

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JUNE 22, 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 Buhner
Chief of Police Frank M. Nucera, Jr.

ABSENT: None

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. He asked that the nine individuals who were needlessly killed in South Carolina and a young family in Bordentown who lost their father today be in everyone's thoughts.

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 Municipal Building Architect Services Contract Matter; seconded by Committeeman Moynihan.

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

PAGE 2
REGULAR MEETING
June 22, 2015

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.

ADMINISTRATIVE REVIEW

Township Clerk Eckert said that as a result of Closed Session discussion, Resolution #2015-173-19A is being added. In addition, Ordinance #2015-10 is being pulled and a discussion item is being added: Discussion of 2015 Capital Budget.

CONSENT AGENDA

Resolution #2015-173-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2015-173-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2015-173-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-173-10 entitled REDUCTION OF PERFORMANCE GUARANTEE FOR LONGWELL CROSS HOMES, LLC (EAST HAVEN WOODS – THORNTOWN LANE) BLOCK 66, LOTS 19 AND 22.

Resolution #2015-173-11 entitled RELEASE OF PERFORMANCE GUARANTEE FOR NWL, INC., BUILDING ADDITION, 312 RISING SUN ROAD, BLOCK 137.02, LOT 5.02.

Resolution #2015-173-12 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO THE FOUNDATION FOR BORDENTOWN TRADITIONS.

Resolution #2015-173-13 entitled A RESOLUTION TO AWARD A CONTRACT TO CRAFCO, INC., FOR THE SUPPLY OF 150 GALLON CRACK SEALING TRAILER.

Resolution #2015-173-14 entitled APPOINTING MEMBER TO THE VETERANS ADVISORY COMMITTEE.

Resolution #2015-173-15 entitled REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS.

Resolution #2015-173-16 entitled RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87.

Resolution #2015-173-17 entitled A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING A MEMORANDUM OF INTENT AND AGREEMENT WITH VOADV PROPERTY, INC., IN CONJUNCTION WITH A PROPOSED SENIOR AFFORDABLE HOUSING PROJECT.

Resolution #2015-173-18 entitled RESOLUTION APPOINTING MEMBER TO THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE.

Resolution #2015-173-19 entitled RESOLUTION TO APPOINT SEASONAL LABORER EMPLOYEES IN THE DEPARTMENT OF PUBLIC WORKS.

Resolution #2015-173-19A entitled RESOLUTION ACCEPTING THE PROPOSAL FROM RAGAN DESIGN GROUP ARCHITECTS, FOR THE MUNICIPAL BUILDING ARCHITECTURAL STUDY PROJECT.

Township Committee review and discussion of Consent Agenda Items Resolutions #2015-173-7 through #2015-173-19A. The Township Committee members commented/asked questions.

Resolution #2015-173-8. Deputy Mayor Popko recused herself from the Closed Session Minutes of May 18, 2015.

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

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

NAY: None

Seeing no comments, Committeeman Benowitz 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

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

AYE: Committeeman Benowitz, Committeeman Carson, Committeeman Moynihan, Deputy Mayor Popko with abstention to Closed Session Minutes of May 18, 2015, Mayor Cann

NAY: None

Public Hearing on Ordinance #2015-7 entitled AN ORDINANCE TO AMEND ORDINANCE #2014-21 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

At this time, Deputy Mayor Popko made a motion to open the public hearing on Ordinance #2015-7; seconded by Committeeman Benowitz.

PAGE 4
REGULAR MEETING
June 22, 2015

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

NAY: None

Seeing no public comment, Committeeman Benowitz made a motion to close the public hearing on Ordinance #2015-7; seconded by Deputy Mayor Popko.

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

NAY: None

Consideration of Adoption of Ordinance #2015-7 entitled AN ORDINANCE TO AMEND ORDINANCE #2014-21 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

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

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

NAY: None

Public Hearing on Ordinance #2015-8 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING SECTION 25:901 OF THE LAND DEVELOPMENT ORDINANCE, FEES.

At this time, Committeeman Carson made a motion to open the public hearing on Ordinance #2015-8; seconded by Committeeman Benowitz.

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

NAY: None

WALT KOSUL, 539 Route 206: Mr. Kosul asked if making a request for copies through OPRA would be cheaper than some items listed on the new fee schedule. Mayor Cann responded that if someone wanted a hard copy and didn't want to wait for it, they would pay the fee.

Seeing no further public comment, Committeeman Benowitz made a motion to close the public hearing on Ordinance #2015-8; seconded by Committeeman Carson.

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

NAY: None

Consideration of Adoption of Ordinance #2015-8 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING SECTION 25:901 OF THE LAND DEVELOPMENT ORDINANCE, FEES.

At this time, Committeeman Benowitz made a motion to adopt Ordinance #2015-8; seconded by Deputy Mayor Popko.

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

NAY: None

Public Hearing on Ordinance #2015-9 entitled ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING AN AMENDMENT OF THAT CERTAIN FINANCIAL AGREEMENT WITH RESPECT TO PHASE 1 OF THE WATERFRONT REDEVELOPMENT PROJECT.

At this time, Committeeman Benowitz made a motion to open the public hearing on Ordinance #2015-9; seconded by Deputy Mayor Popko.

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

NAY: None

WALT KOSUL, 539 Route 206: Mr. Kosul said the ordinance was difficult to understand. Mayor Cann explained the change that was made to the Financial Agreement.

Seeing no further public comment, Committeeman Benowitz made a motion to close the public hearing on Ordinance #2015-9; seconded by Deputy Mayor Popko.

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

NAY: None

Consideration of Adoption of Ordinance #2015-9 entitled ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING AND AMENDMENT OF THAT CERTAIN FINANCIAL AGREEMENT WITH RESPECT TO PHASE 1 OF THE WATERFRONT REDEVELOPMENT PROJECT.

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

PAGE 6
REGULAR MEETING
June 22, 2015

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

NAY: None

Consideration of Introduction of Ordinance #2015-10 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 8.28 OF THE TOWNSHIP CODE IN ORDER TO ESTABLISH PROVISIONS GOVERNING THE MAINTENANCE OF VACANT PROPERTIES IN THE TOWNSHIP AND ESTABLISHING REGISTRATION FEES FOR VACANT PROPERTIES. (PULLED)

Township Committee discussion of 2015 Regular Meeting Schedule for the Months of July and August.

After discussion, it was decided to keep the July meetings as scheduled. As a substitute, Planning Board Attorney Lou Garty will be asked to be present for the July 6, 2015 meeting. The Agenda will be limited and include the bill list.

The August 10 and 24, 2015 meetings will be cancelled, and August 17, 2015 will be scheduled.

Township Committee discussion of Proposed Medical Billing Rates for Bordentown EMS.

Police Chief Nucera presented and discussed the new fees. The ordinance will be amended and introduced at the next meeting.

Township Committee discussion of 2015 Capital Budget.

Police Chief Nucera said upgrades of technological equipment are necessary. The total capital budget amount has not change.

P.W. Director Buhner reviewed items in priority order that are needed. The only items added are the leaf collector and the street sweeper. Mayor Cann stated that since the debt service is being dropped, this would be the year to proceed with obtaining these capital budget items. The Township Committee was in agreement to proceed with the list as is, and to forward it to Brian Kowalski who will prepare the ordinance. It will then go out for bonding.

TOWNSHIP COMMITTEE AND STAFF REPORTS

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

COMMITTEEMAN MOYNIHAN: In regard to the Police Department, almost thirty runners from Bordentown raised an excess of \$5,000 from donations and dinner at the Township and Country Diner for the Special Olympics. Committeeman Moynihan gave an update on some recent Police Department matters. The four new recruits have successfully past the FTO program and are now patrolling on their own.

The Bordentown Sewerage Authority had a meeting on June 15, 2015. It was a contentious meeting regarding rate increases. There seemed to be a consensus that a 10% rate increase was needed immediately. Commissioner Malone said he wants to hear from Township Officials regarding the rate increases. Mayor Cann and Committeeman Moynihan agreed that there are Township representatives that

PAGE 7
REGULAR MEETING
June 22, 2015

sit on the Sewerage Authority Board who represent the Township's interest, who should be making this decision. The next Sewer Authority meeting is July 20, 2015.

COMMITTEEMAN BENOWITZ: On June 9, 2015, Committeeman Benowitz met with the Economic Development Committee. The September luncheon, marketing, and new website were discussed.

On June 11, 2015, there was a meeting with Jeff Zieger regarding development of the property on Route 130 and Rising Sun Road.

There was a Planning Board meeting on June 11, 2015. VOADV was granted preliminary site plan approval with conditions to construct 69 single-bedroom senior affordable apartments and 1 two-bedroom apartment for the manager.

He attended the Senior Citizen Social meeting on June 15, 2015.

On June 15, 2015, he attended a meeting regarding development on the total AT&T property.

On June 17, he attended a meeting to development an affordable housing plan with the affordable housing attorney and planners.

He attended the Bordentown Regional High School graduation on June 18, 2015 and the Bordentown Regional Middle School graduation on June 19, 2015.

He attended the Township luncheon and health fair on June 19, 2015.

He congratulated the Police Department for their efforts with the Special Olympics Torch Run and fundraiser at the Town and Country Diner.

He congratulated Bill Ryan, the Chairman of the Economic Development Advisory Committee, who is now the President of the Northern Burlington County Chamber of Commerce.

DEPUTY MAYOR POPKO: At the Environmental Commission meeting, there was discussion of an air quality notification program that lets the community know the area's air quality. She asked that the link be placed on the Township website.

In regard to the Public Works Department, grass clippings are being placed in the roadways and it is clogging the storm drains. Notification will be made to residents.

The first harvest and delivery has been made from the Community Garden. A work session will be held every Saturday from 10:00 am to 12:00 noon until the end of the season.

The Fireworks will be held on July 3, 2015 at Joseph Lawrence Park beginning at 4:30 pm. The Fishing Derby will be July 4, 2015 at 9:00 a.m. Northern Community Park. Music in the Park will begin July 9, 2015 at 7:00 pm at Joseph Lawrence Park. It will run for 6 weeks, with movies shown two of the weeks. The 63rd National Guard Amory Band will perform a concert on July 1, 2015 at 7:00 pm at the High School. Free tickets will be distributed.

The Public Works Department has been getting the parks ready for the July events. She gave an update on repairs at all the Township parks, Township buildings, and streets and roads. Public Works is now taking brush, leaves, and concrete.

A letter was received from Hamilton Township requesting shared services; they are interested in the Township bringing them brush and leaves to their ecological facility. They will process and return mulch to the Township as needed. Police Chief Nucera will follow-up.

Deputy Mayor Popko wished John Barbuto, who works in the Public Works Department, a speedy recovery after his recent surgery.

MAYOR CANN: Mayor Cann reported that the graduations were very nice events and commended the students.

PAGE 8
REGULAR MEETING
June 22, 2015

He attended the Assembly Transportation Committee to get the by-pass road bill into the full Assembly. It was introduced by Assemblyman Conaway and passed unanimously.

He attended a meeting today with representatives of the Bordentown Waterfront, Planning Board Attorney Lou Garty, and Brian Kowalski the Township's Bond Counsel, and C.D. Director Brian Johnson. The new VOADV building was discussed, and is being designated as Phase 1D. It now has to be approved by Judge Bookbinder. This site will not have to be added to the Financial Agreement. The second building will now be all Townhouses, instead of some condo-lofts. Construction will begin in July.

The road striping contract with the County should be released shortly.

The \$54,779 has been approved by FEMA from Sandy funding and the official reject of the \$651,000 has been received. The Klein Drive culvert funds from FEMA to the emergency generator have proceeded.

In regard to the June 11, 2015 meeting with Jeff Zieger, Mayor Cann said that developers will be eager since a decision was made on Affordable Housing.

The final audit report has not yet been received, but will be discussed in open meeting when received.

PUBLIC PARTICIPATION: At this time, Committeeman Benowitz 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

LEN DeGROOT, 8 Arlington Road: Mr. DeGroot addressed proportional representation of the Sewer Authority board. Committeeman Carson stated that the original intent of membership was resident representation and it was not fulfilled by the City who still has Commissioners on the Board representing Bordentown City.

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz thanked the police department for responding to a parking issue in Williamsburg Village.

WALT KOSUL, 539 Route 206: Mr. Kosul said he received the estimated tax bill and asked what the status was of the final tax bill. Mayor Cann said the municipal tax rate is set, the state and county budgets have not yet been adopted.

POLICE CHIEF NUCERA: Police Chief Nucera commented on the Special Olympics.

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 adjourn the regular meeting; seconded by Committeeman Moynihan.

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

PAGE 9
REGULAR MEETING
June 22, 2015

NAY: None

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:29 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK