

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
FEBRUARY 9, 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 Richard Carson (Present at 7:30 pm)
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 Stephen Benowitz
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. The Mayor announced that Richard Pinter, the Township's Lone Bugler, has passed away.

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, Committeeman Moynihan 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 Bordentown Affordable Housing COAH Funds, LSM Contract Matter; seconded by Deputy Mayor Popko.

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 Moynihan, Deputy Mayor Popko, Mayor Cann

NAY: None

ABSENT: Committeeman Benowitz, Committeeman Carson

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The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:04 pm and reconvened the regular meeting at 7:30 pm.

Mayor Cann announced that Committeeman Carson has been videoed into the meeting.

Mayor's Proclamation Honoring William J. Hartman. At this time, Mayor Cann presented the Proclamation to Mr. Hartman and read the Proclamation into the record.

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that Agenda Item #23 is being pulled. Also, each Committee Member was provided additional information regarding purchase, under the Green Acres Program, of the parcel on Crosswicks Road. This was discussed at the January 29, 2015 Township Committee meeting.

CONSENT AGENDA

Resolution #2015-040-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2015-040-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

Resolution #2015-040-10 entitled AMENDING TEMPORARY BUDGET FOR 2015 DEBT SERVICE.

Resolution #2015-040-11 entitled RESOLUTION AUTHORIZING 2015 SAFETY CONTRACT, BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND.

Resolution #2015-040-12 entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT'S.

Resolution #2015-040-13 entitled RESOLUTION APPOINTING MS. VICKI SERADUK TO PROVIDE CLERICAL ASSISTANCE AND COVERAGE TO THE CONSTRUCTION DEPARTMENT DURING THE WEEK OF FEBRUARY 2-FEBRUARY 9, 2015.

Resolution #2015-040-14 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-040-15 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2015-040-16 entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT.

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Resolution #2015-040-17 entitled RESOLUTION OPPOSING PARTICIPATION IN THE REAL PROPERTY ASSESSMENT DEMONSTRATION PROGRAM.

Township Committee review and discussion of Consent Agenda Items Resolutions #2015-040-8 through #2015-040-17. Committeeman Moynihan, Deputy Mayor Popko, and Mayor Cann commented/asked questions.

Resolution #2015-040-8. Regarding payment to Jack Carman, page 8 of the bill list, Mayor Cann asked if review of the Southern Gateway was for the Wawa application. C.D. Director Brian Johnson responded that the bill was from February 2013, and did not relate to Wawa.

Mayor Cann asked C.D. Director Brian Johnson if a response was received from Arawak regarding Shelbourne Road and Thorntown Lane. Mr. Johnson responded that he had a meeting with them. The issue on Shelbourne is that someone has a new sump pump discharging on Thorntown Lane. It is not a roadway issue. It will be monitored and salted by the Public Works Department. Deputy Mayor Popko said that this problem started when the road was redone. Mayor Cann asked Mr. Johnson to give him a report on this at the next Township Committee meeting.

Mayor Cann asked Police Chief Nucera if the bid for the crack sealant went out. Attorney Kearns responded that he will have the draft to Police Chief Nucera tomorrow so that the bids could be received in time to act at the March 9, 2015 Township Committee meeting.

Mayor Cann asked Police Chief Nucera if he was monitoring the hours worked by the part-time/per-diem EMTs, since it could hurt by reaching the 100 employee threshold for the insurance program. Police Chief Nucera responded the Township is under the FTDA equivalent for this year. Another calculation will have to be done next year.

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

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

NAY: None

ABSENT: Committeeman Benowitz

SID MORGINSTIN, 849 East Drive: Regarding Resolution #2015-040-13, Mr. Morginstin asked what a TACO was. Township Clerk Eckert responded Technical Assistant to the Construction Official.

Resolution #2015-040-10, Mr. Morginstin asked what the Township's total indebtedness was right now. CFO Kocian said it is less than 1 3/4% of the 3.5 percent equalized valuation, and the Township is well under the state limit. Mayor Cann said that if possible, the Township will pay off the last of the tax appeal bond from 2010-2011. Mr. Morginstin inquired about the status of Township debts. Mayor Cann replied that there is always debt.

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

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

NAY: None

ABSENT: Committeeman Benowitz

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

AYE: Committeeman Carson with abstention to Resolution #2015-040-09, Committeeman Moynihan, Deputy Mayor Popko, Mayor Cann

NAY: None

ABSENT: Committeeman Benowitz

Consideration of Introduction of Ordinance #2015-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN PROVIDING FOR THE JOINT ADMINISTRATION OF LAND USE POWERS WITH THE CITY OF BORDENTOWN.

At this time, Deputy Mayor Popko made a motion to introduce Ordinance #2015-2; seconded by Committeeman Moynihan.

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

NAY: None

ABSENT: Committeeman Benowitz

TOWNSHIP CLERK ECKERT: The public hearing will be February 23rd.

Township Committee discussion of Resident Concern of Street Light Outage on Orchard Avenue.

Police Chief Nucera explained that the Township requested PSE&G to turn off the street light. Before the vegetation grew, the lights shined into two of the residents' properties on Orchard Avenue. A resident has now come forth and requested that the light be turned back on. Police Chief Nucera will speak to the residents, and look at the lighting presently at the location.

Township Committee discussion of Burlington County's request for Authorization to Conduct Aerial Larval/Adult Mosquito Control Activities.

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Deputy Mayor Popko stated that when meeting with the Burlington County Health Department and when they visited the Township, they assured the Township they were not using Temefos and they were going to use BTI, and they are still using Temefos. Township Clerk Eckert said the Health Department needs authorization by April 1, 2015. The discussion item was tabled for action at the next Township Committee meeting.

Township Committee discussion of Draft Environmental Commission Letter to Bordentown City Water Department regarding Remediation of the Radon Issue.

Deputy Mayor Popko said that for many years the Water Department has sent out notice that there is an issue concerning gross alpha particles in our water and these may cause cancer. The Water Department and N.J. DEP have decided to do something about it. The Environmental Commission has several questions, so they are asking the Township Committee to request a representative from the Water Department to come to a Township Committee meeting, with the Environmental Commission present, for an information discussion to answer their questions. Mayor Cann suggested to Deputy Mayor Popko that she and Committeeman Moynihan informally meet with a representative of Bordentown City and report back to the Township Committee.

JOE MALONE, Mayor, Bordentown City: Mr. Malone said that he would be more than glad to meet with Township representatives. Bordentown City has changed engineers and is happy with the work that has been done by Remington & Vernick.

Township Committee discussion of Amending Land Use Ordinance to Allow for Additional Applications to be Submitted for the Environmental Commission Review.

Deputy Mayor Popko said that the Environmental Commission has requested that the land use ordinance be amended so that when applications are received, 5 copies go to the Environmental Commission. It was agreed that this would be a cost burden to applicants, so an informal approach would be tried first. When an application is received, C.D. Director Brian Johnson will contact Roger Plew or Deputy Mayor Popko to see how many more copies of which documents need to be submitted.

Township Committee discussion of Zoning Map Revisions.

Mayor Cann said that the Zoning Map needs to be updated right away. The redevelopment areas are not shown on the current map. C.D. Director Brian Johnson is trying to locate a copy of the disc. The price will depend on what computer format it is in.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan re-announced the passing of Richard Pinter who was an Emeritus Member of the Veteran's Advisory Committee.

The Sewer Authority has not met since the last Township Committee meeting.

In regard to the Police Department, a SWAT spoofing incident occurred today at the EconoLodge. It was a false threat. The Police Department is trying to figure out who is responsible for this. There was another heroin overdose at a local hotel parking lot. They are also working on a scam where residents are told they have to pay the IRS or be in trouble or deported. The investigation has been

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turned over to the U.S. Treasury Department, and the perpetrators have been identified. The four new officers are scheduled to graduate this Friday from the police academy.

DEPUTY MAYOR POPKO: The Environmental Commission and Green Team continue to meet with Chesterfield Township on the Green Fair which is scheduled for May 9, 2015.

The Public Works Department continues to salt the ice on the streets. Deputy Mayor Popko said she has spoke to Police Chief Nucera about getting a lock for the dumpster at Northern Community Park.

She has been working with Committeeman Benowitz on the Black History Month program which is scheduled for Thursday, February 26, 2015 at 7:00 pm.

Police Chief Nucera has been working on getting the band, Tramps Like Us, with Bordentown Traditions as a fundraiser. The concert will be held at Bordentown High School on Saturday, May 2, 2015 from 7:00-11:00 pm.

The N.J. Army National Guard Band will be returning to play at the High School on July 1, 2015 at 7:00 pm. There is no charge, but tickets are required and can be obtained from Angel Sauro.

MAYOR CANN: Mayor Cann gave a summary of a recent meeting held with Bordentown Waterfront. The Township Auditor, Phoenix Advisors, CFO Kocian, Police Chief Nucera, and he were present.

Mayor Cann said he attended the Bordentown Athletic Hall of Fame induction.

The Planning Board had its first meeting for the Wawa application at the Routes 206 & 130 and Municipal Drive location. APCO was present as an Objector. The Engineer for Wawa gave a presentation and the application was deemed complete. The Objector's Engineer and Traffic Engineer will be present at the next meeting.

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

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

NAY: None

ABSENT: Committeeman Benowitz

RICHARD HAMMILL, 2468 Axe Factory Road, Bordentown (Mansfield Township): Mr. Hammill expressed concern about the new Hedding Road warehouse (Grainger) being built. He presented photographs of property he owns at 245 Hedding Road which was flooded during a recent storm. A lot of mud was being drug out to the street. Police Chief Nucera said Grainger was working on the detention pond to resolve the issue, and wheel washers were put in place and a road sweeper 6 days a week to clean up the road. Police Chief Nucera said there is a tire washer at the main exit. Deputy Mayor Popko said it sounded like the retention basins were not large enough.

BOB TALLON, Axe Factory Road: Mr. Tallon said that he is involved with the Watershed Association, and there is a lot of clay in the water basins in our area. He thinks the basins on Hedding Road are not effective. He studied this problem and explained what is currently happening at high tide and at the damn at Crystal Lake. Mayor Cann asked Police Chief Nucera to notify C.D. Director Brian Johnson and Alt. Engineer Fred Turek to look at the detention basins and see what reports were provided by the applicant.

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JOSH HAMMILL, Axe Factory Road: Mr. Hammill commented on the increased truck traffic on Hedding Road. He feels that this traffic cannot be supported. Mayor Cann responded it is anticipated that the tractor trailer traffic will be less than what was expected.

SHAWN BURLEY, 12 Tantum Court: Mr. Burley expressed concern over the Riverfront project. He asked questions in regard to redevelopment in the Township. Mayor Cann explained that the 2009 Bordentown Waterfront application was never presented as high-end retail, it was service retail. And as far as the Wawa application on the old Saturn property, any property has a right to sell his property and recruit anyone to present an application as long as it is safe and within the township's ordinances. Mayor Cann said a town cannot limit the number of gas stations.

A transit village with a transit stop has been approved at the Riverfront. Mayor Cann explained that no Township funds are being used to fund any improvements, including infra-structure. The Township permitted Bordentown Waterfront to use the Township as a conduit to a Bond that they are required to pay. Mayor Cann answered several of Mr. Burley's questions regarding the apartments and told him that the next Planning Board meeting is on February 12, 2015. He also told him that, as with every application, the Board's professionals have been meeting with the applicant. Mr. Burley expressed his opposition to another gas station in Bordentown. Deputy Mayor Popko told him he could speak to the Developer and the Planning Board at the Planning Board meeting. Mayor Cann told him that if he had a petition and there are objectors, he should get some professionals to support their contentions and provide evidence.

SID MORGINSTIN, 849 East Drive: Mr. Morginstin asked about this summer's concerts in the park. Deputy Mayor Popko responded that she has been working on letters looking for sponsors. She asked Mr. Morginstin to contact her.

LEN de GROOT, 8 Arlington Road: Mr. de Groot said that the Bordentown Waterfront Community is advertising five 2-bedroom floor plans and three 1-bedroom floor plans. He asked Mayor Cann to inquire about this.

Mr. de Groot asked the Township to consider an ordinance to prevent through the curb water drains. Mayor Cann responded that it is already there, but some pre-date the ordinance. He congratulated the Township Committee on considering the laterals, and said this will help with the capacity of the Sewer System.

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

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

NAY: None

ABSENT: Committeeman Benowitz

At this time, Deputy Mayor Popko made the following motion:

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BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby adjourn the regular meeting; seconded by Committeeman Moynihan.

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

NAY: None

ABSENT: Committeeman Benowitz

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:23 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK