

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
JULY 21, 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 7:06 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/VOA Contract Negotiations; Police Department Personnel Matter; Municipal Court Personnel Matter; Charles Bossert Park Improvement Project Contract Matter; Fityere v. Township of Bordentown; EMS Personnel 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.

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:08 pm and reconvened the regular meeting at 7:45 pm.

**ADMINISTRATIVE REVIEW**

Township Clerk Eckert announced that there is Addendum to the Agenda adding Resolution #2014-202-14A. Following Closed Session, Resolutions #2014-202-14B to #2014-202-14F are being added. Township Clerk Eckert read them by title into the record and they are being added to the Consent Agenda.

**CONSENT AGENDA**

**Resolution #2014-202-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.**

**Resolution #2014-202-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.**

**Resolution #2014-202-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2014-202-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2014-202-11 entitled RESOLUTION AUTHORIZING PAYMENT OF COAH FUNDS TO AMERICAN BORDENTOWN AFFORDABLE, L.P. (BRADFORD POINTE) FOR THE MAINTENANCE TO THE BUILDING UNITS.**

**Resolution #2014-202-12 entitled RESOLUTION AUTHORIZING AN AGREEMENT WITH THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, FOR THE TRAFFIC SIGNAL AT THE INTERSECTION OF U.S. HIGHWAY ROUTE 130 AND BURLINGTON-BORDENTOWN ROAD.**

**Resolution #2014-202-13 entitled RENEWING "INACTIVE" ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE.**

**Resolution #2014-202-14 entitled ESTABLISHING SALARIES AND OTHER RATES OF COMPENSATION FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN.**

**Resolution #2014-202-14A entitled AWARDING A CONTRACT TO BOOTH MECHANICAL, INC., FOR THE HOGBACK ROAD EMERGENCY REPAIR IN ACCORDANCE WITH N.J.S.A. 40A:11-6.**

**Resolution #2014-202-14B entitled RESOLUTION APPOINTING DEPUTY COURT ADMINISTRATOR.**

**Resolution #2014-202-14C entitled RESOLUTION AUTHORIZING SALARY ADJUSTMENT FOR KIM JOHNSON, VIOLATIONS CLERK TYPING.**

PAGE 3  
REGULAR MEETING  
JULY 21, 2014

**Resolution #2014-202-14D entitled A RESOLUTION TO AWARD A CONTRACT TO SPORTS & GOLF SOLUTION FOR THE CHARLES BOSSERT PARK IMPROVEMENT PROJECT (CONTRACT #1) – PLAYGROUND EQUIPMENT.**

**Resolution #2014-202-14E entitled A RESOLUTION TO AWARD A CONTRACT TO ALL SURFACE ASPHALT PAVING, INC., (ASAP) FOR THE CHARLES BOSSERT PARK IMPROVEMENT PROJECT (CONTRACT #2) – STONE DUST PATH & SITE GRADING.**

**Resolution #2014-202-14F entitled REJECTING BID FOR THE CHARLES BOSSERT PARK RECREATION IMPROVEMENTS PROJECT (CONTRACT #3) – BASKETBALL COURT.**

Township Committee reviewed and discussed Consent Agenda Items #2014-202-7 through #2014-202-14F. Committeeman Moynihan, Committeewoman Popko, and Police Chief Nucera commented/asked questions.

**POLICE CHIEF NUCERA:** Police Chief Nucera stated that in regard to the HUD Grant for the Waterfront, a submission was made for them to receive the remaining funds in the amount of \$200,000. The approval was just received today from HUD. Police Chief Nucera asked for a verbal approval from the Township Committee to move forward with the final payment.

**TOWNSHIP CLERK ECKERT:** On behalf of the Veteran's Advisory Committee, Township Clerk Eckert asked for authorization to pay for a full-page ad in the 19<sup>th</sup> Annual Washington's Birthday Dinner Booklet. Committeeman Moynihan added that it is an exchange with the Veteran Guard who does the flag folding at the Veteran's Day Ceremony.

At this time, Committeeman Carson made a motion to add these two items to the bill list; seconded by Deputy Mayor Cann.

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

**NAY:** None

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

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

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

PAGE 4  
REGULAR MEETING  
JULY 21, 2014

NAY: None

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

AYE: Committeeman Carson, Committeeman Moynihan with abstention from the July 7, 2014 regular and closed meeting minutes, Committeewoman Popko, Deputy Mayor Cann, Mayor Benowitz

NAY: None

**Consideration of Introduction of Ordinance #2014-22 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN PROVIDING FOR THE APPROPRIATION OF A PORTION OF REVENUES FROM A CERTAIN PAYMENT IN LIEU OF TAXES (PILOT) BENEFIT OF THE BORDENTOWN REGIONAL SCHOOL DISTRICT.**

Prior to the motion, there was discussion and explanation of calculation of the PILOT among the Township Committee regarding the ordinance.

At this time, Committeeman Carson made a motion to introduce Ordinance #2014-22: seconded by Committeewoman Popko.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be August 11<sup>th</sup>.

**Township Committee discussion of the August Meeting Schedule.**

The August Meeting schedule was discussed and will stay as is.

**Township Committee discussion of the Use of the VMS – Variable Message Sign.**

Mayor Benowitz said the discussion of advertising new and current businesses on the VMS began by the Economic Development Committee. The Township Committee agreed that emergencies and municipal events should only be advertised. Mayor Benowitz will report the determination back to the EDAC.

**Township Committee discussion of Sample Ordinance regarding Unfit Buildings.**

(This discussion item was listed by Community Development Director, Brian Johnson. Due to his absence, it is being pulled from the Agenda.)

**Township Committee discussion of the Salary Range for the Township Administrator Position and possible Consideration of Introduction of Ordinance #2014-23 entitled AN ORDINANCE TO AMEND ORDINANCE #2014-21 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.**

The Township discussed the salary range and responsibilities of the Township Administrator. It was agreed to amend salary ordinance #2014-21 to reflect \$60,000-\$140,000 per year.

At this time, Committeeman Carson made a motion to introduce Ordinance #2014-23; seconded by Committeewoman Popko.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be August 11<sup>th</sup>.

**TOWNSHIP COMMITTEE AND STAFF REPORTS**

COMMITTEEMAN CARSON: Committeeman Carson discussed the property maintenance at 17 Arlington Road. Police Chief Nucera said he is waiting for the maintenance bill from Public Works. He has been in touch with Bank of America and Safeguard Properties. They are scheduled for court, and we can request they be ordered to maintain the property every 2 weeks, authorize the Township to do it, and they can be fined if it is not done.

Committeewoman Popko said there is still an ongoing problem with the property on 64 Hinkle Drive. Police Chief Nucera responded that Community Development Director Brian Johnson is handling this issue.

Committeeman Carson said that a public meeting regarding lighting of the water tower has been scheduled for July 30, 2014 at the Senior Community Center. Mayor Benowitz said he wants no resident to be affected by the lights and is trying to put the issue to rest.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said that the Sewer Authority met this evening. An S4 connection permit has been approved for Grainger/Central Crossing Business Park.

Synergy LLG has obtained a preliminary interconnect approval from PSE&G for a solar project they are proposing to the Sewer Authority. The Sewer Authority expects them to produce a formal proposal. This will supply power primarily to the Sewer Plant and an adjacent property that has to be purchased. More information will follow.

In regard to the Police Department, National Night Out is scheduled for August 5, 2014 at Joseph Lawrence Park from 6:00-9:00 pm. It is anticipated that an inter-government transfer officer from Trenton will be approved in the near future. The Police Department is staying active with policies and training. Torch Run #13 generated over \$17,000 for the Special Olympics and Bordentown's share was approximately \$2500 of the \$17,000. Sergeant Wayne Lebak is retiring effective September 1, 2014 after 25 years of service to the Township.

PAGE 6  
REGULAR MEETING  
JULY 21, 2014

Reporting on behalf of the Veteran's Advisory Committee, General Grant from the State National Guard has agreed to be the guest speaker for the Veteran's Ceremony in November.

COMMITTEEWOMAN POPKO: Committeewoman Popko said the property on 64 Hinkle Drive is mowed, but there are problems in the back yard.

She said P.W. Director Buhner could not attend tonight because they pulled the tanks out of the ground at Public Works, and they finished very late. Public Works received OSHA certification so they could complete the work. Pumps will be installed tomorrow.

The crosswalks have been painted on Willow Road and Ward Avenue, Charles Bossert Drive and Cherry Lane, and at the entrance to Joseph Lawrence Park.

P.W. Director Buhner is currently taking certification classes for Emergency Management.

In regard to the Environmental Commission, 180 lbs. of vegetables have been picked out of the community garden and donated to the St. Mary's Food Pantry. The Township is still in the running for the \$10,000 Sustainable Grant, even though it was rejected originally. The next Environmental Commission meeting is scheduled for July 22, 2014.

Committeewoman Popko said that Music in the Park has been a lot of fun and very successful this year. She inquired about contracts that were never signed and what happens if it rains. Attorney Kearns responded that, "if you don't give them the check until after they perform, then they don't get paid." Execution of contracts will be discussed next year. Committeeman Carson suggested moving the concerts to the high school if it rains. Committeewoman Popko will check on this.

At the Senior Citizen's Meeting, Mayor Benowitz presented a certificate to Mrs. Ellis for the Bossert Park Program.

DEPUTY MAYOR CANN: At the Fire District #2 meeting held on July 9, 2014, Deputy Mayor Cann said it was discussed that their fire engine is getting old. It is costing approximately \$25,000/year in repair costs. They are looking to put on the ballot a question to purchase a new engine. It will not be an additional debt because their ladder truck debt ends in August. They are continuing meeting with Fire District #1 to discuss the possible merging of the two districts; another meeting is scheduled for July 22, 2014. The mayor has allowed them to take the lead and to work out as much as possible on their own. The Fire District asked there be a coordination meeting with all the emergency professionals prior to next year's July 4<sup>th</sup> celebration. They believe they can get credit by using it as a County Training OEM. On September 20, 2014, Fire District #1 is holding a referendum on the ballot for expansion of their existing building and possibly equipment. Mayor Benowitz added that they will be holding two educational meetings for the public to explain what they are going to be doing.

The July Planning Board meeting has been cancelled.

Deputy Mayor Cann had a meeting with the Assessor and there are properties that have been settled in tax court, and there are a few more scheduled for the future.

He has received information on Grant money for parks, including recreation. He would like to consider the proposed veteran's park parking lot and potential soccer fields. The deadline is July 31, 2014.

MAYOR BENOWITZ: Mayor Benowitz said he attended the Economic Development Advisory Committee meeting on July 8, 2014. The VMS used for new businesses was discussed. The next business meeting will be a luncheon at All Starz on September 22, 2014; attendees will pay for their own lunch.

On July 9, 2014, he met with the new school Superintendent.

PAGE 7  
REGULAR MEETING  
JULY 21, 2014

There was a tour of the Bordentown Waterfront Community with the EDAC members on July 10, 2014.

He attended the Northern Burlington Chamber of Commerce meeting on July 10, 2014.

The Bossert Park Bridge Ribbon Ceremony was held on July 12, 2014. He said the sense of community was priceless. Theresa Ellis, who has been a resident since 1955, crossed the bridge with Mayor Benowitz.

Ribbon cutting ceremonies were held at Altran and Subway.

Mayor Benowitz attended the Fire District #1 meeting.

He met with professionals on July 18, 2014, and will continue regularly to keep everything on track.

The solid waste removal residential complaints have been addressed. The new contract is with Central Jersey Waste & Recycling.

Mayor Benowitz met with Bordentown Waterfront Community construction on July 7, 2014. He reviewed items discussed giving update on project.

He attended the Board of Education meeting on July 16, 2014 welcoming new Superintendent, Edward Forsthoffer.

To date, the Township has saved \$40,293 in tipping fees. Single stream collection for recycling will begin September 8, 2014.

**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

LEN deGROOT, 8 Arlington Road: Mr. deGroot thanked the Township Committee for the clean-up at 17 Arlington Road, and the Township corrected the problem and he now has a clean gutter.

In regard to the PILOT use of funds, he asked if this will apply to all PILOT projects. Attorney Kearns responded, non-residential only. Deputy Mayor Cann explained how the Bordentown Waterfront residential PILOT works.

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz asked if Williamsburg and Constitution Drives could be re-stripped. Police Chief Nucera will follow-up.

WALT KOSUL, 539 Route 206: Mr. Kosul asked what happens if the Bordentown Waterfront defaults on the abatement PILOT program payment. Enforcement is specified in the contract; Attorney Kearns said he will review it.

Mr. Kosul commented that the garbage collection has improved.

Seeing no further comments, Deputy Mayor Cann 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

PAGE 8  
REGULAR MEETING  
JULY 21, 2014

NAY: None

COMMITTEEMAN CARSON: Committeeman Carson said the Administrator's position has been advertised and 19 letters of interest have been received. Attorney Kearns stated these should be reviewed in Closed Session. Township Clerk Eckert added the deadline is July 31 and that more may be received.

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 Committeeman Carson.

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 9:25 p.m.

---

STEPHEN BENOWITZ, MAYOR

---

COLLEEN M. ECKERT, TOWNSHIP CLERK