

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
SEPTEMBER 15, 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 Buhrer
Chief of Police Frank M. Nucera, Jr.

ABSENT: None

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, Committeewoman Popko 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 SAAJ PILOT Contract Matter; AFSCME Union Contract Matter; Tax Appeal Appraiser Contract Matter; Open Public Records Act Potential Litigation; seconded by Committeeman Carson.

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 7:06 pm and reconvened the regular meeting at 8:01 pm.

Mayor's Proclamation Honoring Papp's Bowling Alley. At this time, Mayor Benowitz read the Proclamation into the record and presented the Proclamation to the Papp family.

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Mayor's Proclamation Honoring Grandparent's Day. At this time, Mayor Benowitz read the Proclamation into the record.

Mayor's Proclamation Honoring Constitution Week. At this time, Mayor Benowitz read the Proclamation into the record.

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced that as a result of the Closed Session, Resolution #2014-258-14A and #2014-258-14B are being added to the Consent Agenda. She stated that a motion also will be needed to accept the proposal submitted from Mr. McHale to perform Phase I commercial appraisals for certain properties for tax appeals as recommended by the Tax Assessor. The memorializing resolution will be presented at the next meeting.

At this time, Deputy Mayor Cann made a motion to accept the proposal from the appraiser; seconded by Committeeman Carson.

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

NAY: None

CONSENT AGENDA

Resolution #2014-258-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2014-258-11 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

Resolution #2014-258-12 entitled A RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO A COOPERATIVE PRICING AGREEMENT.

Resolution #2014-258-13 entitled RESOLUTION ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE.

Resolution #2014-258-14 entitled RESOLUTION TO APPOINT POLICE OFFICERS FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT.

Resolution #2014-258-14A entitled A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE MAYOR AND THE TOWNSHIP CLERK TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO DISTRICT COUNCIL 71, LOCAL 3827-D (AFSCME) FOR THE YEARS 2013, 2014, 2015, 2016 AND 2017.

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Resolution #2014-258-14B entitled ESTABLISHING SALARIES AND OTHER RATES OF COMPENSATION FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN.

Township Committee reviewed and discussed Consent Agenda Items #2014-258-10 through #2014-258-14B. Committeeman Carson, Committeeman Moynihan, Deputy Mayor Cann and Mayor Benowitz commented/asked questions.

Resolution #2014-237-9. Committeeman Moynihan noted that on page 2 of the bill list, the Diamond M. Lumber purchase was for tile for the Senior Community Center, not a Streets/Roads charge.

Resolution #2014-258-12. Police Chief Nucera responded to Deputy Mayor Cann's questions on the Agreement.

Resolution #2014-258-14. Police Chief Nucera responded to Committeeman Carson's and Mayor Benowitz's inquiries regarding the hiring of the new police officers.

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

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 Moynihan.

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

NAY: None

At this time, Deputy Mayor Cann made a motion to adopt the consent agenda with amended bill list; seconded by Committeeman Moynihan.

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

NAY: None

Consideration of Adoption of Ordinance #2014-25 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING A FINANCIAL AGREEMENT WITH SAAJ URBAN RENEWAL, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, QUALIFIED AS AN URBAN RENEWAL

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ENTITY UNDER THE PROVISIONS OF THE NEW JERSEY LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.

At this time, Deputy Mayor Cann made a motion to adopt Ordinance #2014-25; seconded by Committeewoman Popko.

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

NAY: None

Public Hearing on Ordinance #2014-26 entitled AN ORDINANCE PROVIDING FOR AN AGREEMENT FOR A FIVE-YEAR TAX EXEMPTION WITH W.W. GRAINGER, INC., FOR PROPERTY LOCATED ON HEDDING ROAD IN THE CENTRAL CROSSINGS BUSINESS PARK AND IDENTIFIED AS BLOCK 138.12, LOT 5.01 AND BLOCK 137.01, LOT 2.

At this time, Committeewoman Popko made a motion to open the public hearing on Ordinance #2014-26; seconded by Deputy Mayor Cann.

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

NAY: None

ROBERT DELANEY, 5 Alfred Drive: Mr. Delaney asked for confirmation that it was a five year abatement. Mayor Benowitz responded, yes.

Seeing no further comment, Committeeman Carson made a motion to close the public hearing on Ordinance #2014-26; seconded by Committeeman Moynihan.

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

NAY: None

Consideration of Adoption of Ordinance #2014-26 entitled AN ORDINANCE PROVIDING FOR AN AGREEMENT FOR A FIVE-YEAR TAX EXEMPTION WITH W.W. GRAINGER, INC., FOR PROPERTY LOCATED ON HEDDING ROAD IN THE CENTRAL CROSSINGS BUSINESS PARK AND IDENTIFIED AS BLOCK 138.12, LOT 5.01 AND BLOCK 137.01, LOT 2.

At this time, Committeewoman Popko made a motion to adopt Ordinance #2014-26; seconded by Committeeman Carson.

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

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NAY: None

Consideration of Introduction of Ordinance #2014-27 entitled AN ORDINANCE TO AMEND ORDINANCE #2014-21 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

At this time, Deputy Mayor Cann made a motion to introduce Ordinance #2014-27; 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 September 29th.

Township Committee discussion of “Tidy Town” program.

Committeewoman Popko gave a brief introduction of this township-wide, year-long program sponsored by the Environmental Commission will be introduced at Community Day. The town will be split up by district and tidy up their area. She asked that money be budgeted for next year for the award which will be given out at the end of the year. It will be discussed further at the next Environmental Commission Meeting.

Township Committee discussion of Flashing Pedestrian Crossing.

This flashing pedestrian crossing signal is proposed to be installed at the intersection of Charles Bossert Drive and Route 528 (Bordentown-Crosswicks Rd.) by Burlington County. The County will pay for the design, the installation cost, and 50% of the equipment cost. The Township will pay the other 50% of the equipment cost. Police Chief Nucera said the Township’s responsibility will be approximately \$7,500-\$10,000 with funds coming out of the road program.

At this time, Deputy Mayor Cann made a motion to approve the flashing pedestrian crossing signal on Crosswicks Road with Burlington County at an estimated cost of \$7,500-\$10,000; seconded by Committeeman Carson.

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

NAY: None

Township Committee discussion of Gray Construction’s Request to extend Construction Hours for Grainger project.

Mayor Benowitz gave a brief summary and said the hours requested would offer the least impact to the residents. Construction Official Carbone said Gray Construction submitted a letter addressing the reasons for extending the construction hours, which includes the proper curing of the

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concrete of the slab. Mayor Benowitz said the Township is very sensitive to the quality of life issues with the neighboring development. Committeeman Carson said he was concerned about the safety. Police Chief Nucera asked Gray Construction to provide documentation of training certification. The JIF said no liability would fall to the Township. Grainger has also been asked to provide sensors in the site to monitor the decibel level which will correspond to the Administrative Code, or a temporary sound barrier will have to be erected.

Township Committee discussion of 4th of July Fireworks Display for year 2015.

Mayor Benowitz said that the date proposed is Friday, July 3rd with a rain date of Sunday, July 5th. If the Township commits early, they will receive the same price as 2014. Also, The Foundation for Bordentown Traditions has already committed to contributing at least the same amount of money. Consensus among the Township Committee was that it will be funded with the early part of next year's temporary budget.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CARSON: Committeeman Carson said that he met with the Superintendent of Schools and the President of the Board of Education to review the ordinance regarding the 25% PILOT revenues allocated to the School District. Mr. Kearns and Deputy Mayor Cann will review a paragraph in the ordinance and see if it should be reworded.

Committeeman Carson asked about the job duties of Roger Plew who works at the Public Works Recycling Center.

He asked why our street sweeper is not used. P.W. Director Buhner responded that the debris is impossible to dispose of because it is hazardous material.

Committeeman Carson asked about the status of repair of road cracks. P.W. Director Buhner said they are currently getting pricing on a machine to repair the cracks.

Committeeman Carson also asked about the cleaning of the storm drains. He will advise P.W. Director Buhner when he sees a problematic drain.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said that Chairman Havens has returned home to continue his recovery. There is a job fair for Veteran's sponsored by the N.J. DEP on September 17, 2014.

The Sewer Authority had a meeting earlier tonight. They completed the formal introduction of their fiscal year 2014 budget. The pretreatment facility at the Ocean Spray site is remaining open, so there may be a possible sale or bidder of that property.

The four police officers hired today enter the police academy on September 22, 2014 and hopefully will graduate on February 27, 2015. The Police Department is in the process of getting an automated license plate reader installed in one of the new traffic cars. Bordentown Township provided canine assistance for the Ms. America pageant last weekend in Atlantic City. Bordentown Township also provided four additional officers for the Route 130 Safe Corridor Program last weekend to cover for other agencies.

Committeewoman Popko asked Committeeman Moynihan if there would be a hometown hero selected this year. Committeeman Moynihan said that no one has brought forth a candidate for hometown hero. He asked that recommendations be made to the Veteran's Committee in writing as soon as possible.

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COMMITTEEWOMAN POPKO: Committeewoman Popko said Public Works has cleaned several storm drains in the Township this week. Prep-work is being performed at Bossert Park. There are several projects being done at the new Public Works building and around the water tower. The recycling center has received a lot of items. Work is being done at Northern Community Park. There is a meeting scheduled with the manager of the trash company regarding the trash pick-up that is being overlooked.

The Environmental Commission is meeting is scheduled for September 16, 2014.

Bids are being sent out to re-do roads in the Township.

Committeewoman Popko said she asked Brian Johnson for a plan on what was going to be done about the drainage on Arlington Road.

DEPUTY MAYOR CANN: Deputy Mayor Cann said there was a meeting with County Officials, C.D. Director Brian Johnson, Police Chief Nucera and him to discuss the financing for the by-pass connector road. They felt the best thing to do was declare it a state highway; once declared a state highway it would be available for federal funds.

He attended a meeting with C.D. Director Brian Johnson, Alt. Engineer Fred Turek and potential developers. An application may be received for construction on one of the sites.

Attorney Kearns said there is a conference call scheduled for this week on the ordinance for maintenance of foreclosed properties.

MAYOR BENOWITZ: Mayor Benowitz said he attended a meeting on September 3, 2014 with Gray Construction. They provided a general project update.

The Bordentown Waterfront project meeting occurred on September 4, 2014. He gave an update on that project.

He attended the Economic Development Committee meeting September 9, 2014. The final preparations for the October 20, 2014 business luncheon were completed, including the awards that will be presented.

Mayor Benowitz attended the Fire District #1 meeting on September 4, 2014. The special election date is to be determined. He gave a brief summary of the meeting.

On September 5, 2014 there was a meeting with CME regarding the road project. There are four roads scheduled for repair: Amboy, Mission, Shelbourne, and Yorktown. Engineering specifications are complete and bids should be awarded by the next Township Committee Meeting. The traffic light at Rising Sun and Hedding Roads was functional prior to the beginning of the school year.

Mayor Benowitz has been meeting with the Township Professionals on a regular basis. Projects are progressing in a timely fashion.

On September 10, 2014 he attended Fire District #2 meeting. There is a special election scheduled for November 1, 2014 for a new fire pumper and utility vehicle with purchases not to exceed \$550,000. There has been progress with the consolidation talks. The appeal on the sleeping quarters of the firehouse has been postponed to September 21, 2014.

A meeting to discuss Township events was held on September 12, 2014. Community Day is scheduled for September 20, 2014 at the Senior Community Center. Local businesses will be providing food.

Paper Shredding Day is scheduled for October 11, 2014 from 9:00-12:00 noon at the new Public Works facility.

There are ribbon cutting and ground breaking ceremonies scheduled.

Arrangements are being made for the 2015 Black History Month celebration.

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He attended the Northern Burlington County Chamber of Commerce Breakfast on September 11, 2014.

COMMITTEEWOMAN POPKO: Committeewoman Popko asked that the Township Committee members talk to each other to discuss issues or concerns with the department liaisons before bringing the issue to the Township Committee Meeting. She offered to the Township Committee members to feel free to call her with any concerns. Deputy Mayor Cann added that the Road project has just begun and the equipment to do the repairs has not yet been purchased.

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

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

NAY: None

ROBERT DELANEY, 5 Alfred Drive: Mr. Delaney asked several questions in regard to the Grainger project. He was concerned that pouring the concrete slab at night would be noisy.

He also asked if there was a detection of West Nile in the Township; Mayor Benowitz responded yes. There was further discussion on the detection and spraying for the West Nile virus in the Township.

Mr. Delaney said he identified the issue at the Planning Board Meeting relating to the wrong lot number on the Township ordinance that allowed the convenience store. He inquired why the ordinance amendment was not on tonight's Agenda since ordinances require two readings/meetings. Attorney Kearns will look into this. Mr. Delaney asked what steps are being taken to review the ordinances to ensure accuracy.

Mr. Delaney asked about the status of the hiring of a Township Administrator. Mayor Benowitz said they are proceeding as expected and his guarantee was to have an Administrator in place before the end of the year.

Mr. Delaney stated that he was concerned about the misfired fireworks. Police Chief Nucera responded that this is a normal occurrence.

Mr. Delaney asked what progress has been made to date regarding the firehouse consolidation. Mayor Benowitz said he could not answer because he has not been part of those meetings.

Mr. Delaney asked that negative comments not be made during the meeting, and the Committee Members be given the opportunity to present their position.

LEN deGROOT, 8 Arlington Road: The Township Committee and Construction Official Pete Carbone answered Mr. deGroot's questions about the Grainger construction project.

Mr. deGroot said it was a previous Township Committee that sold all the patching material/tools the Public Works Department used to repair the roads.

Mr. deGroot stated that this Township Committee has made tremendous steps, and the political approach to the current redevelopment projects is wrong because no one person is to blame.

He said that the drainage problem on Arlington Road is caused by the sulphates being put into the street. He asked that an ordinance be created giving standards to the homeowner draining into Township property.

He praised the members of the Township Committee for their accomplishments, but the demeaning of people is wrong.

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WALT KOSUL, 539 Route 206: Mr. Kosul asked about the cancelled meeting regarding the Township Administrator that was scheduled for September 16, 2014. Mayor Benowitz responded that it is a personnel matter and he could not comment, but he could only say that he would like to see a Township Administrator hired by the end of the year.

Seeing no further comments, Committeeman Moynihan made a motion to close the meeting for public participation; seconded by Committeewoman Popko.

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

NAY: None

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 RECESS the regular meeting to return to Closed Session; 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 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

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 10:28 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK