

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
AUGUST 17, 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.

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 COAH Litigation; Construction Department Personnel Matter; Administration Personnel 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

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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.

ADMINISTRATIVE REVIEW

Township Clerk Eckert said that as a result of Closed Session, Resolution #2015-229-30A is being added to the Consent Agenda. She added that documents relating to discussion Item 37 were distributed to the Township Committee members.

CONSENT AGENDA

Resolution #2015-229-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2015-229-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2015-229-9 entitled AUTHORIZING CANCELLATION OF MUNICIPAL CERTIFICATE OF SALE.

Resolution #2015-229-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-229-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2015-229-12 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2015-229-13 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2015-229-14 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE RENEWAL OF THE TERM OF AN INTERLOCAL SERVICES AGREEMENT WITH MANSFIELD, CHESTERFIELD, NORTH HANOVER AND SPRINGFIELD TOWNSHIPS CONCERNING EXTRA DUTY ASSIGNMENT OF POLICE OFFICERS.

Resolution #2015-229-15 entitled RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE EXTENSION OF TRANSPORT AGREEMENT FOR BORDENTOWN TOWNSHIP EMS.

Resolution #2015-229-16 entitled RESOLUTION AUTHORIZING ADDITIONAL BUS STOP LOCATIONS IN THE TOWNSHIP OF BORDENTOWN.

Resolution #2015-229-17 entitled APPROVING CORRECTIVE ACTION PLAN FOR REPORT OF AUDIT FO THE YEAR ENDING DECEMBER 31, 2014.

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Resolution #2015-229-18 entitled RESOLUTION AUTHORIZING MR. JOSEPH LAROCCA TO CONDUCT INSPECTIONS PRIOR TO HIS OFFICIAL START DATE OF EMPLOYMENT AS CONSTRUCTION OFFICIAL FOR THE TOWNSHIP OF BORDENTOWN.

Resolution #2015-229-19 entitled A RESOLUTION TO AWARD A CONTRACT TO BEACON GRAPHICS FOR THE SUPPLY OF A WIDE FORMAT PRINTING DEVICE AND SUPPLIES.

Resolution #215-229-20 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES.

Resolution #2015-229-21 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES WITH SPECIAL CONDITIONS.

Resolution #2015-229-22 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY DISTRIBUTION LICENSE.

Resolution #2015-229-23 entitled RENEWING ALCOHOLIC BEVERAGE CLUB LICENSE.

Resolution #2015-229-24 entitled APPROVING AND AUTHORIZING PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE.

Resolution #2015-229-25 entitled RESOLUTION SUPPORTING NEW JERSEY DEPARTMENT OF TRANSPORTATION IN PROMULGATING A TRAFFIC REGULATION ORDER.

Resolution #2015-229-26 entitled AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN EASEMENT FOR A BICYCLE PATH.

Resolution #2015-229-27 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO STANLEY KARA UPON RETIREMENT.

Resolution #2015-229-28 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN TO AUTHORIZE FINAL COMPENSATION TO EDWARD POTTS UPON RETIREMENT.

Resolution #2015-229-29 entitled APPROVING RAFFLE LICENSE #RL:417.

Resolution #2015-229-30 entitled AMENDING RESOLUTION #2015-201-23 ENTITLED ESTABLISHING SALARIES AND OTHER RATES OF COMPENSATION FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN.

Resolution #2015-229-30A entitled A RESOLUTION TO APPOINT JAMES HOEY AS BUILDING INSPECTOR FOR THE BORDENTOWN TOWNSHIP CONSTRUCTION OFFICE.

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Township Committee review and discussion of Consent Agenda Items Resolutions #2015-229-7 through #2015-229-30A. Committeeman Moynihan, Committeeman Benowitz, Deputy Mayor Popko, and Mayor Cann commented/asked questions on the Consent Agenda.

Resolution #2015-229-8. Committeeman Moynihan noted an additional comment he would like added to the July 20, 2015 Regular Minutes. Deputy Mayor Popko cited a typographical error. Township Clerk Eckert will amend the minutes.

Deputy Mayor Popko recused herself from the August 6, 2015 Special Meeting minutes. Mayor Cann stated this is an excused absence.

At this time, Committeeman Benowitz 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: Mr. Kosul asked what the status was regarding the building inspector's office. Mayor Cann responded a new, full-time building inspector was hired starting August 10, 2015, and part-time employees are being hired on an as needed basis.

Mr. Kosul asked what the corrective action on the audit was. Mayor Cann responded, the Finance Office keeps a list of new inventoried items and the Finance Department will review the audit company's list.

Seeing no further comments, Committeeman Benowitz 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, Committeeman Benowitz made a motion to adopt the consent agenda; seconded by Committeeman Carson.

AYE: Committeeman Benowitz, Committeeman Carson, Committeeman Moynihan, Deputy Mayor Popko excluding the August 6, 2015 Special Meeting minutes and with amendment to those minutes, Mayor Cann

NAY: None

Public Hearing on Ordinance #2015-12 entitled AN ORDINANCE TO AMEND ORDINANCE #2015-7 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

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At this time, Committeeman Benowitz made a motion to open the public hearing on Ordinance #2015-12; seconded by Deputy Mayor Popko.

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

NAY: None

Seeing no public comment, Deputy Mayor Popko made a motion to close the public hearing on Ordinance #2015-12; seconded by Committeeman Benowitz.

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

NAY: None

Consideration of Adoption of Ordinance #2015-12 entitled AN ORDINANCE TO AMEND ORDINANCE #2015-7 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 #2015-12; seconded by Deputy Mayor Popko.

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

NAY: None

Public Hearing on Ordinance #2015-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED AND UNFUNDED APPROPRIATION BALANCES IN THE AMOUNT OF \$654,622.70 AND REAPPROPRIATING SAID FUNDS FOR OTHER GENERAL CAPITAL IMPROVEMENTS AND FOR OTHER PURPOSES.

At this time, Deputy Mayor Popko made a motion to open the public hearing on Ordinance #2015-13; seconded by Committeeman Benowitz.

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 #2015-13; seconded by Deputy Mayor Popko.

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

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NAY: None

Consideration of Adoption of Ordinance #2015-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, CANCELLING CERTAIN FUNDED AND UNFUNDED APPROPRIATION BALANCES IN THE AMOUNT OF \$654,622.70 AND REAPPROPRIATING SAID FUNDS FOR OTHER GENERAL CAPITAL IMPROVEMENTS AND FOR OTHER PURPOSES.

At this time, Committeeman Benowitz made a motion to adopt Ordinance #2015-13; seconded by Deputy Mayor Popko.

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

NAY: None

Consideration of Introduction of Ordinance #2015-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY WITHIN THE TOWNSHIP OF BORDENTOWN.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said she was happy to see this ordinance, and in the last four years of her term, there has been more acquisition of open space for the health and well being of the township residents.

At this time, Committeeman Benowitz made a motion to introduce Ordinance #2015-14; seconded by Deputy Mayor Popko.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be September 14th.

Township Committee discussion of 2015 Park Grant.

Mayor Cann said he discussed the designation of the 2015 Park Grant monies with C.D. Director Brian Johnson and Alt. Engineer Fred Turek. Two major projects at Joseph Lawrence Park include refurbishing of the pavilion adding a functional kitchen and overhauling the bathrooms, and if there is any additional monies, repaving of the basketball courts. Repairs should total under \$200,000 (to have a better chance at the \$250,000 Grant.) Fred Turek will write the grant at no cost. The Township Committee was in favor of this designation of grant money.

Township Committee discussion of Bond Anticipation Notes.

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Road and ambulance repairs were discussed. Mayor Cann and Police Chief Nucera explained how the debt service in the bonds would be covered. Consensus among the Township Committee members was to move forward with preparing a Bond Anticipation Note ordinance.

Township Committee discussion of Opposing Elcon Incinerator.

Deputy Mayor Popko said she and Committeeman Benowitz recently attended a meeting on the Elcon Incinerator. Committeeman Benowitz gave an overview of what was presented at the meeting. The Incinerator is now called a “thermal oxidizer”. The proposed project would be located directly across the river and Bordentown Township would receive the prevailing winds and wastewater. Deputy Mayor Popko recommended that surrounding towns be contacted, and wants a decision made of whether or not Bordentown Township wants to hire someone to fight this. Mayor Cann suggested contacting Florence Township and the Mercer and Burlington County Freeholders to see how they want to proceed. He also asked Police Chief Nucera to contact Burlington City to see what attorney they used the last time there was opposition to a proposed incinerator across the river in Bristol, PA. A decision will be made at the next Committee meeting on how Bordentown Township will proceed.

TOWNSHIP COMMITTEE AND STAFF REPORTS

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

COMMITTEEMAN MOYNIHAN: The Veteran’s Advisory Committee had a meeting earlier in the month. He cited some of the upcoming scheduled events.

Committeeman Moynihan attended the Bordentown Sewerage Authority meeting held earlier tonight. There was an informal introduction of their new budget which begins December 1, 2015. They are going to propose a 2.3% budget increase, which is separate from a rate increase. The rate increase hearing may be held next month.

Committeeman Moynihan gave some highlights of recent Police Department matters.

COMMITTEEMAN BENOWITZ: On July 27, 2015, a meeting was held with Bordentown Waterfront. He gave a summary of what was discussed.

There was an Affordable Housing meeting on July 30, 2015 with the COAH attorney.

He has attended several Senior Citizen functions.

On August 6, 2015, the Wawa application for a preliminary site plan was unanimously approved by the Planning Board with conditions.

On August 13, 2015, the Planning Board granted W.W. Grainger a major subdivision and variances creating 13 lots which will go to the 13 adjacent residents that are impacted by the berm.

He attended the Economic Development Advisory Committee (EDAC) meeting, and gave an update on this. The award ceremony is scheduled for September 21, 2015, 11:30 am-1:00 pm at the Town and Country Restaurant.

DEPUTY MAYOR POPKO: Deputy Mayor Popko gave an update on the Public Works Department projects.

She presented quotes to the Township Committee for approval of shade pavilions for the dog park and tot lot at Northern Community Park. 50% would be paid by the dog park grant and 50% would be paid by open space.

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She met with Jack Carman regarding the native plant garden at Bossert Park. P.W. Director Buhner suggested having it completed in-house, and not go out to bid.

The Environmental Commission meeting is scheduled for August 18, 2015. The Green Team has been very active. Movies in the Park is this Thursday night. Opera in the Park was held August 13, 2015. The Community Garden harvested 100 lbs. of produce and donated it to the local food pantry.

MAYOR CANN: As a response to comments made at the last Township Committee Meeting, Mayor Cann noted corrections pertaining to the Bordentown Mustang. Also, he verified with Community Development Director Brian Johnson that the signs for AT&T and ALDI were in compliance, and ALDI did not have to return to the Planning Board.

Emergency Management Coordinator Andy Law has been pressing FEMA for approval of the Township's emergency generator application.

Mayor Cann announced that the ADP Program (changed in assessment program) has been axed.

Emergency Management Coordinator Andy Law sent a notification that there is a measles outbreak in New York and it should be posted on our website advising residents.

A letter and certificate of appreciation from the American Red Cross was received by Angel Sauro who organized the blood drive.

Mayor Cann reiterated that W.W. Grainger, LLC expended a lot of time and expense with their recent Planning Board subdivision of 13 lots to the residents. He suggested a letter of appreciation be sent to them. He asked that Police Chief Nucera handle this.

N.J. Transit has approved the two bus stops for the Waterfront project. The Township will be reviewing the bus stop shelter, and the redeveloper has agreed to this. There is a verbal agreement with NJ Transit for the railway quiet zone and is moving forward. Deputy Mayor Popko asked if additional bus stops could be placed in the Township; Mayor Cann responded that it could be pursued.

Mayor Cann asked that a resolution of support be created in response to the letter from Senator Feinstein in support of her bill regarding OPRA. There is additional information on the League's website.

The Township has received the Dunns Mill Road re-building estimates, which includes the Middle School apron. Bid specifications have just been received.

Bids are currently being received for the outbuildings at the Public Works building.

In regard to the discussion on the home chickens ordinance, Attorney Kearns has provided additional information. Discussion and a proposed ordinance will be provided to the Township Committee members and placed on the next Agenda.

Mayor Cann said the Planning Board's preliminary approval of Wawa included an opposition to the left-hand turn lane off of route 130. This will be included in the Planning Board resolution.

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

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CAROL DeGROOT, 8 Arlington Road: In regard to the Arlington Road drainage improvement project, Ms. DeGroot said she was very pleased with the company who performed the work and the way the project turned out.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said that the grass seed planted on Vine Way was all weeds and needs to be redone.

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz asked if the Township had FIOS. Mayor Cann responded that there is FIOS in parts of the Township.

Ms. Heinz also asked if the white bike lines were going to be replaced on Williamsburg Drive. C.D. Director Brian Johnson will be asked to be present at the next meeting to give an explanation.

Ms. Heinz also asked if the double white lines would be repainted on Constitution Drive. Mayor Cann responded that the road is scheduled for micro-surfacing which will be done prior to the lines being repainted.

She said that the concert was fantastic and enjoyed it very much.

WALT KOSUL, 539 Route 206: Mr. Kosul asked if there is a make-up date for Music in the Park. Deputy Mayor Popko responded that it is re-scheduled for the end of the month.

Mr. Kosul asked if the deed for the (former) Dix Drive-In has been received from N.J. DOT. Attorney Kearns responded that he sent an email to them and hasn't heard back. Mayor Cann added that the State of N.J. is slow to respond.

JAMIE AUGUSTIN, 209 Delaware, Fieldsboro: Ms. Augustin said she wants to start a K-8 grade recreation field hockey league in the Township and asked the Township Committee for further guidance. Mayor Cann told her she needed to set up a private, non-profit organization and contact N.J. Department of Community Affairs. He volunteered to meet and discuss this with her. P.W. Director Buhner suggested she contact Kim Wolverton for information on the upcoming sports meeting.

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

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

NAY: None

DEPUTY MAYOR POPKO: Deputy Mayor Popko asked Committeeman Moynihan if any arrangements have been made for a meeting with the Water Department regarding the quality of the drinking water. Committeeman Moynihan said he will follow-up.

COMMITTEEMAN CARSON: Committeeman Carson said that several months ago it was agreed to make a donation to the fence at Fort Dix. He recently spoke to Congressman Saxton to see if he or Col. Warner, a former Commander from Fort Dix, would be available to attend a Township Committee Meeting in September or October to give an overview of what is going on at the base and the need for the donation. The Township Committee agreed it would be a good idea. Committeeman Carson will make the arrangements.

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POLICE CHIEF NUCERA: Police Chief Nucera stated that Burlington County received \$32,000 in donations for the Special Olympics; Bordentown's contribution was \$5,423.

In regard to the hiring of Construction Official Joe LaRocca, it was indicated that he would obtain his HHS certification needed for fire inspection; the course will begin September 8, 2015.

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 Deputy Mayor Popko.

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 9:02 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK