

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
MARCH 23, 2015

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 James Cann
Deputy Mayor Jill Popko
Committeeman Stephen Benowitz
Committeeman John Moynihan
Township Clerk Colleen Eckert
Attorney William J. Kearns, Jr.
Chief Financial Officer David Kocian
Chief of Police Frank M. Nucera, Jr.

ABSENT: Committeeman Richard Carson
Public Works Director Dean Buhner

Mayor Cann 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 7, 2015, 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, Deputy Mayor 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 Architect Contract Matter (RFQ's); Personnel Matter – Stipends; Administrative Personnel; seconded by Committeeman Moynihan.

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

NAY: None

ABSENT: Committeeman Carson

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:05 pm and reconvened the regular meeting at 7:30 pm.

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Mayor's Proclamation honoring 1SG Richard J. Pinter, USA, Retired, "The Lone Bugler".

At this time, Mayor Cann presented the Proclamation to Mrs. Pinter and family and read it into the record. He also presented a letter from Governor Christie's Office, Diane Allen of the N.J. State Senate also passed a Senate Resolution, and our local Assemblymen Herb Conaway and Troy Singleton had a Resolution prepared to honor Mr. Pinter. The flag that was flown at half-mast was given to Mrs. Pinter.

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that Item #7 is being removed from the Agenda and the presentation will tentatively be rescheduled to the April 13, 2015 Township Committee Meeting. Resolution #2015-082-20, item #2 has been corrected to read 50%; amended copies were distributed. Committeeman Carson was unable to attend tonight's meeting, but sent in his School Board Liaison report for the Township Committee's review.

Resolution #2015-082-8 entitled RESOLUTION TO USE ALTERNATE TAX COLLECTION RATE PURSUANT TO N.J.S.A. 40A:4-41 FOR USE IN THE 2015 MUNICIPAL BUDGET.

Committeeman Benowitz made a motion to approve Resolution #2015-082-8; seconded by Committeeman Moynihan.

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

NAY: None

ABSENT: Committeeman Carson

Resolution #2015-082-9 entitled INTRODUCTION OF 2015 MUNICIPAL BUDGET.

Mayor Cann stated that the 2015 Spending Plan of \$1,870,400 is an increase of \$160,000 or 1.37% over the 2014 adopted budget. The budget provides for a reduction of \$4 in the average assessed homeowners tax bill. The local tax on an average assessed home would be \$1306 vs. \$1310. The municipal tax appeal refunding bonds in 2012 with 3 and 5 year pay downs, they actually represent \$184 of the 2015 tax bill, as compared to \$108 for 2014. The 2015 budget appropriates \$883,800 to completely payoff those tax appeal bonds; a reduction of \$2.2 million to \$1.3 million in debt.

Deputy Mayor Popko made a motion to approve Resolution #2015-082-9; seconded by Committeeman Benowitz.

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

NAY: None

ABSENT: Committeeman Carson

TOWNSHIP CLERK ECKERT: The public hearing will be April 27th.

CONSENT AGENDA

Resolution #2015-082-11 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2015-082-12 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2015-082-13 entitled A RESOLUTION TO CANCEL TAXES.

Resolution #2015-082-14 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-082-15 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-082-16 entitled APPOINTMENT OF MEMBERS TO ZONING BOARD OF ADJUSTMENT.

Resolution #2015-082-17 entitled RESOLUTION REQUESTING PERMISSION OF THE DIRECTOR OF THE NJ DIVISION OF LOCAL GOVERNMENT SERVICES TO INCLUDE AN ITEM IN THE DEDICATION BY RIDER IN THE 2015 MUNICIPAL AND SUBSEQUENT BUDGETS IN ACCORDANCE WITH N.J.S.A. 40A:5-29 AND 40A:4-39 (DOG PARK DONATIONS).

Resolution #2015-082-18 entitled RESOLUTION AUTHORIZING SPONSORSHIP FOR GIRLS STATE.

Resolution #2015-082-19 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO NJ, LLC T/A CHICKIE'S AND PETE'S.

Resolution #2015-082-20 entitled STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES, ENABLING RESOLUTION.

Resolution #2015-082-21 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO CAPTAIN NORMAN HAND UPON RETIREMENT.

Resolution #2015-082-22 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.

Resolution #2015-082-23 entitled A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING APPLICATION FOR FUNDS THROUGH THE 2015 RECREATIONAL TRAILS PROGRAM.

Resolution #2015-082-24 entitled A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING SUBMISSION OF THE 2015 ANJEC OPEN SPACE STEWARDSHIP GRANT FOR ENVIRONMENTAL COMMISSION.

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Township Committee review and discussion of Consent Agenda Items Resolutions #2015-082-11 through #2015-082-24. Committeeman Moynihan, Committeeman Benowitz, Deputy Mayor Popko and Mayor Cann commented/asked questions.

Resolution #2015-082-12. Committeeman Moynihan noted a typographical error on the March 9, 2015 Regular Minutes. Township Clerk Eckert will amend the error.

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

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

NAY: None

ABSENT: Committeeman Carson

SID MORGINSTIN, 849 East Drive: In regard to Resolution #2015-082-23, Mr. Morginstin asked if there was a schedule for completion. Mayor Cann responded no, not until the Township knows the status of the Grant.

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

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

NAY: None

ABSENT: Committeeman Carson

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

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

NAY: None

ABSENT: Committeeman Carson

Public Hearing on Ordinance #2014-3 entitled CALENDAR YEAR 2015 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

At this time, Committeeman Benowitz made a motion to open the public hearing on Ordinance #2015-3; seconded by Committeeman Moynihan.

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

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NAY: None

ABSENT: Committeeman Carson

Seeing no public comment, Deputy Mayor Popko made a motion to close the public hearing on Ordinance #2015-3; seconded by Committeeman Moynihan.

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

NAY: None

ABSENT: Committeeman Carson

Consideration of Adoption of Ordinance #2015-3 entitled CALENDAR YEAR 2015 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

At this time, Committeeman Benowitz made a motion to adopt Ordinance #2015-3; seconded by Deputy Mayor Popko.

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

NAY: None

ABSENT: Committeeman Carson

Consideration of Introduction of Ordinance #2015-4 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.

Mayor Cann stated that in most cases, the Township's UCC fees are below State limits. However, with the amount of money received from Grainger the Township has been advised to reduce some of the UCC fees. So the residential fees have been adjusted so that the residents receive relief. Construction Official Carbone cited the changes that were made.

At this time, Committeeman Benowitz made a motion to introduce Ordinance #2015-4 seconded by Deputy Mayor Popko.

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

NAY: None

ABSENT: Committeeman Carson

TOWNSHIP CLERK ECKERT: The public hearing will be April 13th.

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TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said the Veteran's Advisory Committee met on March 10, 2015. The Committee is planning a car show fundraiser scheduled in October 2015.

Deputy Mayor Popko, Patricia Concannon who is the Vice-Chair of the Environmental Commission, and he met with the Bordentown City Water Department on March 11, 2015. Remediation efforts were discussed. (Deputy Mayor Popko will discuss further in her report.)

The Sewerage Authority met on March 16, 2015. Their budget was discussed, and there may be a rate increase in the coming year.

In regard to the Police Department, the detectives are currently investigating who is passing counterfeit bills at local businesses. The new police officers are progressing nicely. The Youth Police Academy graduation is this Saturday at the high school.

COMMITTEEMAN BENOWITZ: On March 10, 2015, there was an Economic Development Committee meeting. The marketing plan for Bordentown Township was discussed. The Chairman of the EDAC and he will be meeting with Mark Remsa of the County. A local initiative for businesses was discussed.

A Route 130 Development meeting was held on March 12, 2015. The Redevelopment Needs Study is being prepared by Ed Fox with the Township's input regarding the northern section of the Route 130 Corridor, with a tentative June 30, 2016 completion date.

The Planning Board meeting was held on March 12, 2015. The Bordentown Waterfront/Quick-Chek application was approved unanimously with conditions. A Redevelopment Sub-Committee of the Planning Board was established consisting of the Mayor, the Chairman of the Planning Board, and Committeeman Benowitz.

Prior to the Planning Board Meeting, there was a meeting with the impacted residents from Crystal Lake. Some of the problems, including privacy and noise abatement on the northbound side of Route 130, were resolved. Additional meetings may occur with the Developer and the residents.

On March 20, 2015, C.D. Director Brian Johnson and Committeeman Benowitz attended a networking program entitled, "Our Town Program" for developers and government officials.

The Business Breakfast was held today at the Town and Country Diner and the presentation was made by the Mid-Jersey Chamber of Commerce.

He attended the Senior Citizen March Business and Social Meeting. Upcoming events were announced.

On March 11, 2015, he also attended the Derby Fire Company meeting. Committeeman Benowitz gave a summary of what was discussed.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said she attended a meeting with the Bordentown City Water Department. They stated that it will take possibly approximately a year to get the remediation going on the radium affected well. They are first taking the water from the well next to it. They anticipated a 20-30% loss once Ocean Spray left; it is actually 15% as of right now. She said they will keep these meetings going to make sure that these wells are remediated.

The Environmental Commission will be doing a clean-up at Northern Community Park on March 28, 2015 at 9:00 a.m. They will be spreading mulch on the new native plant garden around the gazebo.

The Easter Egg Hunt is scheduled for April 4, 2015. They will be distributing trees that day, 5 per family, which were obtained through a DEP Grant. The remainder will be taken to the Public Works

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Department so residents can pick them up there. They will also be distributed at the Green Fair which is scheduled for May 9, 2015 in Chesterfield Township.

The Environmental Commission has been working on the high school garden. They are putting in a native plant and butterfly garden. Rutgers is sending a speaker to teach the kids. Bordentown City has also partnered with this project. Deputy Mayor Popko has also been working on grants with the students.

There is an Environmental Commission and Green Team meeting scheduled for March 24, 2015. She unofficially announced that the Township will be receiving a \$2,000 Grant from Sustainable Jersey for Movie Nights in the summer.

The Public Works Department continues to fill potholes. She is awaiting a meeting confirmation from Central Jersey Waste. Police Chief Nucera said that they are sending him an email today with meeting dates to pick from.

MAYOR CANN: Mayor Cann attended a meeting with Fred Turek to discuss the Grant applications for Seth Hand Park, the Northern Community Park \$24,000 application for trails, and an ANJEC Grant. They also discussed using the trees at Kevin Johnson's site for Bossert Park, possibly Seth Hand Park, and Constitution Park. He suggested scheduling a meeting with the residents around Constitution Park to make sure what the Township wants to do is copasetic with them. The residents surrounding the other parks were already informed.

The Township submitted a road grant application for \$396,000 through N.J. DOT for Dunns Mills Road. The Township has informally been notified of receiving \$195,000.

Committeeman Carson submitted a School Board Report. Their budget has an increase of 8.4 cents for the Township. There will be a budget hearing on Wednesday, April 29, 2015.

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

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

NAY: None

ABSENT: Committeeman Carson

BRUCE HILL, 757 Mission Road: Mr. Hill thanked the Township Committee for being invited to the presentation of the Mayor's Proclamation to Mr. Pinter's family. He added that the family told him that they were very touched by what the Township/Police Department did at the funeral.

Mr. Hill said that Northern Community Park is not in compliance with the American Disabilities Act. The new plantings around the gazebo are blocking the wheelchair entrance. The Township has applied for the CDBG Grant that will be used for the walk path around the Gazebo.

Mr. Hill said there is a Comcast cable that has been down in front of his house.

Police Chief Nucera responded to his request for the status of Mission Road. Arawak Paving will be re-starting on March 30, 2015. Mr. Hill said that his curb is cracked. He also expressed concern about the excessive speed on Mission Road, the vehicles turning left on Mission Road from Route 206, and use of the emergency access road. Mayor Cann said the Township has continually been complaining to N.J. DOT on these problems. Mr. Hill commented on Bordentown Township's opposition to having speed bumps.

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Mr. Hill asked about the bicycle trail crossing on Crosswicks Road/Route 528. Police Chief Nucera responded that a flashing light is being erected there.

Mr. Hill inquired about the status of Veteran's Memorial Park. Committeeman Moynihan responded that the Committee is working on raising money for the Park and getting the County to contribute to the construction. Deputy Mayor Popko stated that Home Depot wants to partner with the Veteran's Advisory Committee on this project. Mr. Hill said there are other organizations that also want to get involved, and asked if the Township could arrange a formal presentation. Mayor Cann will follow-up with Fred Turek.

DON SMIZEK: Mr. Smizek thanked the Township and Police Chief Nucera for the presentation made to Mr. Pinter's wife.

SID MORGINSTIN, 849 East Drive: Mr. Morginstin inquired about the idling ordinance and said there were a lot of cars idling with children inside them waiting for the school bus. Deputy Mayor Popko said there are more idling signs that can be erected. She also suggested distributing paperwork and educating the residents.

Mr. Morginstin asked what was on the Road Program Agenda for 2015. Mayor Cann responded that we are still working on the current list. Micro surfacing has to be done on the good roads first, and then continue on the list next year.

DON MOHR, Sergeant at Arms, Veteran's Advisory Committee: Mr. Mohr said that the Veteran's Advisory Committee is trying to put together a power point presentation for the Township Committee, but they need the blueprints in order to do so. Mayor Cann said that Alt. Township Engineer Fred Turek has the sketches, but he does remember blueprints. Police Chief Nucera added that the Township was notified by the Freeholders that if we do the parking lot, we submit it for \$119,000 for that park. So the Township is awaiting approval from the Freeholders for \$119,000. Mr. Mohr said if information is gathered, there are vendors who want to donate, but the Veteran's Advisory Committee cannot proceed unless there are plans. Mayor Cann will follow-up with Alt. Township Engineer Fred Turek to make sure the information goes to Committeeman Moynihan.

Mr. Mohr thanked everyone for the dedication made to Mr. Pinter and the police escorts. He stated that Congressman McCarthy also made a resolution which will be presented to Mrs. Pinter within the next couple of weeks.

WALT KOSUL, 539 Route 206: Mr. Kosul asked why we have a park with two names. Mayor Cann responded it is the Joe Lawrence Recreation Area located within Veteran's Memorial Park.

Mr. Kosul also asked what the status was with COAH. Attorney Kearns confirmed that there are no law suits with COAH right now.

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

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

NAY: None

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POLICE CHIEF NUCERA: In regard to the Road Program, Police Chief Nucera met with Alt. Township Engineer Fred Turek. The hydrology report for Jumble Gut Run will be presented to the Township Committee at the April 13, 2015 meeting. He is meeting with Andy Law on March 27, 2015.

Preconstruction for the fencing and buffer and concrete pads at the Public Works Building will start on March 26, 2015.

The curb portion of Thorntown Lane and Bossert Park is being worked on, as well as the basketball court.

They are looking to get trees from Kevin Johnson's property for Seth Hand Park and Constitution Park.

The Township Committee will review the capital budget for Public Works when Committeeman Carson and P.W. Director Buhner are present.

COMMITTEEWOMAN POPKO: Committeewoman Popko said she has received complaints regarding teenagers misbehaving at Bossert Park and there is a problem with the path. The residents want to know when it will be completed/repaired.

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 adjourn the regular meeting; seconded by Deputy Mayor Popko.

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

NAY: None

ABSENT: Committeeman Carson

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 8:59 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK