

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
JANAURY 25, 2021

The Regular meeting of the Township Committee of the Township of Bordentown was held virtually using Zoom due to the ongoing public health emergency.

PRESENT: Mayor Stephen Benowitz  
Deputy Mayor Eric Holliday  
Committeeman Eugene Fuzy  
Committeeman James Kostoplis (joined at 7:16 p.m.)  
Committeewoman Aneka Miller  
Administrator Michael Theokas  
Chief Financial Officer Jeffrey Elsasser  
Clerk Maria Carrington  
Attorney Eileen Fahey

ABSENT: None

Mayor Benowitz called the meeting to order at approximately 6:34 p.m.

Roll Call was taken by Township Clerk Carrington.

**Resolution 2021-1-25 entitled RESOLUTION TO MEET IN CLOSED EXECUTIVE SESSION** moved by Committeeman Fuzy and seconded by Committeeman Kostoplis. Voice Vote: Fuzy, Miller, Holliday, Benowitz all aye; Kostoplis had not yet joined the meeting.

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby exclude the public to meet in Closed Executive Session for the purpose of discussing:

- Personnel
- Attorney/Client Privilege: Contract Negotiations
- Attorney/Client Privilege: Litigation

No formal action was taken during the closed session. The minutes of the closed session may be disclosed to the public when it is determined that the above matters no longer require confidentiality.

The closed session was adjourned at 7:26 p.m. through a motion made by Deputy Mayor Holliday, seconded by Committeeman Fuzy. Voice Vote: All Aye. The meeting was reopened to the public at approximately 7:30 p.m.

The Mayor led a salute to the flag and a moment of silence dedicated to all the loss we continue to experience from Covid-19 and to the hope that 2021 will improve with the vaccine.

Township Clerk Carrington read the following Open Public Meeting Announcement:

This meeting is called pursuant to the provisions of the Open Public Meeting Act. Adequate and electronic notice of this meeting was provided. The notice of the 2021 meeting schedule was sent to the *Burlington County Times* and *The Times* on January 5, 2021 and subsequently published by the *Burlington County Times* on January 8, 2021. The notice has been, and remains, posted on the Township website and the bulletin boards in the Municipal Building. A copy of the notice is also on file in the Township Clerk's office to be made available to the public upon request. The proceedings of this meeting are being electronically recorded

**Correspondence:** The Township Committee received a letter from attorney Mark Roselli on January 8, 2021, regarding a request for consideration to amend our current Highway Commercial Zone. All proper fees and submission requirements have been met. Mr. Roselli's client, Team Campus II, LLC, was denied a bifurcated use variance application by the Township's Joint Planning Board on December 10, 2020, and the decision was memorialized by resolution on January 14, 2021. The Mayor noted that in accordance with the Municipal Land Use Law, both Mayor Benowitz and Deputy Mayor Eric Holliday, as sitting members of the Planning Board, recused themselves from hearing the use variance application when it was before the Planning Board.

Mark Roselli presented reasoning why U.S. Route 130, Block 58, Lot 36.01 should be rezoned to allow for residential use as well as commercial/retail. He believes Mr. Johnson's mixed-use proposal is a good use of the property as the market for office space has waned. He believes the proposed development would spur redevelopment along Route 130. He contends that Mr. Johnson has been the only property owner to bring positive change to Route 130. There is no desire to see vacant properties.

Planner Justin Auciello highlighted aspects of Christine Cofone's report that was provided to the Committee with the request for rezoning. Three three-story buildings are proposed to provide housing for millennials and baby boomers that Bordentown Township residents have stated are needed. He believes the proposed use is compatible with the 2018 Master Plan and also achieves goals for balanced use that go back to the 1990 Master Plan.

Mr. Roselli followed up and discussed Governor Murphy's recent changes in redevelopment areas as well as the Township's need for 18 affordable units due to the waterfront property purchase. Kevin Johnson, the property owner, also spoke regarding his role in the community, his vision for a Town Center and the proposed uses' minimal effect on traffic. He states that the proposed residential buildings would utilize the same footprints of the previously approved office buildings.

A motion to open the conversation on the rezoning request was made by Deputy Mayor Holliday; seconded by Committeeman Fuzy. Voice Vote: All Aye.

**KEITH OWES, 338 CRESCENT DRIVE:** Mr. Owes thanked the Township for connecting the walkway/bikeway trail from the high school to Borden's Crossing. He and his neighbors have spoken with Mr. Johnson about his mixed-use proposal. Mr. Owes believes the Town Center concept with multiple uses would increase his property value and improve the environment by avoiding eye sores. He thinks this proposal makes sense.

**ASIF BANDUKDA, 356 CRESCENT DRIVE:** Mr. Bandukda shared his support for Kevin Johnson and his proposal. The Township should avoid building eye sores. With this proposal, he will be able to walk to restaurants. This project will be good for the children and will complement the Township.

**PATRICK SCHARNITZ of ROEBLING:** Mr. Scharnitz said he was speaking on behalf of Mercer County and the Northern Burlington Builders Associations. He stated that a developer like Mr. Johnson who does not use local labor and hires a cheaper workforce is insulting the local community. By not hiring local labor, issues like the scaffolding collapse are bound to happen. With the pandemic, we don't want workers from outside of the area coming in. Furthermore, Mr. Scharnitz stated that he has reservation about putting residential properties along side the deadliest highway for pedestrians in the State of New Jersey. Foot traffic on Route 130 is a bad idea. The property is already zoned for commercial and retail. He is against the project.

**K. SCHULTEA, 7 ANNA ROSE COURT** (written comment read by Administrator Theokas): They are in favor of these plans and would enjoy the proposed use.

CALMAN GREENE, 210 ECLIPSE DRIVE: He lives directly behind Kevin Johnson's property. He has never heard of a builder talking with people and Mr. Johnson has done so. Mr. Johnson comes across as wonderful and listened to our concerns. All one sees in Bordentown and the surrounding areas are warehouses. This proposal will raise property values and bring back mom and pop businesses. He hopes everyone is on board as it will be more appealing to the eye than a mini-storage center.

NAVEEN IMMIDISSETTY, 305 CRESCENT DRIVE: A Town Center is much needed in Bordentown. This proposal will be a welcome break from motels, warehouses and dollar generals. This proposal will bring value to their housing development.

KATHRYN SCHWARTZ, 347 CRESCENT DRIVE: She lives behind Kevin Johnson's property. The pathway that was built is great. This proposal would be great as it would provide great livability. Mr. Johnson listens and added green space. She recommends approving the rezoning.

SHAWN PATEL, 505 QUARTER MOON COURT: He strongly supports the proposal. He appreciates Mr. Johnson's time and working with them.

SID MORGINSTIN, 849 EAST DRIVE: He expressed concerns that the proposal would add school children and increase traffic.

JOHNNIE WHITTINGTON, 23 EXETER ROAD, EAST WINDSOR: He hopes Mr. Johnson will consider using local labor. Using local labor is a good project if one really wants to help the community otherwise a "Frankenstein" will be built. He asked that local labor, please, be seriously considered.

SATISH PATEL, 314 CRESCENT DRIVE (written comment): He asked Mr. Johnson whether both the entrance and exit to the property could be on Route 130 rather than having the exit on Crescent Drive.

E.J. GRYBOWSKI, 345 CRESCENT DRIVE: A Town Center would be welcomed. He was against the senior housing because the density was too high. Mr. Johnson modified the current proposal from four stories to three and worked with the nearby residents. Mr. Grybowski wants Bordentown Township to be safe, have lower taxes and higher property values.

KEVIN JOHNSON in response to above comments: A traffic light is proposed at Crescent Drive and Route 130. He recently talked with Starbucks and learned that property values increase 3 to 5 percent when Starbucks comes to an area. Mr. Johnson stated that he is proud of his company. When they were closed for 6 months with no revenue, they still paid every single employee so he contends that his company does add value to the community.

Mayor Benowitz solicited questions from the members of the Committee. There being none, Mayor Benowitz thanked the Team Campus Phase II representatives for their presentation. The Committee will consider the request and being a due diligence process and speak to the appropriate Township professionals. The Committee will contact Mr. Roselli if additional information is needed. The Committee will not render a decision until it has all relevant information and considers all potential impacts, both positive and negative. The process must be thorough to be an informed decision. The Committee understands and respect the time sensitivity and will do its best to undergo this process as expeditiously as possible.

**Administrative Review:** Clerk Carrington stated that there are no changes to the agenda.

**Consent Agenda:**

**Resolution #2021-39 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS**

**Resolution #2021-40 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE RENEWAL OF THE TERM OF AN INTERLOCAL SERVICES AGREEMENT WITH BORDENTOWN CITY, MANSFIELD, CHESTERFIELD, NORTH HANOVER AND SPRINGFIELD TOWNSHIPS CONCERNING EXTRA DUTY ASSIGNMENT OF POLICE OFFICERS**

**Resolution #2021-41 entitled RESOLUTION AUTHORIZING AN EXCHANGE OF CONSTRUCTION UCC CODE SERVICES FOR CONFLICT OF INTEREST AND EMERGENCY SITUATIONS**

**Resolution #2021-42 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO TERMINATE PER DIEM EMTs**

**Resolution #2021-43 entitled RESOLUTION AUTHORIZING FINAL PAYMENT TO EARLE ASPHALT FOR DUNNS MILL ROAD RESURFACING PROJECT**

**Resolution #2021-44 entitled RESOLUTION AUTHORIZING FINAL PAYMENT TO EARLE ASPHALT FOR DUNNS MILL ROAD RESURFACING PHASE 2 PROJECT**

**Resolution #2021-45 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LCC, FOR INDOOR AIR MONITORING OF 262 CROSS WICKS ROAD FOR THE 2020 HEATING SEASON**

**Resolution #2021-46 entitled APPOINTING MEMBERS TO THE VETERANS ADVISORY COMMITTEE**

**Resolution #2021-47 entitled RESOLUTION AUTHORIZING THE PURCHASE MODEMS FOR THE PATROL FLEET FOR THE TOWNSHIP OF BORDENTOWN POLICE DEPARTMENT**

**Resolution #2021-48 entitled RESOLUTION APPOINTING KATHLEEN HILL AS TAX ASSESSOR FOR THE TOWNSHIP OF BORDENTOWN**

**Resolution #2021-49 entitled RESOLUTION AUTHORIZING ENTERING A CONTRACT WITH BLACK LAGOON FOR THE MAINTENANCE OF PONDS FOR 2021**

**Resolution #2021-50 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS**

Township Committee review and discussion of Consent Agenda Items Resolutions #2021-39 through #2021-50: None.

Deputy Mayor Holliday made a motion to open the Consent Agenda items for public comment; seconded by Committeewoman Miller. Voice Vote: All Aye. There was no public comment. Deputy Mayor Holliday made a motion to close the Consent Agenda to public comment; seconded by Committeewoman Miller. Voice Vote: All Aye.

Committeeman Fuzy made a motion to adopt the Consent Agenda; seconded by Committeeman Kostoplis. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz  
NAY: None

**New Business:** None.

**COVID-19 Update:**

The Mayor stated information is on the website regarding vaccine pre-registration. Residents are encouraged to pre-register for the vaccine. The municipal building is closed to the public; however, the lobby is open and the staff is still working. All Township services are being provided. Each morning all staff temperatures are taken and coronavirus symptoms are screened. OEM Coordinator Pete Appelman is leading our team and contact tracing is in place.

The Mayor stated that there have been 532 confirmed cases in the Township. Township First Responders, including our EMA, Police Department and Fire Districts, have received the first dose of the Covid vaccine. The second dosages should all be administered by the second week in February. Vaccine information for the general public is on our website. All residents are encouraged to sign up for vaccinations now although they may not be available at this time. The Governor is promoting a “hotline” number for information on the vaccine as well as scheduling for those without internet access. The hotline number is: 855-568-0545.

Burlington County serves as the health department for Bordentown Township. While other municipalities may have their own health departments, and thus access to the vaccine, Bordentown Township does not administer vaccinations and does not have the ability to schedule vaccines at this time.

Although the vaccine is becoming more available, please continue to be vigilant with social distancing, wearing masks and hand washing. It is still a very dangerous time with COVID-19.

**Administrator’s Report:**

The Township is prepared for possible bad weather tomorrow. Although there may not be much snow accumulation, it could be icy. Public works is prepared to salt and de-ice the roads.

The budget process for 2021 is beginning. The Administrator and CFO will begin to meet with departments heads this week. As we go forward, there will be more to share with the Committee and the public.

The Township welcomes Kathleen Hill as the new Tax Assessor for the Township. She will be working on Tuesdays from 10 AM to 6 PM and on Thursdays from 10 AM to 4 PM.

Demolition on the Crosswicks Roads properties has started. We are currently waiting for PSE&G for final gas shut-off. Habitat for Humanity is anxious to start constructing new homes on the properties.

As the local youth basketball leagues may not be permitted to practice inside, we are working to develop a schedule for designated time on the basketball courts at Joseph Lawrence Park.

**Township Committee Liaison Reports**

Committeewoman Miller, Committeeman Fuzy, Deputy Mayor Holliday and Mayor Benowitz gave reports.

**Public Participation**

Deputy Mayor Holliday made a motion to open the meeting for public participation; seconded by Committeewoman Miller Voice Vote: All aye.

**PATRICK SCHARNITZ:** Mr. Scharnitz wanted to reiterate his points made earlier. His objection is to the high-density residential component not to the commercial/retail aspect that is already approved with the current zoning. He encourages the Committee not to approve the request.

SID MORGINSTIN, 846 EAST DRIVE: The East Drive/Groveville Road street sign is down and requires repair. Administrator Theokas stated that he will work with Public Works to get it done.

JOHNNIE WHITTINGTON, 23 EXETER ROAD, EAST WINDSOR: He stated that he forgot to thank Mayor Benowitz and Administrator Theokas for the opportunity to speak earlier. He also thanks Kevin Johnson for listening to his concerns.

Committeewoman Miller made a motion to close the meeting to the public; seconded by Committeeman Fuzy. Voice Vote: All aye.

As a final comment, Committeewoman Miller thanked the presenters for their presentation. She also thanked the public for speaking out. She appreciated the feedback on both sides.

Committeeman Fuzy made a motion to adjourn the meeting at approximately 9:12 PM; seconded by Committeewoman Miller. Voice Vote: All aye.

Respectfully Submitted,

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MARIA CARRINGTON, TOWNSHIP CLERK