

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
FEBRUARY 8, 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  
Committeewoman Aneka Miller  
Administrator Michael Theokas  
Clerk Maria Carrington  
Attorney Eileen Fahey

ABSENT: None

Mayor Benowitz called the meeting to order at approximately 6:30 p.m.

Roll Call was taken by Township Clerk Carrington.

**Resolution 2021-2-8 entitled RESOLUTION TO MEET IN CLOSED EXECUTIVE SESSION** moved by Deputy Mayor Holliday and seconded by Committeeman Kostoplis. Voice Vote: All Aye.

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 7:34 p.m. through a motion made by Committeewoman Miller, seconded by Committeeman Kostoplis. Voice Vote: All Aye. The meeting was reopened to the public at approximately 7:37 p.m.

The Mayor led a salute to the flag and a moment of silence.

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

On September 14, 2020 via Resolution #2020-202, the Township Committee appointed Brianna Bogdan, Matthew Harris and Mitchell Luyber as police officers. Each will successfully graduate from the police academy on February 12, 2021. Clerk Carrington administered the Oaths of Office to Patrolwoman Brianna Bogdan, Patrolman Matthew Harris and Patrolman Mitchell Luyber as Police Officers in the Bordentown

Township Police Department. Police Chief Brian Pesce introduced, welcomed and congratulated the new police officers. Deputy Mayor Holliday also offered his best wishes on their careers.

**Correspondence:**

- Burlington County Public Works seeks approval to conducted aerial larval/adult mosquito activities. The Township has declined participation in the past due to environmental concerns. Opting out will not affect other mosquito control activities conducted by the County. A motion was made to decline participation by Committeewoman Miller; seconded by Committeeman Kostoplis. Voice Vote: All Aye.
- Mayor Benowitz stated that at the last Committee meeting, Team Campus II presented its request to rezone its property to allow a mixed-use residential development in the Township's Highway-Commercial zone. This proposed use is currently not permitted in that zone, and there is an existing approval for medical office and retail buildings for the site. After hearing the presentation, the Township Committee directed its planning, legal and engineering professionals to undertake review of this matter. The request made by Team Campus II is a significant one and requires time to complete a thorough and thoughtful review. The Committee appreciates Team Campus' urgency, but the Committee must also consider the interests and the impact on the community as a whole. The Township recently invested considerable time and expense to create a master plan to provide the best opportunities for housing without burdening our infrastructure, schools and utilities. The master plan guided the Township with its affordable housing obligation and will do the same in this instance. The public will be updated as the Township moves forward.

**Administrative Review:** Clerk Carrington stated that following discussion in the closed executive session, Resolution #2021-56 entitled RESOLUTION TO AUTHORIZE THE EXECUTION OF A CONTRACT WITH JPMONZO CONSULTING LLC FOR EXECUTIVE SEARCH SERVICES FOR CHIEF FINANCIAL OFFICER AND TAX COLLECTOR POSITIONS was being added to the Consent Agenda.

**Consent Agenda:**

**Resolution #2021-51 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS**

**Resolution #2021-52 entitled RELEASE OF PERFORMANCE GUARANTEE FOR SAFETY & STABILIZATION FOR LBA RVI-XXXI, LLC 1 ADVANTAGE COURT BLOCK: 137.02 LOT: 6**

**Resolution #2021-53 entitled RESOLUTION TO APPOINT PER DIEM EMT**

**Resolution #2021-54 entitled RESOLUTION SUPPORTING NEW JERSEY STATE LEGISLATURE BILLS A5034 AND S3282 REQUIRING INSURANCE COMPANIES TO COVER THE COST OF COLORECTAL SCREENINGS BEGINNING AT AGE 45**

**Resolution #2021-55 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS**

**Resolution #2021-56 entitled RESOLUTION TO AUTHORIZE THE EXECUTION OF A CONTRACT WITH JPMONZO CONSULTING LLC FOR EXECUTIVE SEARCH SERVICES FOR CHIEF FINANCIAL OFFICER AND TAX COLLECTOR POSITIONS**

Township Committee review and discussion of Consent Agenda Items Resolutions #2021-51 through #2021-56: None.

Committeeman Fuzy made a motion to open the Consent Agenda items for public comment; seconded by Committeewoman Miller. Voice Vote: All Aye.

LARRY BRAASCH, 8 ARDMORE DRIVE: Mr. Braasch supplied a written comment that was read into the record by Administrator Theokas. Mr. Braasch urged the Committee to support Resolution #2021-54 requiring insurance companies to cover the costs of colorectal screenings starting at the age of 45. His wife, Yvonne Braasch, passed away from colon cancer that had metastasized through her lymphatic system to her liver and lungs. She was only 46 years old and had been in good health with no symptoms of medical problems until mere weeks before she passed away. She had no family history of colon cancer and no risk factors. Her routine lab work was normal earlier in the year. Routine screening at age 45 could have saved her life as colon cancer has a 90% survival rate if detected early. In May of 2018, the American Cancer Society changed its recommendation to start colon cancer screening at age 45 rather than at age 50. It is now almost three years later and doctors are not advising people of the new guidelines and insurance companies are not covering screenings at age 45. Many states have amended their laws to coincide the ACA's recommendations, but New Jersey has not yet done so. This resolution will encourage the NJ legislature to take action on bills A5304 and S3282 to protect NJ residents from the suffering and the loss that his family has had to endure.

Committeeman Fuzy made a motion to close the Consent Agenda to public comment; seconded by Deputy Mayor Holliday. Voice Vote: All Aye.

Deputy Mayor Holliday made a motion to adopt the Consent Agenda; seconded by Committeewoman Miller. 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 that there have been 596 confirmed cases in the Township. The number of cases is increasing. Township first responders, including EMTs, police and fire, have received the first dose of the Covid vaccine and are scheduled to receive second doses this week. Vaccine information for the general public is on our website. All residents are encouraged to sign up for vaccinations. The "hotline" number for information on the vaccine as well as scheduling for those without internet access 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.

Access to the municipal building is restricted; however, the lobby is open and the staff is still working. All Township services are being provided. There is a lock box for tax payments in the lobby and all other departments have drop boxes.

**Featured Department Head Report:**

Police Chief Brian Pesce presented an overview of his department's activities. Before each Committee meeting, he provides his Committee liaison with an overview of training and community engagements conducted over the previous two weeks as well as upcoming events. Chief Pesce stated that most police activity has lately been due to the snowy weather. There have been single motor vehicle collisions and pipes freezing causing damage and disruption to residents. The truck stops, which are like little cities, keep the police department busy. The NYPD recently contacted the Township police to track down a stolen vehicle at a truck stop and the Township officers handled the related arrest. The new management at the Love's truck stop is focusing on employee theft and the department has been involved with arresting employees

who stole hundreds of dollars' worth of cigarettes. In the midst of the pandemic, when first responders are often apprehensive of the virus, Bordentown Township police officers have saved 13 individuals from overdosing. Officers are also being rewarded by handling a large number of DWI cases.

### **Administrator's Report:**

Due to the freezing temperatures, the Township has had several water main breaks. Administrator Theokas encourages residents to sign up for email alerts from the City Water Department by going to the [cityofbordentown.com](http://cityofbordentown.com) and subscribing to their mailing list. Residents affected by water main breaks are promptly notified of any water outages in their area when they occur.

The Township is prepared for possible bad weather over the next week or so. The Township will be closed on Monday for President's Day, but trash and recycling will still be picked up. Remember to place both trash and recycling containers where they can be emptied by the articulated arm of the trash/recycling trucks.

### **Township Committee Liaison Reports**

Committeewoman Miller, Committeeman Fuzy, Committeeman Kostoplis, 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.

LINDA MARSALA, 116 BORDENTOWN-HEDDING ROAD: Mrs. Marsala questioned when the plans for the connector road changed. She never thought there would be a warehouse as well as a connector road. She believes the road was moved closer to her property and into the wetlands. She states that tree clearing has already started and the application has not yet been heard. Administrator Theokas explained that the property is privately owned and a warehouse is a permitted use in the GC-1 zone. The application will be before the Planning Board shortly and she will be notified as to when the site plan will be heard. The Planning Board is where these concerns should be addressed. He further stated that the tree clearing is minimal to make room for soil testing and boring. The site is not and will not be cleared prior to the application being heard.

AGNES MARSALA, 42 CROMWELL DRIVE, CHESTERFIELD: She conveyed her feelings concerning the prospect of additional warehouses on Rising Sun Road. She believes that First Industrial is clearing trees and marking wetlands without proper notice. She feels that Turek Consulting LLC's January 5, 2021 submission to the Planning Board is incomplete and that First Industrial is seeking waivers from the Township that would be egregious to the area and Township residents. She does not feel that First Industrial should receive a waiver from supplying Environmental Impact and Community Impact Statements. The property has multiple wetlands and is wooded making it home to many organisms. It also serves as the hunting territory of large birds of prey. The Township has many failed traffic patterns. The area residents already live on "warehouse alley" and now their backyards are threatened as well. She asked whether the new warehouse would affect the Township's affordable housing requirements and questioned the grant to build the connector road.

AL MARSALA, 116 BORDENTOWN-HEDDING ROAD: Mr. Marsala asked whether the Township owns or ever owned any portion of the property where the First Industrial warehouse is to be built and why the connector road was moved on the plans. Administrator Theokas stated that the Township does not own any part of the property; the property has always been privately owned. The initial traffic study was performed to see if traffic would be affected/improved if there were a connector road. The initial drawings

were conceptual schematics and not plans. Mr. Marsala asked whether another traffic study would be done; Mr. Theokas said that traffic would be studied as part of First Industrial's application. Mr. Marsala asked if the Township Committee votes on the warehouse after the Planning Board does. Mr. Theokas stated that the Planning Board handles all land use, but the Mayor and Deputy Mayor do sit on the Planning Board as voting members for all non-zoning matters.

KEVIN JOHNSON, TEAM CAMPUS II, 115 US ROUTE 30: Mr. Johnson asked the Mayor if any decision has been made about the role of the Community Development Director as Mr. Theokas has been the Acting Director for over two years. He asked whether the role would be full or part time. Mayor Benowitz has stated that no decision has been made and that Mr. Theokas would continue to be the Acting Director until a decision is made otherwise. Mr. Johnson asked about the status of the rezoning request and whose purview is it since the Planning Board punted its decision to the Township Committee. Mr. Theokas stated that the Planning Board did not refer the use variance decision to the Township Committee, rather the application was denied by the Planning Board. The Mayor repeated his earlier statements that the Committee is still conducted its due diligence and enlisting the expertise of its professionals.

Deputy Mayor Holliday made a motion to close the meeting to the public; seconded by Committeeman Fuzy. Voice Vote: All aye.

There were no final comments by the Township Committee.

Deputy Mayor Holliday made a motion to adjourn the meeting at approximately 8:49 PM; seconded by Committeeman Fuzy. Voice Vote: All aye.

Respectfully Submitted,

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MARIA CARRINGTON, TOWNSHIP CLERK