

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
APRIL 27, 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.
Chief Financial Officer David Kocian
Public Works Director Dean Buhrer
Chief of Police Frank M. Nucera, Jr.

ABSENT: None

Mayor Cann called the meeting to order at approximately 7:04 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 Benowitz 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 Borden's Crossing Performance Bond Litigation; Chief Financial Officer Personnel Matter; Public Works Expansion Contract Matter (Alt. Engineer Proposal); Charles Bossert Park Contract Matter (Alt. Engineer Proposal) Tax Collector Personnel Matter; UCC Personnel Matter, and Potential Acquisition and Sale; seconded by Committeeman Carson.

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

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NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:07 pm and reconvened the regular meeting at 7:35 pm.

Public Hearing on 2015 Municipal Budget as introduced.

The Township Auditor, Tim Kiel, was present. Mayor Cann stated the budget provides for a \$4 tax reduction for the average assessed home. It permits the Township to increase staffing. There will be no service cuts in the Township. The Health maintenance cost is being kept at a very low increase (approximately 1.5%). The anticipated surplus is drastically increased, which will be used to pay off the two tax appeal bonds (\$883,000) and will appear on the budget as a debt increase. Paying off the bonds will, hopefully, result in a decrease in taxes next year. This will not affect the CAP amount. Additionally, approximately \$300,000 has been set aside for tax appeals. The property reserve and capital improvement fund has been added to. A dedicated recreation fund has been started. There are also increases in the budget because of potential personnel retirements. Unanticipated revenue is expected at the end of the year.

At this time, Committeeman Carson made a motion to open to the public; 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 inquired about the Grants and Bonds for 2015. Mayor Cann responded that the Township constantly applies for various Grants throughout the year and cited a few. Deputy Mayor Popko stated that there is not much Grant money available right now. Mayor Cann said that the Financial Advisor recommended that after the budget is adopted and the bonds are paid-off, the Township ask the rating agencies to increase our rating. So the road program will continue later in the year. Mr. Kosul asked about getting involved with Joint Base McGuire/Ft. Dix. Mayor Cann responded the Township is proceeding with this. Mr. Kosul inquired about the stipends and Police Chief Nucera responded that two more will be gone by the end of the year.

SID MORGINSTIN, 849 East Drive: Mr. Morginstin said the budget was well done and asked some specific questions about it. Mayor Cann and Tim Kiel, Township Auditor, responded to his questions.

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

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

NAY: None

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Resolution #2015-117-7 entitled RESOLUTION CONDUCTING ANNUAL BUDGET SELF-EXAMINATION FOR THE TOWNSHIP OF BORDENTOWN, COUNTY OF BURLINGTON.

At this time, Committeeman Carson made a motion to adopt Resolution #2015-117-7; seconded by Committeeman Benowitz.

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

NAY: None

Resolution #2015-117-8 entitled RESOLUTION TO READ BUDGET BY TITLE ONLY.

At this time, Committeeman Carson made a motion to adopt Resolution #2015-117-8; seconded by Committeeman Moynihan.

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

NAY: None

Resolution #2015-117-9 entitled ADOPTION OF 2015 MUNICIPAL BUDGET.

At this time, Committeeman Carson made a motion to adopt Resolution #2015-117-9; seconded by Deputy Mayor Popko.

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

NAY: None

Mayor's Proclamation Supporting Earth Day, April 22, 2015. At this time, Mayor Cann read the Proclamation into the record.

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:

John A. Sargent

3 Year Unexpired Term Expiring 12/31/16

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that the Township Committee was provided with an amended bill list to add a payment to Kearns, Reale, and Kearns. Budget graphs were provided by CFO Kocian. As a result of Closed Session, Resolution #2015-117-21A is being added to the Consent Agenda.

CONSENT AGENDA

Resolution #2015-117-13 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2015-117-14 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS, FILING OF REPORTS AND CORRESPONDENCE.

Resolution #2015-117-15 entitled A RESOLUTION AUTHORIZING THE PREPARATION OF ESTIMATED TAX BILLS FOR THE YEAR OF 2015.

Resolution #2015-117-16 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2015-117-17 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-117-18 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO NJ, LLC, T/A CHICKIE'S AND PETE'S.

