

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
APRIL 13, 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 Richard Carson
Committeeman John Moynihan
Township Clerk Colleen Eckert
Attorney William J. Kearns, Jr.
Public Works Director Dean Buhner
Chief of Police Frank M. Nucera, Jr.

ABSENT: Chief Financial Officer David Kocian

Mayor Cann called the meeting to order at approximately 7:03 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, Committeeman Carson 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 Services Contract Matter (RFQ's); Thorntown Lane Subdivision Contract Matter; Municipal Court Shared Services Contract Matter; COAH Litigation; 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 Benowitz, Committeeman Carson, Committeeman Moynihan, Deputy Mayor Popko, Mayor Cann

NAY: None

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The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:06 pm and reconvened the regular meeting at 7:38 pm.

APPOINTMENT OF MEMBER TO ENVIRONMENTAL COMMISSION:

In accordance with N.J.S.A. 40:56A-1 et seq and Section 2-18 of the Revised General Ordinances of the Township of Bordentown, I, James Cann, as Mayor, do hereby make the following appointment to the Environmental Commission:

Eugene M. Fuzy 3 Year Unexpired Term Expiring 12/31/17

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that two bills need to be pulled off the bill list: Payment to 2700 Brunswick Pike Auto LLC for \$6,552.36 and payment to Treasurer, State of New Jersey for \$250 for the Life Hazard Use (previously paid).

Presentation by Representatives of the Burlington County Bridge Commission regarding “Shop Burlington County First” Program.

Dave Wyche and Mark Remsa of the Office of Economic Development and Regional Planning, Burlington County Bridge Commission gave a Power Point presentation regarding “Shop Burlington County First” Program. This program was designed to help small, independently-owned local businesses and promote events.

Businesses would be required to be a member of a local business association (Downtown Bordentown, Northern Burlington Regional Chamber of Commerce, or the Burlington County Regional Chamber of Commerce) and they have to accept Burlington Bucks. These are cash cards with no service charge, and are sold by the Business Associations. The municipality is provided with cash box to make them available for sale.

Mr. Wyche also asked that a link to their website be placed on our website. They will provide a sample letter of support to post on the website or in a newsletter.

Committeeman Carson made a motion to proceed with providing a link to the Shop Burlington County First website and sign a letter of support that will be provided by Shop Burlington County First through the Bridge Commission and Dave Wyche; seconded by Deputy Mayor Popko

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

NAY: None

CONSENT AGENDA

Resolution #2015-103-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2015-103-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

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Resolution #2015-103-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2015-103-12 entitled RELEASE OF PERFORMANCE AND MAINTENANCE GUARANTEES FOR NWL, INC., SOLAR FIELD IMPROVEMENTS, 312 RISING SUN ROAD, BLOCK 137.02, LOT 5.02.

Resolution #2015-103-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-103-14 entitled RESOLUTION AUTHORIZING AN ADJUSTMENT IN THE WORK HOURS FOR THE CONSTRUCTION OFFICIAL, SUBCODE OFFICIALS AND INSPECTORS IN THE BORDENTOWN TOWNSHIP CONSTRUCTION OFFICE.

Resolution #2015-103-15 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.

Township Committee review and discussion of Consent Agenda Items Resolutions #2015-103-09 through #2015-103-15. Mayor Cann commented/asked questions.

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

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

NAY: None

Seeing no comments, Committeeman Carson made a motion to close to the public; seconded by Committeeman Moynihan.

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

NAY: None

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

AYE: Committeeman Benowitz, Committeeman Carson except absention to the March 23, 2015 Regular Minutes, Committeeman Moynihan, Deputy Mayor Popko, Mayor Cann

NAY: None

Public Hearing on 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.

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At this time, Committeeman Carson made a motion to open the public hearing on Ordinance #2015-4; seconded by Committeeman Moynihan.

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

NAY: None

WALT KOSUL, 539 Route 206: Mr. Kosul asked how competitive the fees were with the surrounding municipalities. Mayor Cann responded that Bordentown Township was below the State's fee schedule for most areas in the State. And because the Township's UCC has been generating positive cash flow for the Township because of the large projects, the State has requested the Township review the fees. The Township has targeted the residential fees. Construction Official Pete Carbone added that the Township is competitive and lower than the majority of municipalities in this area.

Seeing no further public comment, Deputy Mayor Popko made a motion to close the public hearing on Ordinance #2015-4; seconded by Committeeman Moynihan.

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

NAY: None

Consideration of Adoption 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.

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

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

NAY: None

Consideration of Introduction of Ordinance #2015-5 entitled ADOPTING THE AMENDED ZONING MAP.

