayor Benowitz said he attended the meeting on 6/26/14. The MidJersey Chamber of Commerce extends into 2 additional counties than the Northern Burlington Chamber of Commerce.

At this time, Committeeman Carson made a motion to join the MidJersey Chamber of Commerce with a yearly membership fee of \$280; seconded by Deputy Mayor Cann.

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

NAY: None

ABSENT: Committeeman Moynihan

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CARSON: Committeeman Carson inquired how much it will cost for the removal of the 2 tanks and erecting the new dispensing system at the new Public Works building. Township Clerk Eckert responded that this was separate resolution that was awarded at the last meeting for the LSRP through Turek Consulting. The engineering service included everything. Community Development Director, Brian Johnson added that to save money, the Public Works Department will do the removal of the tanks under the direction of the licensed site remediation professional.

Committeeman Carson stated that the Honor Flag is being flown under the American Flag. This was agreed to by the Township Committee last year. Public Works Director Buhner said the State approved the current location.

PAGE 7
REGULAR MEETING
JULY 7, 2014

Committeeman Carson inquired about the email recently received on the electronic devices recycling container at the new Public Works building. P.W. Director Buhner responded that other items can be recycled at the site and there will be Saturday hours for the residents. In addition, most items can still go curbside. The Township will get credit for the amount of recycling received, so it will not be encouraged but residents outside the Township can also recycle here.

In regard to the new dog park at Northern Community Park, there is a misspelling in the guidelines on the sign. P.W. Director Buhner said that the placement of the sign is where it has to be located, and cannot be affixed to the fence.

The advertisement for the Township Administrator is on the League's website. Township Clerk said it will be advertised in the newspapers the last two weekends of the month. Deputy Mayor Cann said that if enough responses are received from the League's ad, advertising in the newspapers may not be necessary.

COMMITTEEWOMAN POPKO: Committeewoman Popko said the Fishing Derby went well. The Environmental Commission made \$250 in donations selling hot dogs donated by Russ Ayres.

The 63rd Army National Guard Band performed at the PAC Center. There are photos on the Township Website. She did not attend the Fireworks, but heard it was fabulous.

She distributed Music in the Park flyers to the Township Committee. Committeewoman Popko said she is over budget and asked if the Committee would approve an increase. She will continue the discussion when she has an exact figure.

DEPUTY MAYOR CANN: Deputy Mayor Cann said there was a meeting with the auditors, Bowman and Company, to review the Township audit. Deputy Mayor Cann reviewed some of the minor areas in the report that need to be addressed.

Attorney Kearns has prepared a draft ordinance for PILOT funds being dedicated to the school district for non-residential properties. Deputy Mayor Cann gave a brief explanation. This will be discussed at the next meeting.

The 4th of July Celebration was very good and very successful. He acknowledged Public Works, the Police Department, the Bordentown Foundation for Traditions, and Angel Sauro.

COMMITTEEWOMAN POPKO: Committeewoman Popko said that only one man is doing all the trash pick-up in the Township and was concerned that this is unfair labor practices. Attorney Kearns responded that you can file a complaint with the State against the company. They are also starting and ending before permitted contracted times.

MAYOR BENOWITZ: Mayor Benowitz said he attended 3 Little League games that were District 12 Championship games for the 10 year olds. They lost after the 3rd game. He congratulated everyone.

The 63rd Army National Guard Band Concert performed as part of the 4th of July Celebration. They were presented a certificate of appreciation and the key to the Township. They will be returning next year. There were 100 participants at the Fishing Derby. The largest was a 22 inch catfish. The Fireworks on July 5th were spectacular and had a larger crowd than last year. He thanked everyone involved. The cub scouts Pack 65 helped clean-up the area.

There was a pre-construction meeting with Gray Construction on June 25, 2014. Mayor Benowitz listed the items discussed. He also said he went door to door in Meadow Run to speak to the residents and let them know that the Grainger warehouse was being built. There will be a meeting

PAGE 8
REGULAR MEETING
JULY 7, 2014

Gray Construction, the HOA officers, Community Development Director Brian Johnson, and Mayor Benowitz.

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

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

NAY: None

ABSENT: Committeeman Moynihan

WALT KOSUL, 539 Route 206: Mr. Kosul asked about the garbage contracts. He said the Township should review the contract specs better. If the contract says two men per truck, then that's what should pick-up.

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

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

NAY: None

ABSENT: Committeeman Moynihan

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, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

ABSENT: Committeeman Moynihan

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:30 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK