

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: OCTOBER 27, 2014 TIME: 7:00 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE: PRESENT ABSENT

_____	_____	Mayor Benowitz
_____	_____	Deputy Mayor Cann
_____	_____	Committeeman Carson
_____	_____	Committeeman Moynihan
_____	_____	Committeewoman Popko
_____	_____	Township Clerk Eckert
_____	_____	Attorney Kearns
_____	_____	Chief Financial Officer Kocian
_____	_____	Public Works Director Buhrer
_____	_____	Police Chief Nucera

1. Salute to the flag and moment of silence.
2. Roll Call.
3. 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, the 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.

4. 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.
5. Resolution to meet in closed session:

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:

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.

6. Mayor's Proclamation honoring the Applegate Family.

7. Administrative Review
  - a. Review of agenda
  - b. Review of correspondence

CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.
  - b. Questions or comments from the audience on consent agenda items.
  - c. Motion, Second and Roll Call to adopt Resolutions #2014-300-8 through #2014-300-16.
8. Resolution #2014-300-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
9. Resolution #2014-300-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
10. Resolution #2014-300-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
11. Resolution #2014-300-11 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
12. Resolution #2014-300-12 entitled A RESOLUTION CANCELING TAXES.
13. Resolution #2014-300-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.
14. Resolution #2014-300-14 entitled AUTHORIZING EXECUTION OF THE FY 2015 BURLINGTON COUNTY ANNUAL ALLIANCE PLAN AGREEMENT.
15. Resolution #2014-300-15 entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT.
16. Resolution #2014-300-16 entitled RESOLUTION TO SUPPORT LEGISLATION TO IMPROVE GOVERNMENT TRANSPARENCY AND PUBLIC AWARENESS IN THE MATTER OF PROPOSED UTILITY RATE INCREASES.
17. Consideration of Introduction of Ordinance #2014-28 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.
18. Consideration of Introduction of Ordinance #2014-29 entitled AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN APPROVING THE AMENDED REDEVELOPMENT PLAN FOR BLOCK 120, LOTS 1-14; BLOCK 121, LOTS 1-5; BLOCK 122, LOTS 1-10; BLOCK 127, LOTS 2-3; AND BLOCK 128.01, LOTS 1-12, 14-16, 29-32.02 AND 35-38; ALSO KNOWN AS THE SOUTHERN GATEWAY REDEVELOPMENT AREA.
19. Township Committee discussion of Best Practices Checklist for CY2014/SFY2015.

20. Township Committee discussion of Jumble Gut Run.
21. Township Committee discussion of Status of Bossert Park Improvement Project.
22. Township Committee discussion of Status of Thorntown Lane/Hinkle Drive Three-Way Stop Intersection Project.
23. Township Committee discussion of Status of 2014 Road Improvement Project (Mission/Yorktown/Shelburne/Amboy/Grand).
24. Township Committee and Staff Reports.
25. Public Participation.  
  
Questions, comments or statements from members of the public in attendance.
26. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.

RESOLUTION #2014-300-8

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated October 27, 2014, as submitted by the Office of the Treasurer are hereby approved for payment and the Office of the Treasurer is directed to pay the same.

10/27/14

RESOLUTION #2014-300-9

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of September 29, 2014, and the Regular Meeting of September 27, 2014, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as ( \_\_\_\_\_ submitted) ( \_\_\_\_\_ corrected); and

BE IT RESOLVED that the following reports for the month of September 2014 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Community Development, Municipal Court, and Finance.

10/27/14

## **RESOLUTION #2014-300-10**

### **AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #13-00019 was redeemed on October 1, 2014, in the amount of \$436.30.

WHEREAS, US BANK Cust for Pro Capital III, LLC, paid tax sale premium, in the amount of \$500.00 for said lien.

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of tax sale premium, in the amount of \$500.00 to US BANK Cust for Pro Capital III, LLC; for Lien 13-00019, Block 100 Lot 22, commonly known as 17 Arlington Road.

MAP  
10/27/14

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on October 27, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2014-300-11**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #13-00013 was redeemed on October 1, 2014, in the amount of \$1,073.78.

WHEREAS, Garden State Investment, paid tax sale premium, in the amount of \$500.00 for said lien.

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of tax sale premium, in the amount of \$500.00 to Garden State Investment; for Lien 13-00013, Block 92.06 Lot 22.118 C.118, commonly known as 1 Deerfield Ct.

MAP  
10/27/14

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on October 27, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**RESOLUTION #2014-300-12**

**A RESOLUTION CANCELING TAXES**

**WHEREAS**, the Township of Bordentown Tax Assessor and the New Jersey Turnpike Authority have consulted and entered into an agreement exempting properties owned by the New Jersey Turnpike Authority.

**WHEREAS**, due to a technological error, Block 132 Lot 2 and Lot 4, commonly known as Dunns Mill Road are being taxed for the 2014 tax year.

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.3B where real property is acquired by an authority created by the State such property shall become exempt from taxation on January 1 of the calendar year next following the date of acquisition.

**WHEREAS**, N.J.S.A. 54:4-99 and 100 – allows the governing body of a municipality to cancel taxes that are illegal assessments or where “past due taxes” are due and owing.

**WHEREAS**, the Tax Collector for the Township of Bordentown is reporting the following delinquencies on said Block and Lots:

Block 132 Lot 2	2014 \$269.01
	2015 \$134.51
Block 132 Lot 4	2014 \$452.43
	2015 \$226.22

**THEREFORE BE IT RESOLVED**, the Township of Bordentown Committee hereby authorizes the cancellation of said taxes.

**AND BE IT RESOLVED FURTHER**, that a copy of this Resolution be forwarded to the Burlington County Board of Taxation, the Treasurer of Burlington County, the Municipal/Regional School Board to advise them of the action taken by the Municipal Committee on this matter.

MAP  
10/27/14

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on October 27, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK



**RESOLUTION #2014-300-13**

**AUTHORIZING REFUND OF TAX SALE PREMIUM**

WHEREAS, Tax Sale Certificate #13-00011 was redeemed on October 6, 2014, in the amount of \$1,315.33.

WHEREAS, Chrysalis Investors LLC, paid tax sale premium, in the amount of \$700.00 for said lien.

BE IT RESOLVED, by the Township Committee of the Township of Bordentown that, as requested by the Tax Collector, it hereby authorizes a refund of tax sale premium, in the amount of \$700.00 to Chrysalis Investors LLC; for Lien 13-00011, Block 92.05 Lot 22.204 C.204, commonly known as 25 Lancaster Ct.

MAP  
10/27/14

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on October 27, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

**TOWNSHIP OF BORDENTOWN**

**RESOLUTION #2014-300-14**

**AUTHORIZING EXECUTION OF THE  
FY2015 BURLINGTON COUNTY  
ANNUAL ALLIANCE PLAN AGREEMENT**

**WHEREAS**, the New Jersey Governor’s Council on Alcoholism and Drug Abuse has notified the Board of Chosen Freeholders of Burlington County that the Council will award grants to Municipal Alliance Committees in Burlington County in accordance with the Burlington County Municipal Alliance Plan for FY2015 which was approved by the Board of Chosen Freeholders; and

**WHEREAS**, the grant funds will be paid to the Board of Chosen Freeholders of Burlington County for disbursement to municipalities in Burlington County which have formed Municipal Alliance Committees whose Requests for Proposal have been approved by the Governor’s Council; and

**WHEREAS**, the Governor’s Council required that a Letter of Agreement be made between the Governor’s Council and the Board of Chosen Freeholders of Burlington County for the administration of the grant funds before the first disbursement of funds by the Governor’s Council; and

**WHEREAS**, the following grant has been approved to the Bordentown Alliance known as Bordentown Residents Against Drugs (“B.R.A.D.”) established in accordance with Ordinance #1989-18 in the following amount:

<b>Alliance DEDR Allocation</b>	<b>\$ 14,804.00</b>
<b>City/Twp. Cash Match (25%)</b>	<b>\$ 3,701.00</b>
<b>In-Kind Match</b>	<b>\$ 11,103.00</b>

**WHEREAS**, the Board of Chosen Freeholders prepared agreements with the municipalities which have been awarded said grants which must be fully executed before any monies can be disbursed to the municipalities for the grant period from July 1, 2014 through June 30, 2015; and

**WHEREAS**, an Agreement amongst the Burlington County Board of Chosen Freeholders, the Township of Bordentown and the City of Bordentown has been forwarded.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Bordentown that it hereby authorizes the Mayor and Clerk to execute this Agreement on behalf of the Township of Bordentown.

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**I hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the Township Committee of the Township of Bordentown conducted on the 27<sup>th</sup> day of October 2014.**

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**Colleen M. Eckert, RMC  
Township Clerk**

RESOLUTION #2014-300-15

RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT

WHEREAS, the Township Committee of the Township of Bordentown has determined the need to appoint an additional part-time (per diem) EMT;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint the following part-time EMT effective October 28, 2014:

Meghann Wright

BE IT FURTHER RESOLVED that compensation shall be set at \$12.50 per hour in accordance with Ordinance #2014-21.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on October 27, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

10/27/14

RESOLUTION #2014-300-16

RESOLUTION TO SUPPORT LEGISLATION TO IMPROVE GOVERNMENT TRANSPARENCY AND PUBLIC AWARENESS IN THE MATTER OF PROPOSED UTILITY RATE INCREASES

WHEREAS, utility ratepayers in Burlington County, and in all of the State of New Jersey, are frequently subjected to major increases in gas, electric, water and sewer rates, with little or not beforehand knowledge of these requested increases; and

WHEREAS, the proposed increases are typically detailed in filings before the New Jersey Board of Public Utilities, in the form of petitions that are difficult for the average citizen to understand; and

WHEREAS, the public hearing process in itself is insufficient and non-transparent, as utility companies provide no direct notice of hearings to ratepayers, usually schedule them at inconvenient times, and avoid answering direct questions from ratepayers; and

WHEREAS, the New Jersey Division of Rate Counsel, which is charged with protecting the consumer, often strikes compromises or “deals” with the utility companies, rather than litigate on behalf of ratepayers; and

WHEREAS, requests for double digit increases, as sought by New Jersey American Water (20 percent) in 2012, and presently sought by South Jersey Gas (14.4 percent), run against the spirit of the State law which requires counties and towns to “cap” taxes and expenditures at two percent; and

WHEREAS, the current bureaucratic system begs for reform and transparency, to ensure ratepayers have knowledge of, and a voice in, proposed rate increases that impact their household budgets at a time when many are still struggling with the economic impacts of the great recession; and

WHEREAS, a four-bill legislative reform/transparency package is currently pending before the State Legislature which would address the aforementioned flaws, and is detailed as followed:

**S339/A2104** - BPU must issue a written decision containing a detailed analysis/accounting of its approval in a rate increase within 60 days and post it on its website.

**S340/A2105** – BPU or Office of Administrative Law (OAL) must take public questions or comments prior to final consideration of a proposed rate increase.

**S341/A2095** – Individual customers must be provided notice of a proposed utility rate increase (electric/gas/water/sewer) in the billings they mail for service. The proposed increase also must be published in a newspaper with substantial readership in each county where the increase would occur. The hearings must be held in municipalities with the largest population served in each county. The BPU is directed to receive and address public questions and comments at the public hearings.

**S342/A2094** – Requires public utilities to notify customers when a rate settlement agreement is reached prior to final action by the BPU or OAL. An explanation of the settlement must be provided.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, wholeheartedly supports and endorses this reform legislation, and calls upon the leadership in the New Jersey State Senate and the New Jersey State Assembly to take every step necessary to advance these necessary bills, and bring them before their respective houses for a vote; and

BE IT FURTHER RESOLVED that copies of this resolution be provided to Bordentown Township's Senate and Assembly representatives, the Burlington County Freeholders and the municipalities within the County of Burlington, in anticipation that they will, on behalf of their constituents, likewise support this much overdue reform package.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on October 27, 2014.

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COLLEEN M. ECKERT, RMC, TWP. CLERK

10/27/14

**TOWNSHIP OF BORDENTOWN**  
**ORDINANCE NO. 2014-28**

**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.**

**WHEREAS**, the Bordentown Township Committee (the “Township”) is the Redevelopment Authority for Bordentown Township; and

**WHEREAS**, pursuant to the Waterfront Village Redevelopment Plan, the Township Committee previously designated various permitted and conditional uses within the Waterfront Village Redevelopment Area; and

**WHEREAS**, pursuant to New Jersey’s Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.) any use within a Redevelopment area must be consistent with the Redevelopment Plan approved by the Township Committee and under the MLUL; and

**WHEREAS**, as the Redevelopment entity for the Township, the Township Committee is the entity with the authority to amend the Waterfront Village Redevelopment Plan so that the Planning Board is not permitted to grant a use variance with respect to any application involving property within a Redevelopment zone; and

**WHEREAS**, by Bordentown Township Planning Board Resolution # PB-2014-20, the Bordentown Township Planning Board provided a report and recommendation to the Bordentown Township Committee relating to the amendment of certain conditional and permitted uses within the Waterfront Village Redevelopment Area; and

**WHEREAS**, the Township Committee has reviewed the report and recommendation of the Planning Board with respect to the recommended changes to the Waterfront Village Redevelopment area and seeks to incorporate the recommendations of the Planning Board as it relates to the amending the permitted or conditional uses for certain areas within the Waterfront Village Redevelopment Area; and

**WHEREAS**, the Township Committee has further determined that it is in the best interests of the Township to further the goals of the Waterfront Village Redevelopment Plan to amend the designation of permitted and conditional uses within the Waterfront Village Redevelopment Area and that doing so does not otherwise limit the Township's or its Planning Board's authority to have in place such other conditions, limitations or design requirements for the Area as are permitted under the law, and so as to be consistent with the specific provisions and goals of the Waterfront Village Redevelopment Plan.

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Bordentown that:

**Section 1.** The portion of the Waterfront Village Redevelopment Area Redevelopment Plan entitled, "Section 1. Redevelopment Plan, Permitted Uses—Planned Waterfront Village Development" shall be amended as follows:

Permitted Uses – 5. Senior Affordable Housing is a permitted use with respect to Block 140, Lot 3.01 and/or 3.02, on Burlington-Bordentown Road, consistent with the Acknowledgement on page 16 of the Waterfront Village Redevelopment Plan of the Obligation to Provide Affordable Housing consistent with the rules promulgated by NJ COAH, and pursuant to Court Order or directive of the Court or Special Master appointed with respect to the Township's obligation for providing such housing.

Conditional Uses – 1. Gas stations or a Convenience Store. Limited to the portion of Block 140.01, Lot 1 fronting Route 130, with the limitation of a maximum of twelve (12) fueling positions for dispensing, storing and the sale of fuel for automobile and passenger trucks. Gas stations or Convenience Stores in this zone are not permitted to dispense, store or sell fuel for large commercial truck vehicles. Gas stations or Convenience Stores in this zone are permitted to operate their business 24 hours per day.

**Section 2.** If any section, paragraph, subsection, clause, or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**Section 3.** All ordinances or parts of ordinances of the Township of Bordentown heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** This ordinance shall take effect immediately upon adoption and publication of notice of adoption as provided by law.

TOWNSHIP OF BORDENTOWN

ORDINANCE NO. 2014-29

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN APPROVING THE AMENDED REDEVELOPMENT PLAN FOR BLOCK 120, LOTS 1-14; BLOCK 121, LOTS 1-5; BLOCK 122, LOTS 1-10; BLOCK 127, LOTS 2-3; AND BLOCK 128.01, LOTS 1-12, 14-16, 29-32.02 AND 35-38, ALSO KNOWN AS THE SOUTHERN GATEWAY REDEVELOPMENT AREA

WHEREAS, the Bordentown Township Planning Board has reviewed an amendment to the Southern Gateway Redevelopment Plan consisting of a revision to the proposed Zoning District and the provision of a buffering requirement for land adjacent to the Bordentown Sewerage Authority wastewater treatment plant; and

WHEREAS, the Bordentown Township Planning Board on October 9, 2014, adopted Resolution No. P-2014-21 recommending to the Township Committee that the proposed revisions be adopted; and

WHEREAS, the Township Committee of the Township of Bordentown in its capacity as the Redevelopment Authority desires to enact the changes;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Bordentown that Redevelopment Plan for the Southern Gateway Redevelopment Area, last revised October, 2014, prepared by Edward Fox of the Burlington County Bridge Commission on behalf of the Township of Bordentown, is hereby approved and adopted; and

BE IT FURTHER ORDAINED by the Township Committee that the Official Zoning Map of the Township shall be revised to delineate the Zone depicted within the said Redevelopment Plan and herein adopted by this Ordinance.