Mayor Cann stated that this map brings the Township into legal compliance, but it will probably have to be updated again in the near future because there are some areas that are not identified for conservation. The ordinance will be presented to the Planning Board at their next meeting for review and comment, and then return back to the Township Committee for adoption.

At this time, Committeeman Carson made a motion to introduce Ordinance #2015-5; seconded by Committeeman Moynihan.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be May 18th.

Consideration of Introduction of Ordinance #2015-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED APPROPRIATION BALANCES IN THE AMOUNT OF \$59,262 AND REAPPROPRIATING SAID FUNDS FOR OTHER CAPITAL IMPROVEMENTS AND FOR OTHER PURPOSES.

At this time, Deputy Mayor Popko made a motion to introduce Ordinance #2015-6; seconded by Committeeman Carson.

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

NAY: None

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

Township Committee discussion with Alternate Twp. Engineer, Fred Turek, relating to Jumble Gut Run.

Alt. Township Engineer Fred Turek gave an update on the Project. He presented his letter dated April 9, 2015 that was submitted to Township Clerk Eckert with the attached Mitigation and Replacement Analysis dated April 7, 2014 addressed to Andrew Law, Emergency Management Coordinator of Bordentown Township.

Township Committee discussion with Alternate Twp. Engineer, Fred Turek, relating to Status of Projects:

Public Works Expansion Project.
Charles Bossert Park.
Thorntown Lane.

Alternate Twp. Engineer, Fred Turek gave an update on the projects which were all ongoing with subcontractors.

Township Committee discussion of Planning Board Resolution #P-2015-11 entitled A Resolution of the Bordentown Township Planning Board Reporting Its Recommendation to the Township Committee on Provisions Within the Municipal Land Development Ordinance.

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Mayor Cann stated that this recommendation is to update an old ordinance. The Township Committee agreed that the recommendation be referred to the Planning Board's Land Use Legislation Sub-Committee and reported back to the Township Committee with a replacement.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CARSON: Committeeman Carson stated that he had nothing to report.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan stated the Sewerage Authority will meet next week.

The Veteran's Advisory Committee will meet tomorrow night.

In regard to the Bordentown City Water Department, the water at Clifton Mills is being shut down tonight to accommodate the Georgetown Road drainage work.

In regard to the Police Department, on March 28, 2015 the Youth Police Academy had their graduation. A letter was received from a resident on Honey Flower Drive thanking Officers Stahl, Mount, and Appleman for their assistance during a medical emergency. Two illegal guns were recovered at the Wendy's on Easter Sunday; one person was arrested. There has been an increase in identity theft and IRS scam cases are being investigated.

COMMITTEEMAN BENOWITZ: There were two meetings (3/27/15 & 4/9/15) regarding Bordentown Waterfront's Financial Agreement. The Township Professionals, Mayor Cann, and he were in attendance. The Township Committee will receive further information when the process is completed, and all information will then be made public.

The April 9, 2015 Planning Board meeting was cancelled. At the April 2, 2015 meeting, the revised Zoning Map was referred to the Township Committee by Resolution P-2015-11. The Wawa application was heard and is being continued to the May 7, 2015 meeting.

The Economic Development Committee will meet tomorrow. There is a meeting with Mark Remsa regarding the Marketing Plan on April 15, 2015.

He attended the Senior Citizen Club meeting on April 6, 2015 and gave an update of their events.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said the Public Works Department is currently installing the kitchen floor at the Senior Center, making a tire rack, and refurbishing a trailer for hauling landscaping equipment. They are waiting for the Verizon switchover for the IT connection between Public Works and the other maintenance departments.

An events meeting will be held on April 15, 2015. The Easter Egg hunt was successful, and she thanked everyone involved. They gave a lot of tree saplings away that day.

The Green Team is meeting at Northern Community Park tomorrow, April 14, 2015 at 7:00 pm to organize Movies in the Park, Music in the Park, and the Green Fair. The Community Garden clean-up will be held on April 18 and 25, 2015, 10:00 am to 12:00 noon. On April 18, 2015 at 7:00 pm, a rain barrel workshop is being held with Bordentown City at Carlslake Community Center. The Paper Shredder Day is May 2, 2015 from 9:00 am to 12:00 noon at the Public Works Building. On Saturday, May 2, 2015, the Tramps Like Us Springsteen Tribute Band Concert will be held at Bordentown High School. On Saturday, May 9, 2015, the Green Fair with Chesterfield Township will be held from 11:00 am-3:00 pm. They have been working with the School's Biology Club on the native plant garden.

Mayor Cann, Alt. Engineer Fred Turek, and she are meeting representatives of the Friends of the Abbott Marsh on April 14, 2015 at 10:00 am regarding the Grant to restore the nature path in the rear of Northern Community Park.

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Along with Alt. Engineer Turek and C.D. Director Brian Johnson, Deputy Mayor Popko said she has been dealing with roadwork concerns and a property on 30 Highbridge Road.

MAYOR CANN: Mayor Cann added to Committeeman Benowitz's report on the Bordentown Waterfront Financial Agreement: The Township's main objective is to protect the income stream that was projected for the Township. There are changes being made to the project that require the Township to re-look at it. There is also the opportunity for additional income to the Township via real estate; the Township wants to make sure the Financial Agreement doesn't prohibit/inhibit that. Because of some of the changes, the Township has to make sure the taxation for the property is equitable. The Developer is in agreement.

The Easter Egg Hunt was terrific. Everyone received something and the community loved it.

Jim Lynch, the Deputy Mayor of Bordentown City, has been contacted by Bordentown Military Institute Alumni Group. They have amassed quite a bit of money and they are looking for opportunities to possibly donate to the City and the Township for worthy causes. Mayor Cann suggested the Veteran's Memorial would be a good area to give a contribution and it would also be a good area to acknowledge them and their contribution. Police Chief Nucera has some specific ideas on this, and he and Committeeman Moynihan will report this back to the Veteran's Advisory Committee. Police Chief Nucera will respond back to Deputy Mayor Lynch after the Veteran's Advisory Committee meeting.

Bordentown City stated that a new EMT vehicle is needed. CFO Jim Lynch, Police Chief Nucera, and he will be meeting to discuss this, and it may be added to the capital budget.

A letter was received from the Governor's Local Aid and Economic Development Office stating that the Transportation Alternatives Grant application was turned down. The Township's bikeway infrastructure project was not selected for funding.

An audit was received from Bordentown Partnership for Affordable Housing (Bradford Point). Township Clerk Eckert will forward a copy to CFO Kocian.

Regarding the Borden's Crossing Development, the Township is moving forward with litigation to get the bond monies. It was scheduled to be heard on April 24, 2015, but has been postponed.

There is a General Assembly Bill being put forth to make sure every tax bill goes out showing the amount of taxes attributed to municipal purposes. Copies will be given to all the Committee members to see if they want to support this Bill.

Mayor Cann stated that April 22, 2015 is Earth Day and the Township Committee will go on record that they support Earth Day.

Burlington County has requested that Bordentown Township take out an ad in the Burlington County Economic Resource Guide. It will be discussed at the next Township Committee meeting.

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

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

NAY: None

STEPHEN MONSON, 11 Windingbrook Road: Mr. Monson complained about the closing of Georgetown Road (which is a county road). He also said that he did not receive a notice that the water was being shut off (Bordentown City). Mayor Cann responded that he heard the Water Authority has a

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line where the culvert is being replaced, so the line has to be moved. Mr. Monson said he is concerned about the emergency responders, since Clifton Mills is temporarily cut off from the Township.

Mr. Monson also inquired about the ambulance service provided by Hope Hose. He received a deceptive letter that stated Hope Hose is providing ambulance service to the Township. Mayor Cann responded it is a joint service, provided and paid for by the Township and City of Bordentown. Mayor Cann said he will follow-up on this again.

DIANE HEINZ, 3 Hataras Court, Williamsburg Village: Ms. Heinz informed the Township Committee that the Williamsburg Village Club House caught fire.

She said that the closing of Georgetown Road has increased the traffic on Williamsburg Drive.

WALT KOSUL, 539 Route 206: Mr. Kosul inquired as to why the Police Department budget does not balance and requested to meet with Chief Nucera to review.

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

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

NAY: None

POLICE CHIEF NUCERA: Police Chief Nucera stated that the Township has opted out of the New Jersey SEM Electric Program and are now dealing with a wholesaler who also saved the Township a tremendous amount of the money with the phone system. There will be a saving of \$12,000-\$15,000.

The JIF would like to do a Lunch and Learn presentation on April 23, 2015 and May 7, 2015 at the Senior Center between 12:00 noon and 1:30 pm. A healthy lunch will be provided. The municipal building will be closed for JIF training during those times.

COMMITTEEMAN CARSON: Committeeman Carson said there is an error in the calendar on the website in regard to the June meeting. Township Clerk Eckert will follow-up.

In the past, the Township presented a wreath at the Parade of Wreaths at the Joint Base for Memorial Day. Mayor Cann said the Township should continue to do this, and Committeeman Carson will provide the information to Police Chief Nucera.

At this time, Deputy Mayor Popko made a motion recess the Regular Meeting to continue the Closed Session discussion; seconded by Committeeman Carson.

No formal action will be taken by the Township Committee.

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

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 9:41 pm and reconvened the regular meeting at 9:53 pm.

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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 adjourn the regular meeting; seconded by Committeeman Moynihan.

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

NAY: None

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:53 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK