

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
DECEMBER 8, 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 7:03 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 Finance Department Personnel Matter, Municipal Court Personnel Matter, Flexible Spending Plan Contract Matter, Police Department Personnel Matter, Thorntown Lane/Hinkle Drive Intersection Contract Matter, Administration Department 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.

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

PAGE 2
REGULAR MEETING
December 8, 2014

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:06 pm and reconvened the regular meeting at 7:40 pm.

At this time, Deputy Mayor Cann made a motion to return to Open Session; seconded by Committeeman Carson.

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

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that the Township Committee members were provided with revised Resolution #2014-342-13 and photographs pertaining to Agenda Item #25, the (former) Dix Drive-In discussion. And as a result of Closed Session Discussion, Resolutions #2014-342-15A, #2014-342-15B, and #2014-342-15C are being added to the Consent Agenda.

Township Committee discussion regarding the status of 2014 Road Program, including Thorntown Lane Intersection.

Mayor Benowitz announced that Alt. Engineer Fred Turek could not be present; therefore, Ben Matlock from CME will make the presentation. Mr. Matlock gave an update on the Road Project stating that it is within the contract time with a final completion date of December 19, 2014. He answered various questions from the Township Committee.

CONSENT AGENDA

Resolution #2014-342-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2014-342-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

Resolution #2014-342-9 entitled A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A 2015 COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE REMOVAL OF AMERICANS WITH DISABILITIES ACT (ADA) BARRIERS AT BORDENTOWN MUNICIPAL COMPLEX AND WITHIN VARIOUS MUNICIPAL RIGHTS-OF-WAYS.

PAGE 3
REGULAR MEETING
December 8, 2014

Resolution #2014-342-10 entitled RESOLUTION APPROVING STIPEND TO MICHELLE (SHELLY) AUGUSTINO FOR CERTAIN ASSIGNED EMT DUTIES WITHIN THE BORDENTOWN TOWNSHIP EMS SERVICE DEPARTMENT.

Resolution #2014-342-11 entitled RESOLUTION AUTHORIZING EXCEL ENVIRONMENTAL RESOURCES, INC., TO APPLY FOR GRANT FUNDING TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR REMEDIAL ACTION AT BORDENTOWN WATERFRONT COMMUNITY, BLOCK 140, LOTS 1-3, 5.01, 5.02, 10-16, 18 & 19 AND BLOCK 141, LOT 4.

Resolution #2014-342-12 entitled RESOLUTION APPROVING CHANGE ORDER NO. 1 AND AUTHORIZING FINAL PAYMENT TO TECHNAPRO ELECTRIC, LLC, FOR THE INTERSECTION OF HEDDING ROAD & RISING SUN ROAD TRAFFIC CONTROL & ADA ACCESS PROJECT.

Resolution #2014-342-13 entitled AUTHORIZING DECEMBER 8, 2014, BUDGET TRANSFERS.

Resolution #2014-342-14 entitled RESOLUTION AUTHORIZING COMPLETENESS OF CHARLES BOSSERT PARK IMPROVEMENT PROJECT (CONTRACT #1) – PLAYGROUND EQUIPMENT.

Resolution #2014-342-15 entitled RESOLUTION AUTHORIZING COMPLETENESS OF CHARLES BOSSERT PARK IMPROVEMENT PROJECT (CONTRACT #2) – STONE DUST PATH & SITE GRADING.

Resolution #2014-342-15A entitled RESOLUTION AUTHORIZING MERITORIOUS AWARDS TO AN EMPLOYEE OF THE TOWNSHIP OF BORDENTOWN.

Resolution #2014-342-15B entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO APPOINT CAROL GAYNOR TO THE POSITION OF VIOLATIONS CLERK TYPING IN THE MUNICIPAL COURT OFFICE.

Resolution #2014-342-15C entitled RESOLUTION TO RESCIND RESOLUTION #2014-328-13 ENTITLED A RESOLUTION TO AWARD A CONTRACT TO GFI SITEWORKS, INC., FOR THE THORNTOWN LANE/HINKLE DRIVE INTERSECTION IMPROVEMENTS.

Township Committee reviewed and discussed Consent Agenda Items #2014-342-7 through #2014-342-15C. Deputy Mayor Cann and Mayor Benowitz commented/asked questions.

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

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

PAGE 4
REGULAR MEETING
December 8, 2014

NAY: None

SIDNEY MORGINSTIN, 849 East Drive: In regard to Resolution #2014-342-9, Mr. Morginstin asked where the barriers to persons with disabilities are located. Mayor Benowitz responded at the Municipal Building and Senior Community Center. Police Chief Nucera added correcting curbs, driveways, etc.

Mr. Morginstin also asked where the remediating will occur (Resolution #2014-342-11). The Township Committee responded in the back at the Bordentown Waterfront at the former brown fields, and there are future plans to build there.

WALT KOSUL, 539 Route 206: Mr. Kosul inquired about Resolution #2014-342-11. Deputy Mayor Cann responded that what was approved was the remediation plan by the State of N.J. DEP (what is to be remediated). There was discussion of the project and the location of the remediation/the brown fields.

Mayor Benowitz said the Planning Board meeting was cancelled because the applicant chose not to come in this month, and all their fees are up to date.

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

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

NAY: None

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

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

NAY: None

Public Hearing on Ordinance #2014-30 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING ORDINANCE NO. 2014-06, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$2,088,181 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,516,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

At this time, Deputy Mayor Cann made a motion to open the public hearing on Ordinance #2014-30; seconded by Committeewoman Popko.

PAGE 5
REGULAR MEETING
December 8, 2014

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

NAY: None

Seeing no public comment, Deputy Mayor Cann made a motion to close the public hearing on Ordinance #2014-30; seconded by Committeeman Carson.

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

NAY: None

Consideration of Adoption of Ordinance #2014-30 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING ORDINANCE NO. 2014-06, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$2,088,181 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,516,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

At this time, Committeewoman Popko made a motion to adopt Ordinance #2014-30; seconded by Deputy Mayor Cann.

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

NAY: None

Public Hearing on Ordinance #2014-31 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, Committeeman Carson made a motion to open the public hearing on Ordinance #2014-31; seconded by Deputy Mayor Cann.

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

NAY: None

Seeing no public comment, Committeeman Carson made a motion to close the public hearing on Ordinance #2014-31; seconded by Committeeman Moynihan.

PAGE 6
REGULAR MEETING
December 8, 2014

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

NAY: None

Consideration of Adoption of Ordinance #2014-31 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, Committeewoman Popko made a motion to adopt Ordinance #2014-31; seconded by Committeeman Moynihan.

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

NAY: None

Consideration of Introduction of Ordinance #2014-32 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN IN BURLINGTON COUNTY, STATE OF NEW JERSEY, REQUIRING THE MAINTENANCE OF PROPERTIES THAT ARE VACANT OR ABANDONED OR IN FORECLOSURE.

At this time, Committeeman Carson made a motion to introduce Ordinance #2014-32: seconded by Committeeman Moynihan.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be December 22nd.

Township Committee discussion of Establishing Date and Time for the 2015 Reorganization Meeting.

Although Committeeman Carson said that he will not be available after January 2, 2015, as in past practice, the Township Committee decided that the 2015 Reorganization Meeting will be held on the first Saturday in 2015.

At this time, Committeeman Carson made a motion to set the 2015 Reorganization Meeting for January 3, 2015 at 12:00 noon; seconded by Committeewoman Popko.

PAGE 7
REGULAR MEETING
December 8, 2014

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

NAY: None

Township Committee discussion with Chief Nucera regarding Mailing Addresses for Northern End of the Township.

Police Chief Nucera cited some examples of the confusion for emergency responders (police, fire, and EMS). The northern end of the township has Yardville and Hamilton zip codes. A part of Florence Township has a Bordentown zip code, as well. So he met with the Postmaster who said a survey needs to go out to all the residents in the northern end of the township that do not have the 08505 zip code asking their preference. Once the surveys are received back, a meeting is set with the delivery boundary review process individual. Committeewoman Popko added that having a Trenton zip code increases insurance rates.

At this time, Deputy Mayor Cann made a motion to proceed and try to change the zip codes in the northern end of the township to 08505 and return back to the Township Committee with a potential maximum cost; seconded by Committeewoman Popko.

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

NAY: None

Township Committee discussion regarding the Establishment of a Historical Preservation Committee.

Committeewoman Popko said she was approached by the caretakers at the Veteran's Memorial Cemetery. There is a House of Worship there that they may like to become a historical preservation site, which would make them eligible for Grants. (The building currently houses grounds maintenance supplies.) She said there is nothing currently in Bordentown Township historically preserved. All Grants insist that you have a Committee in place in the municipality, and there are several people interested on serving. Committeewoman Popko said there are 234 plots set aside only for veterans and if historical preservation is obtained, they would be buried there paid for by the V.A.

The Township Committee decided to proceed in establishing a Historical Preservation Committee and will introduce an ordinance in the next calendar year. It will be a sub-committee of the Planning Board.

Township Committee discussion regarding the status of the Dix Drive-In Property Clean Up.

PAGE 8
REGULAR MEETING
December 8, 2014

Attorney Kearns said he contacted the attorney for the turnpike and asked her to get him a timetable of when they are going to clean up the (former) Dix Drive-In and turn it over to the Township. He has not yet heard back yet, but will follow-up. Deputy Mayor Cann said he will be contacting John Keller of the N.J. Turnpike regarding the Holloway Meadows drainage problem. C.D. Director Brian Johnson had he has periodically visited the site, and now all the contractors are leaving the site. He recommended to the Township Committee hiring our own environmental company to make sure the site is clean.

Township Committee discussion regarding the Police Department's Capital Budget (Tasers, Plate Scanners and Body Cameras).

Committeeman Moynihan asked for a consensus of the Township Committee for the funding and approval of the budget. Police Chief Nucera discussed the necessity and how each of these items is used in an emergency situation. The Police Department will move forward to purchase these items with what is left in the Capital Account.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CARSON: Committeeman Carson commended the Public Works Department with the Township-wide leaf pick-up.

Committeeman Carson read into the record an email he received regarding the beautiful holiday decorations at the municipal building.

COMMITTEEMAN MOYNIHAN: In regard to the Police Department, the new recruits continue to do well at the Police Academy. They all survived being exposed to pepper spray.

COMMITTEEWOMAN POPKO: Committeewoman Popko announced that Bordentown Township has achieved Sustainable Jersey Bronze Certification. She thanked Environmental Commission Chairman Roger Plew, the Township Committee, the Township Employees, Public Works, and the Environmental Commission Members and the Green Team. The announcement will go on the website.

The Public Works Department is working on the inventory software which is now being installed. This will eventually save the Township money.

The new flooring for the Senior Community Center has been received and installation will begin on December 9, 2014.

Leaf collection continues.

The Public Works Department is working on getting the equipment to repair the cracks in the roads. The Township will be going out to bid. Police Chief Nucera said the Township already tried going for a Federal contract and the Township Auditor said we could not do this.

DEPUTY MAYOR CANN: Deputy Mayor Cann said that the two recently scheduled FEMA meetings had been cancelled. This allowed Emergency Management Director Andy Law to set up a pre-meeting with the State Police representative of FEMA. The representative believes the Township can open the 3.3 million Hurricane Irene request that was rejected, and also gave the Township information on

PAGE 9
REGULAR MEETING
December 8, 2014

some smaller funding that can be applied for. The FEMA meeting has been rescheduled for Thursday, December 11, 2014.

Quick-Chek has met with our Professionals with some revisions to their plans. They want to continue discussions with the Professionals before returning to the Planning Board, hopefully, in January.

There was a meeting with Model Insurance where the Township received a very good rating. One issue of concern was that things change when there are over 100 employees, which affects the Affordable Healthcare Act. The Township has to review how many hours the part-time and per diem employees work and calculate how many employees that represents in terms of a 30 hour work week. Police Chief Nucera has been informed of this.

Deputy Mayor Cann said the Christmas Tree Lighting Ceremony was very well done.

MAYOR BENOWITZ: Mayor Benowitz said that Gray Construction for the Grainger Warehouse meets every month. He gave an update on construction.

He attended the Fire District #1 meeting on December 4, 2014. Their 2015 budget is \$860,063. There will be no tax increase; it is under the 2% levy. There will be a public hearing on the budget at their regular meeting on January 8, 2015 at 8:00 pm. He explained the PILOT funding to them. (This was previously discussed at the last Township Committee meeting.) The Special Election is Saturday, December 13, 2014 from 2:00 pm-8:00 pm.

Wreaths Across America is scheduled for December 11, 2014 at 9:00 a.m. at the Bordentown Regional Middle School. Bordentown Township was selected as one of the 12 towns they stop at. He will accept the wreath on behalf of the Township.

The Township reached out to Burlington County. Additional planning and discussions will occur with Mark Remsa and the Burlington County Bridge Commission may assist in marketing Bordentown Township, "the Crossroads of the Heart of New Jersey."

There may be a new landfill being built in Pennsylvania across from Bordentown City and Bordentown Township. He invited the Township Committee and Professionals, the Township Solicitor, and the Environmental Commission in being proactive in this matter to help protect the residents from any environmental difficulties. The Township Committee agreed to have Mr. Robert Fitzpatrick of the Citizens Against the Smell of Tullytown (CAST) come to the next Township Committee Meeting.

Mayor Benowitz told a story of something that happened to him at the Christmas Tree Lighting Ceremony, and he encouraged everyone to extend an act of kindness.

PUBLIC PARTICIPATION: At this time, Committeeman Carson 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

KOSTAS PETRIS, 556 Route 206: Mr. Petris commented about the four homes located on the Carmen Avenue off ramp. He said people speed up when they hit the yellow light on the jug handle and he asked if anything can be done to make it safer. Police Chief Nucera will follow-up.

PAGE 10
REGULAR MEETING
December 8, 2014

SID MORGINSTIN, 849 East Drive: Mr. Morginstin said he likes the idea of trying to change all the zip codes to 08505 on the northern side of the Township, but did not think all the residents would be agreeable. Mr. Morginstin also mentioned that there are corner homes in the tree streets that face East Drive street and have the side street's address. This is currently being addressed.

Mr. Morginstin said he was also concerned about the turnpike/former Dix Drive-In.

He said he attended the budget hearing for the District #1 Mission Fire Company. He inquired about merging of the two districts. Mayor Benowitz responded they are currently in discussions. Committeewoman Popko said that merging cannot be accomplished if one fire district has over a certain amount of debt. Mayor Benowitz asked Attorney Kearns to investigate this as soon as possible.

WALT KOSUL, 539 Route 206: Mr. Kosul commented on changing the zip code. He suggested also including the Postmaster of Hamilton in the discussions.

He also commented on the former Dix Drive-In property. He still feels that the property should not be exempt. Deputy Mayor Cann said that the contractors are not paying rent; therefore, the Turnpike does not have to pay taxes.

Mr. Kosul stated that he will be involved in the budget process.

BRIAN JOHNSON, Director of Community Development: Mr. Johnson said there was a very good article worth reading in the League of Municipalities magazine on pavement management: crack sealing and use of micro-surfacing, and suggested to the Township Committee members that they read it.

ROGER PLEW, 117 Philmont Avenue, Environmental Committee Chairman: Mr. Plew spoke about the Sustainable Jersey Bronze Certification recently received. They are now on their way to the Silver level. He recognized Township Clerk Eckert for all the support and help towards obtaining the points needed and Committeewoman Popko for taking on actions, campaigning, and sharing the responsibilities. Mayor Benowitz thanked Chairman Plew.

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

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

NAY: None

MAYOR BENOWITZ: Mayor Benowitz announced that he had letters for the Township Committee and will have the Township Clerk make copies and distribute to them.

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 Committeeman Moynihan.

PAGE 11
REGULAR MEETING
December 8, 2014

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 9:41 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK