

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
JANUARY 11, 2016

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 Jill Popko  
Deputy Mayor Stephen Benowitz  
Committeeman James Cann  
Committeeman Richard Carson (video-conferenced @ 7:45 pm)  
Committeeman Eric Holliday  
Township Clerk Colleen Eckert  
Attorney Eileen Fahey  
Chief Financial Officer David Kocian  
Chief of Police Frank M. Nucera, Jr.

ABSENT: Public Works Director Dean Buhrer

Mayor Popko 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 4, 2016, 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 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 Cann 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 Emergency Management Personnel Matter; Barbara Woolley-Dillon vs. Township of Bordentown; Special Counsel for Certain Litigation Matters and Labor Matters; seconded by Committeeman Holliday.

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 Cann, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Carson

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The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:07 pm and reconvened the regular meeting at 7:47 pm.

**ADMINISTRATIVE REVIEW**

Township Clerk Eckert stated that she updated the coversheet of the Agenda to read Attorney Fahey (the Township's new Attorney). As a result of Closed Session, Resolutions #2016-011-12A and #2016-011-12B are being added to the Consent Agenda.

**CONSENT AGENDA**

**Resolution #2016-011-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.**

**Resolution #2016-011-8 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2016-011-9 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.**

**Resolution #2016-011-10 entitled RESOLUTION AUTHORIZING SUBMISSION OF MUNICIPAL ALLIANCE GRANT.**

**Resolution #2016-011-11 entitled RESOLUTION SUPPORTING BILL A4763/S2973 ELECTRONIC WASTE MANAGEMENT ACT.**

**Resolution #2016-011-12 entitled RELEASE OF PERFORMANCE GUARANTEE FOR DUNKIN BRANDS, INC., 260 ROUTE 130, BLOCK 127, LOT 3.**

**Resolution #2016-011-12A entitled RESOLUTION TO AMEND RESOLUTION #2004-111-12 ENTITLED RESOLUTION ESTABLISHING THE BASE WEEKLY WORK HOURS FOR THE EMERGENCY MANAGEMENT COORDINATOR AND DEPUTY EMERGENCY MANAGEMENT COORDINATOR.**

**Resolution #2016-011-12B entitled RESOLUTION TO ESTABLISH METHOD OF COMPENSATION OF THE EMERGENCY MANAGEMENT COORDINATOR, MUNICIPAL COURT JUDGE AND TOWNSHIP COMMITTEE MEMBERS.**

Township Committee review and discussion of Consent Agenda Items Resolutions #2016-011-7 through #2016-011-12B. Committeeman Cann and Mayor Popko commented/asked questions on the Consent Agenda.

**COMMITTEEMAN CANN:** Committeeman Cann asked if the RFP for Webmaster was re-advertised. Township Clerk Eckert confirmed that this will be done.

Committeeman Cann said a discussion was held with the Exeter Property Group, and they have requested an abatement. Township Clerk Eckert responded that in reviewing the ordinance, there's an official application that must be submitted prior to creating the ordinance which will be introduced at the next meeting.

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MAYOR POPKO: In regard to the Exeter Property Group discussion, Mayor Popko asked that the following be added to the minutes of December 21, 2015: "Mr. Yako also indicated on two different occasions that if the abatement is not considered by the Township, they would not consider building the warehouse."

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

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

NAY: None

Seeing no comments, Committeeman Cann made a motion to close to the public; seconded by Deputy Mayor Benowitz.

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

NAY: None

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

AYE: Committeeman Cann, Committeeman Carson with abstention to #2016-011-7, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

**Consideration of Introduction of Ordinance #2016-1 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25, SECTION 509, OF THE CODE OF THE TOWNSHIP OF BORDENTOWN TO INCLUDE STANDARDS FOR TRUCK REFRIGERATION UNITS (TRU'S).**

At this time, Committeeman Cann made a motion to introduce Ordinance #2016-1; seconded by Committeeman Holliday.

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

NAY: None

TOWNSHIP CLERK ECKERT: This ordinance will be referred to the Township's Planning Board before scheduling the public hearing. As long as a response is received from the Planning Board, the public hearing will be February 22<sup>nd</sup> (or February 8<sup>th</sup>, if received back earlier).

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**TOWNSHIP COMMITTEE AND STAFF REPORTS**

COMMITTEEMAN HOLLIDAY: Committeeman Holliday cited some recent notable police activities.

On January 7, 2016, he attended the Fire District #1 meeting. Their operating budget was approved, and their elections will be held on Saturday, February 20, 2016 from 2-9 pm. Because of construction, voting will take place at Northern Community Park. Building construction could be completed by the end of October.

On January 7, 2016, he also attended the Fire District #2 meeting. Their operating budget was approved. Various appointments and policies were made and approved.

He will be meeting with Brian Maugeri regarding EMS within the next two weeks.

On January 12, 2016, he will be meeting with Office of Emergency Management Coordinator, Andy Law. Sunoco is conducting a drill on liquid petroleum spills on Wednesday, January 27, 2016 at 6:00 pm.

He will also be meeting with the Township's Animal Control Officers and Webmaster.

COMMITTEEMAN CANN: Committeeman Cann said the Public Works Department rebuilt a trailer, which saved the Township a lot of money. He said their new computer software has been installed; inventory is being inputted and the Township will be able to reap the benefits of the new software soon.

He attended a meeting with Tom MacArthur's representatives to discuss the proposed pipeline and compressor station. The Township was told there was nothing they could do and we need to come up with solutions. The representatives will follow-up with FERC stating that the Township was never notified and so that we can become an intervener in the case; the residents were also not notified. Committeeman Cann said the meeting was disappointing and he was not optimistic.

Committeeman Cann inquired why the bill dated November 20, 2016 for the basketball court was not paid yet. Police Chief Nucera responded that the contractor sent the final request for payment directly to the Township for payment without Engineer authorization.

DEPUTY MAYOR BENOWITZ: On January 4, 2016, he attended the Senior Business Meeting. He emphasized to them the upcoming environmental issues.

Committeeman Cann and he attended the open meeting for the Clifton Mills residents regarding the proposed building on the property at Old York and Georgetown Roads and the potential impact to the residents. Representatives from Matrix, the applicant, were present and spoke to the residents. The property is zoned REO and has been farmed for many years.

The 2016 meetings dates were established at the January 7, 2016 Planning Board meeting. A second amended major preliminary and final site plan approval was granted with bulk variance relief and other signage and design waivers to K. Johnson Urban Renewal, LLC.

The EDAC business breakfast will be held on January 25, 2016 from 7:30 am to 9:30 am at the Town and Country Restaurant. The mayor will do a presentation on the update of business/commercial activities in the Township. The EDAC meeting is scheduled for January 12, 2016. Code Enforcement Officer, Joe LaRocca will be attending.

He will be attending the Sewerage Authority Meeting on January 19, 2016.

COMMITTEEMAN CARSON: Committeeman Carson said the School Board reorganized and Mark Drew was reappointed as the President and Bill Mercantini as Vice-President.

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MAYOR POPKO: Mayor Popko said she met with Attorney Eileen Fahey, CFO Dave Kocian, Tax Assessor Eileen Carlos, Tax Collector Jeffrey Elsasser, and Committeeman Cann. The PILOTS and taxes for K. Johnson and Bordentown Waterfront were discussed. Attorney Eileen Fahey will be meeting with Attorney Mark Roselli to correct some of their issues.

In Committeeman Carson's absence, she attended the Veterans Advisory Committee meeting. The Veterans Memorial Park and potential fundraisers were discussed.

She met with Community Development Director Brian Johnson regarding the creation of a promotional brochure for the Township that can be placed in the hotels, restaurants, etc.

On January 20, 2016, there will be a forum at 7:00 pm at the Senior Community Center to discuss the proposed Pipeline and Transco. National and local elected officials will be invited. Several activist groups will be present and will be asking the elected officials if they are opposing the projects and what future clean energy projects are coming that won't be infringing on our highly populated area.

Mayor Popko has been meeting with Angel Sauro regarding upcoming events. The Township Committee decided that the July 4 fireworks will be held on Friday, July 1, 2016, as recommended by the Traditions for Bordentown.

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

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

NAY: None

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz inquired about the yellow fire lane lines in Williamsburg Village. She asked that an ordinance be created to establish no parking so that it can be enforced. Police Chief Nucera stated that the Derby Firehouse established the fire lanes so they would enforce it, but he spoke to Fire Official Steve Scholey who said they could not, but would contact Lou Kilmer. In the meantime, Police Chief Nucera will see what could be done as part of their traffic enforcement ordinance so they could have the authority to enforce.

Ms. Heinz asked if the sewer cap in front of 5 Hattaras Court could be repaired. Police Chief Nucera will follow-up.

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

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

NAY: None

**ADDITIONAL MATTERS:**

Committeeman Carson congratulated Mayor Popko on her appointment as Mayor.

At this time, Deputy Mayor Benowitz 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 Holliday.

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

NAY: None

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 8:44 p.m.

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JILL POPKO, MAYOR

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COLLEEN M. ECKERT, TOWNSHIP CLERK