Resolution #2015-117-19 entitled AUTHORIZING THE SUBMISSION OF RECYCLING TONNAGE GRANT APPLICATION FOR THE YEAR 2014.

Resolution #2015-117-20 entitled RESOLUTION TO APPOINT SPECIAL COUNSEL FOR COAH MATTERS.

Resolution #2015-117-21 entitled RESOLUTION TO ACCEPT PROPOSAL FROM R.J. WALSH ASSOCIATES, INC., FOR THE INSTALLATION OF ABOVE GROUND STORAGE TANK AND ALL RELATED WORK FOR THE PUBLIC WORKS EXPANSION PROJECT. (PULLED)

Resolution #2015-117-21A entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LLC, FOR THE CHARLES BOSSERT PARK IMPROVEMENTS PROJECT, PHASE 11 – BASKETBALL COURT, TOT-LOT FENCING AND GRADING.

Township Committee review and discussion of Consent Agenda Items Resolutions #2015-117-13 through #2015-117-20 and Resolution #2015-117-21A. Committeeman Moynihan and Mayor Cann commented/asked questions.

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Resolution #2015-117-21. Committeeman Moynihan asked that, even though it is a State contract, could a second bid be obtained. Police Chief Nucera said he would follow-up on this matter. Mayor Cann pulled the resolution to be revisited at the next meeting.

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

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

NAY: None

WALT KOSUL, 539 Route 206: In regard to Resolution #2015-117-20, Mr. Kosul asked how the attorney would be paid. Mayor Cann responded it would be through COAH funds. Attorney Kearns told Mr. Kosul that he recommended expert counsel be appointed for this type of litigation.

SID MORGINSTIN, 849 East Drive: In regard to Resolution #2015-117-21, Mr. Morginstin asked what would be kept in the tank. Mayor Cann responded, fuel.

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

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, excluding Resolution #2015-117-21; seconded by Committeeman Carson.

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

NAY: None

Public Hearing on 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 open the public hearing on Ordinance #2015-6; seconded by Committeeman Moynihan.

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

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NAY: None

Seeing no public comment, Deputy Mayor Popko made a motion to close the public hearing on Ordinance #2015-6; seconded by Committeeman Moynihan.

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

NAY: None

Consideration of Adoption 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, Committeeman Carson made a motion to adopt Ordinance #2015-6; seconded by Committeeman Moynihan.

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

NAY: None

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CARSON: Committeeman Carson announced that the Public Hearing on the School Budget is scheduled for Wednesday, April 29, 2015.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan stated the Veteran's Advisory Committee met on April 14, 2015. The Veteran's Memorial, potential donation, and method of collection of funding were discussed. A dedicated fund will be set up.

The Sewerage Authority met on April 20, 2015. The 2014 audit and a potential rate increase were discussed.

In regard to the Police Department, a letter was received from a resident who had a very positive interaction with both the Police Department and the Public Works Department. A substantial amount of identity theft cases continues.

COMMITTEEMAN BENOWITZ: The Economic Development Advisory Committee had a meeting on April 14, 2015. The business directory was discussed. There was a presentation regarding a separate business website. The presentation will also go before the Township Committee.

On April 15, 2015, Committeeman Benowitz met with Mark Remsa, the Director of Economic Development Regional Planning, Burlington County Bridge Commission. Mr. Remsa offered his assistance with marketing the Township and promoting our business-commercial climate.

There was another meeting on April 16, 2015 regarding the Bordentown Waterfront Community Financial Agreement. The Township's Financial Advisor, Bond Counsel, Planning Board Attorney,

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Community Development Director, Mayor Cann, and he attended. There will be another meeting on April 30, 2015 with Bordentown Waterfront Community, LLC.

Committeeman Benowitz attended the Senior Citizen Club meeting on April 20, 2015.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said the Public Works Department will be erecting the fence around the new recycling area at the Public Works building. The concrete pads will be put down next week, and the following week brush and leaves will be ready to be picked up. She said there is an increase in people utilizing the recycling area. The warming room and bathrooms at Northern Community Park were painted. The kitchen floor and floors in the offices at the Senior Community Center are getting done this week. The equipment trailer for the weed whacking is almost complete, and mowing and weed whacking will commence. The Public Works Department is pulling up the asphalt and heavy concrete on Thorntown Lane, and it will take more time than anticipated; the Township should consider using contractors for larger jobs in the future.

Eugene Fuzy and John Sargent have joined the Environmental Commission/Green Team. The Environmental Commission has reviewed and sent a letter of recommendations to C.D. Director Brian Johnson regarding the Zoning Board application for Pep Boys/Dollar General. The Paper Shredder Day is May 2, 2015 from 9:00 am to 12:00 noon at the Public Works Building. The remaining trees the Township obtained are being given away and the remainder will be planted at the local parks. On Saturday, May 9, 2015, the Green Fair with Chesterfield Township will be held from 11:00 am-3:00 pm in Chesterfield. On Saturday, May 16, 2015, they will be planting the Community Garden. On Tuesday, April 28, 2015 at 7:00 pm, there will be a Green Team meeting in the warming room at Northern Community Park. Movie Nights will be discussed.

On Saturday, May 2, 2015, the Tramps Like Us Springsteen Tribute Band Concert will be held at Bordentown High School. This will support the 4th of July Fireworks.

Deputy Mayor Popko has meetings with the Assessor and the Webmaster on April 28, 2015.

MAYOR CANN: Mayor Cann said he attended a meeting with Committeeman Benowitz, C.D. Director Brian Johnson, Chief Nucera and a property owner who is looking to bring in developers for a site on Route 130. They wanted many leniencies and options. Nothing was resolved, but it is still early.

There has also been interest in the Princeton Tectonics property.

On April 22, 2015, a letter was sent to the engineers of Arawak Paving putting them on notice that they have failed to meet contract dates and a levy of liquidated damages will begin. There is a meeting this week with them. Police Chief Nucera gave an update.

An invitation was received from the Board of Chosen Freeholders to attend their Memorial Day Ceremony on May 30, 2015 at 11:30 a.m. at the Burlington County Memorial Park on Old York Road.

On May 21, 2015, Committeeman Carson will be attending the Joint Base Memorial Day Ceremony representing Bordentown Township.

Chesterfield Township created a resolution opposing the Southern Reliability Link Natural Gas Pipeline. Bordentown Township will also be forming a resolution opposing this Pipeline.

There was a meeting with Central Waste Trash removal regarding missed pick-ups. In some cases the trash was put out after they came. In Bossert Estates, they had so much yard waste to pick-up that they had to continue the next day; and if they fill the truck, they have to empty the load mid-day and return. They will give the Township notification if this happens again. They also said there is a new supervisor. Attorney Kearns put them on notice that contract action will be taken if it continues.

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

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

NAY: None

SID MORGINSTIN, 849 East Drive: Mr. Morginstin said there are tractor trailer trucks parked in the Shop-Rite parking lot at night. Police Chief Nucera said they are not permitted to park there.

Mr. Morginstin asked when the school budget public hearing would be. Committeeman Carson responded Wednesday, April 29, 2015 at Bordentown High School.

He asked what newspapers the Township Committee meetings are advertised in. Mayor Cann responded, Burlington County Times.

Mr. Morginstin stated that it was in the news that Six Flags wants to take down 18,000 trees to erect a solar panel field. He said this is why he pushed for the Township to adopt an ordinance.

DEAN BUHRER, Director of Bordentown Township Public Works: The Association of New Jersey Environmental Commissions is having their Farm to Table Garden Party on Friday, May 29, 2015 at Fernbrook Farms. Kim Wolverton will provide cost, etc. to the Township Committee. It will be announced on the website.

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

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

NAY: None

POLICE CHIEF NUCERA: Police Chief Nucera stated that a notification was received from the electric vendor. The account was consolidated into 33 accounts assigned between PSE&G and Direct Energy. The Township is locked into a 3 year contract, which will be a net savings of \$25,000-\$50,000 per year.

Notification was received from the Burlington County Highway Department. Route 545 was scheduled to open on or about May 1, 2015, but has been changed to May 8, 2015.

The first Lunch and Learn was held on April 23, 2015. It was successful and the employees were talking about some of the issues, i.e. stress, diet, etc. The next one is scheduled for May 7, 2015.

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

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 8:41 pm and reconvened the regular meeting at 9:06 pm.

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 9:06 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK