

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
MARCH 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 2021-3-8 entitled RESOLUTION TO MEET IN CLOSED EXECUTIVE SESSION moved by Committeeman Kostoplis and seconded by Committeeman Fuzy. Voice Vote – Motion Carried.

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
- Litigation/Negotiation/Attorney-Client Privilege

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 7:13 p.m. through a motion made by Committeewoman Miller, seconded by Committeeman Kostoplis. Voice Vote – Motion Carried. 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 the passing of Nathaniel Hampton with condolences to his family. Mr. Hampton was instrumental in his assistance in setting up the Bordentown Township Black History Month program.

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

Resolution #2021-80 entitled **RESOLUTION TO APPOINT MARK SHERMAN AS A POLICE OFFICER FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT** was brought forth to Committee for consideration. Deputy Mayor Holliday made a motion to adopt Resolution #2021-80; seconded by Committeeman Fuzy. Voice Vote – Motion Carried.

Police Chief Brian Pesce thanked the Committee for its support and provision of adequate staffing. The Department is thrilled to welcome Officer Sherman as a transfer from the Burlington County’s Sherriff Department. Sherriff Basantis congratulated Officer Sherman.

Clerk Carrington administered the Oath of Office to Mark E. Sherman II as a police officer in the Bordentown Township Police Department.

Correspondence: None

Administrative Review: Clerk Carrington stated Resolution #2021-74 regarding the change order for the Crosswicks Road demolition is removed from consideration.

Consent Agenda:

Resolution #2021-64 entitled APPROVING ROUTINE BUSINESS: MINUTES OF MEETINGS

Resolution #2021-65 entitled A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE AND TRAINING IN THE COMMUNITY DEVELOPMENT DEPARTMENT

Resolution #2021-66 entitled RESOLUTION TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET USING THE THREE-YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR THREE YEARS

Resolutions #2021-67 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

Resolution #2021-68 entitled GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964”

Resolution #2021-69 entitled RESOLUTION CONDUCTING ANNUAL BUDGET SELF-EXAMINATION FOR THE TOWNSHIP OF BORDENTOWN IN THE COUNTY OF BURLINGTON

Resolution #2021-70 entitled RESOLUTION TO CANCEL TAXES

Resolution #2021-71 entitled RESOLUTION TO APPOINT ALBERT COOK AS A FULL-TIME EMERGENCY MEDICAL TECHNICIAN (EMT)

Resolution #2021-72 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN ACCEPTING THE RESIGNATION OF JEFFREY ELSASSER AND AUTHORIZING FINAL COMPENSATION

Resolution #2021-73 entitled RESOLUTION UPDATING THE 2021 CASH MANAGEMENT PLAN

Resolution #2021-75 entitled RESOLUTION APPOINTING ALTERNATE FUND COMMISSIONER FOR THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

Resolution #2021-76 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING LCC FOR VERTICAL GROUND WATER DELINEATION OF 262 CROSSWICKS ROAD

Resolution #2021-77 entitled RESOLUTION AUTHORIZING EXTENSION OF TIME FOR AWARDING A CONTRACT FOR THE FY2019 NJDOT MUNICIPAL AID PROJECT

Resolution #2021-78 entitled RESOLUTION APPOINTING A TEMPORARY PURCHASING AGENT

Resolution #2021-79 entitled APPROVING ROUTINE BUSINESS: PAYMENT OF BILLS

Township Committee review and discussion of Consent Agenda Items Resolutions #2021-64 through #2021-79, omitting #2021-74: None.

Committeeman Kostoplis made a motion to open the Consent Agenda items for public comment; seconded by Committeewoman Miller. Voice Vote – Motion Carried. There being no public comment, Committeewoman Miller made a motion to close the Consent Agenda to public comment; seconded by Committeeman Kostoplis. Voice Vote – Motion Carried.

Committeeman Fuzy made a motion to adopt the Consent Agenda consisting of Resolutions #2021-64 through #2021-79, omitting #2021-74; seconded by Committeewoman Miller. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

Ordinance #2021-1 entitled ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2021 (N.J.S.A. 40A: 4-45.14)

Public Hearing: Committeewoman Miller made a motion to open the public hearing on Ordinance #2021-1; seconded by Committeeman Kostoplis. Voice Vote – Motion Carried. There was no public comment. A motion was made by Committeeman Fuzy to close the public hearing; seconded by Committeewoman Miller. Voice Vote – Motion Carried.

Adoption: Committeewoman Miller made a motion to adopt Ordinance #2021-1; seconded by Committeeman Fuzy. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

Ordinance #2021-1 is adopted.

Ordinance #2021-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE TO ESTABLISH PERMIT AND FEE SCHEDULE

Public Hearing: Committeewoman Miller made a motion to open the public hearing on Ordinance #2021-2; seconded by Committeeman Kostoplis. Voice Vote – Motion Carried. There was no public comment. A motion was made by Committeeman Fuzy to close the public hearing; seconded by Committeeman Kostoplis. Voice Vote – Motion Carried.

Adoption: Committeewoman Miller made a motion to adopt Ordinance #2021-2; seconded by Committeeman Fuzy. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

Ordinance #2021-2 is adopted.

Business:

- a. FY2021 Budget Discussion – The 2021 budget is being prepared for introduction at the next Township Committee meeting. At this time, the 2021 budget is proposed with no increase in the municipal tax rate from 2020. The overall Township valuation increased 1.83%. The proposed budget utilizes \$875,000 in fund balance (surplus) which is the lowest amount of surplus used in the last six years. Overall debt service, which is usually a large component of the budget, has decreased due to early defeasance of some older debt during the last two years. Over the last nine years, the average tax payer’s municipal portion of their tax bill has increased a total of \$34.29. The burden on residential taxpayers is decreasing because overall valuation is increasing. Deputy Mayor Holliday offered kudos to Administrator Theokas and CFO Elsasser. Committee is asked to consider Resolution #2021-81 entitled **AUTHORIZING YEAR 2021 TEMPORARY EMERGENCY APPROPRIATIONS (N.J.S.A. 40A:4-20)** to extend the temporary budget until the budget adoption anticipated in late April. A motion was made by Deputy Mayor Holliday to adopt Resolution #2021-81; seconded by Committeewoman Miller. Roll Call Vote:

AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz

NAY: None

- b. Rezoning Request of 115 U.S. Route 130, Block 130, Lot 36.01 – Attorney Fahey stated that the Committee has been given two resolutions: #2021-82A to grant the rezoning request and #2021-82B to deny the rezoning request. Committeeman Fuzy made a motion to adopt Resolution #2021-82B entitled **RESOLUTION DENYING REQUEST OF TEAM CAMPUS PHASE II, LC TO REZONE BLOCK 58, LOT 36.01 TO PROVIDE FOR MIXED USED RESIDENTIAL DEVELOPMENT IN THE HIGHWAY COMMERCIAL ZONE**; seconded by Committeeman Kostoplis. Roll Call Vote:

AYE: Committee Fuzy, Committeeman Kostoplis, Deputy Mayor Holliday, Mayor Benowitz

NAY: Committeewoman Miller

Committeeman Fuzy and Committeewoman Miller provided reasons for their respective votes.

- c. Master Plan. Mayor Benowitz stated that during the Committee’s due diligence on the previously discussed re-zoning request, the Master Plan was carefully studied. In the course of the public participation of the re-examination of the Master Plan in 2018 and 2019, many residents brought up economic development concerns, primarily in our highway commercial corridors. Some of these concerns were also referenced in the re-zoning request of a single parcel of Team Campus II. It has long been the Committee’s plan, following the mandated re-examination of certain elements of the Master Plan, to re-examine additional elements every year. Given the issues brought forth as documented earlier, and taking into account the challenges that COVID-19 has given us, and also including the new legalization of cannabis laws in New Jersey, now is the perfect time to re-examine and study the Economic Development Element of the Township’s Master Plan. This study will be for the economic development of the entire Township, and not limited to individual parcels. Mayor Benowitz asked for a motion to refer this action to the Township’s Planning Board. The review will be to develop strategies and guidelines to attract the best and most desirable uses of the Highway Commercial Zone, and to determine whether the entire Master Plan and other elements would need re-examination as a result of the findings of the Economic Development Element. The motion was made by Committeewoman Miller; seconded by Committeeman Kostoplis. Roll Call Vote:
AYE: Committeeman Fuzy, Committeeman Kostoplis, Committeewoman Miller, Deputy Mayor Holliday, Mayor Benowitz
NAY: None

COVID-19 Update:

The Mayor stated that there have been 665 confirmed cases in the Township. All Township first responders have been fully vaccinated. Vaccine information for the general public is on our website.

Town Hall remains open but public access is restricted to the lobby area. Secure drop boxes are available in the lobby for all payments and submission of forms. All Township services are available. All Township employees are temperature screened daily. All safety precautions are being enforced and contact tracing protocols are in place.

We are currently evaluating when the Township will consider opening the Senior Community Center and other Township facilities. The Township Committee will also soon be discussing and making a decision on the public events that we normally hold throughout the year. As much as we all want to return to normal, the Township’s concern is always the health, safety and welfare of our residents.

Although vaccination numbers are up and infection rates are stabilizing—and going down a bit, all residents are reminded to stay vigilant and wear masks, socially distance and wash hands and surfaces.

Reports from Administrator and Department Heads

- a. Township Engineer Fred Turek. Mr. Turek provided a status report of current road and recreation projects. He also provided a color-coded map indicating when and where road and drainage improvements have been made since 2013 and discussed areas of future improvements.
- b. Administrator Michael Theokas. Tonight, the Township welcomed Officer Sherman as well as a new full-time EMT, Albert Cook. In addition, today was Shannon Lightbody’s first day in the UCC office. The Township, however, is losing CFO/Tax Collector Jeff Elsasser as he moves on to bigger and better things. We wish him well and thank him for all that he has done for the Township

including the 2021 budget. His last day will be March 19th and this will be his last Township Committee meeting.

Township Committee Liaison Reports

Committeewoman Miller, Committeeman Fuzy, Committeeman Kostoplis, Deputy Mayor Holliday and Mayor Benowitz gave reports. Each also wished Mr. Elsasser well in his new position and thanked him for his service.

Public Participation

Deputy Mayor Holliday made a motion to open the meeting for public participation; seconded by Committeeman Fuzy Voice Vote – Motion Carried.

KEVIN JOHNSON, TEAM CAMPUS II, 115 US ROUTE 30: Mr. Johnson thanked the Committee for review his application for rezoning and raised issues with the deliberation procedures. Response was offered by the Township Attorney.

LEONARD DEGROOT, 8 ARLINGTON ROAD: Mr. Degroot praised the changes and improvements in the Township. Tough decisions were made in creating the Master Plan.

Deputy Mayor Holliday made a motion to close the meeting to the public; seconded by Committeewoman Miller. Voice Vote – Motion Carried.

There were no final comments by the Township Committee.

Committeewoman Miller made a motion to adjourn the meeting at approximately 8:53 PM; seconded by Committeeman Fuzy. Voice Vote – Motion Carried.

MARIA CARRINGTON, TOWNSHIP CLERK