

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JANUARY 25, 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 @ 7:39 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 Buhner

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, Deputy Mayor 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 Professional Contract Matters (Transco Compressor Station and Extension of PSA for Helmer, Conley & Kasselmann); Construction Department Personnel Matter and Code Enforcement Personnel Matter; seconded by Committeeman Cann.

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

PAGE 2
REGULAR MEETING
JANUARY 25, 2016

ABSENT: Committeeman Carson

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:10 pm and reconvened the regular meeting at 7:39 pm.

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that as a result of Closed Session, Resolutions #2016-025-16A and #2016-025-16B are being added to the Consent Agenda. In addition, Ordinance #2016-3 is being added.

CONSENT AGENDA

Resolution #2016-025-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2016-025-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2016-025-9 entitled AUTHORIZING 2016 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:4-59).

Resolution #2016-025-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2016-025-11 entitled APPROVE SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF FLORENCE FOR A CERTIFIED RECYCLING PROFESSIONAL (CRP).

Resolution #2016-025-12 entitled RESOLUTION AUTHORIZING EXTENSION OF AGRICULTURAL LEASE AGREEMENTS BETWEEN THE TOWNSHIP OF BORDENTOWN AND STEPHEN TURGYAN.

Resolution #2016-025-13 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PYROTECNICO FOR JULY 4TH FIREWORKS DISPLAY.

Resolution #2016-025-14 entitled RESOLUTION AUTHORIZING A REFUND OF A CONSTRUCTION PERMIT FEE TO SOLAR CITY, FOR PROJECT LOCATED AT 13 HOLLOWAY LANE.

Resolution #2016-025-15 entitled APPOINTMENT OF MEMBER TO ZONING BOARD OF ADJUSTMENT.

Resolution #2016-025-16 entitled RESOLUTION AUTHORIZING BORDENTOWN TOWNSHIP'S PARTICIPATION IN THE NEW JERSEY TREE RECOVERY CAMPAIGN.

Resolution #2016-025-16A entitled RESOLUTION AUTHORIZING THE EXTENSION OF PROFESSIONAL SERVICES CONTRACT WITH HELMER, CONLEY & KASSELMAN, PA.

PAGE 3
REGULAR MEETING
JANUARY 25, 2016

Resolution #2016-025-16B entitled RESOLUTION TO APPOINT PART-TIME/TEMPORARY BUILDING INSPECTOR FOR THE BORDENTOWN TOWNSHIP CONSTRUCTON OFFICE.

Township Committee review and discussion of Consent Agenda Items Resolutions #2016-025-7 through #2016-025-16B. Committeeman Cann, Committeeman Carson, Deputy Mayor Benowitz, and Mayor Popko commented/asked questions on the Consent Agenda.

Resolution #2016-025-16. Mayor Popko asked Township Clerk Eckert to amend the resolution amount to 500 seedlings instead of 1,000.

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

SID MORGINSTIN, 849 East Drive: Mr. Morginstin asked why the Fireworks are being held on a Friday. Mayor Popko responded that it was requested by Bordentown Traditions because a larger crowd attends before everyone leaves for the long holiday weekend. Also, there is the ability to schedule a rain date which is Sunday.

ROB DELANEY, 5 Alfred Drive: In regard to Resolution #2016-025-12, Mr. Delaney asked why the extension of the lease did not go out to bid. Township Clerk Eckert responded that the original bid received allowed the Township to extend for one term up to 5 years. The Township will have to perform the bid process at the end of this year.

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

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, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

Consideration of Introduction of Ordinance #2016-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING TITLE 6 OF THE CODIFIED GENERAL

ORDINANCES OF THE TOWNSHIP OF BORDENTOWN, AND CHAPTER 25, THE LAND DEVELOPMENT ORDINANCE, TO ADD PROVISIONS FOR THE KEEPING OF CHICKENS.

At this time, Deputy Mayor Benowitz made a motion to introduce Ordinance #2016-2; seconded by Committeeman Cann.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be February 22nd.

The ordinance was discussed by members of the Township Committee.

Consideration of Introduction of Ordinance #2016-3 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 Cann made a motion to introduce Ordinance #2016-3; seconded by Deputy Mayor Benowitz.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be February 8th.

Township Committee discussion regarding Authorization to Conduct Aerial Larval/Adult Mosquito Control Activities by the County of Burlington.

Mayor Popko stated that the County changed the chemical they are using to spray, but noted how harmful it is. She and the members of the Committee said they want to do more research before making a decision on this matter. After discussion, the Township Committee decided to relist this for the next meeting. Township Clerk Eckert and Police Chief Nucera will check with Burlington County regarding the Larval Program.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CANN: Committeeman Cann said he was very impressed with the meeting opposing the Transco Compressor Station. There were over 200 people present. Senator Diane Allen and Assemblyman Dancer both spoke in opposition and agreed to help fight the compressor station. Committeeman Cann said he received a disappointing email from Congressman MacArthur who said he sees a vital need for the compressor station.

In regard to the Affordable Housing fight, our attorney Jeff Surenian is currently formulating a plan. The Township has received a 5 month extension and Mary Beth Lonergan is still our appointed

PAGE 5
REGULAR MEETING
JANUARY 25, 2016

court master. Also, now in order to bring the Township in compliance, any error or flaw in the Plan can be corrected automatically granting the developer the right to go for a builder's remedy.

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

COMMITTEEMAN HOLLIDAY: Committeeman Holliday gave a summary of his meeting of January 27, 2016 with Office of Emergency Management, Andrew Law.

On January 13, 2016, he met with the Animal Control Officers. Police Chief Nucera is currently in the process of getting prices for a new cap insert for their truck.

Committeeman Holliday cited some recent police activities.

DEPUTY MAYOR BENOWITZ: In regard to the Planning Board, there is a Special Joint meeting scheduled for February 4, 2016 on the Investors Bank amended site plan. On February 11, 2016, they will be selecting their professionals for 2016.

He attended the January 18, 2016 Senior Citizen meeting where he once again encouraged them to be involved with the environmental issues and attend the Pipeline Compressor Station Forum held on January 20, 2016.

The EDAC held their meeting on January 12, 2016. Joe LaRocca, the Code Enforcement Officer, attended and discussed his role with reference to local business commercial facilities. The EDAC business breakfast scheduled for January 25, 2016 was cancelled due to the weather.

Deputy Mayor Benowitz met with Joe LaRocca to discuss the various projects and the functioning of his office. He gave a summary of some of the current projects.

He attended the Sewerage Authority Meeting on January 19, 2016. He gave a summary of what was discussed.

MAYOR POPKO: Mayor Popko said she has spent a long time working on the SRL Pipeline and Transco Compressor Station Forum and in Chesterfield to organize the program. She thanked Angel Sauro for all her help. She encouraged everyone to keep contacting our congressmen.

In regard to ELCON and Waste Management, she will be attending a meeting in Pennsylvania on January 26, 2016. ELCON will be giving a presentation of their project to the PA D.E.P, and a Q & A period will be held at the end of the meeting. Mayor Popko invited everyone to attend. She said these two projects need to be opposed.

Mayor Popko stated the Public Works Department has been working around the clock cleaning up the 20+ inches of snow from the streets. She said the cars must be removed from the streets in order to plow. Residents placing snow in the streets will be fined.

In regard to the Environmental Commission, community garden plots are for rent this year. If there is enough interest, the garden will be expanded. There are several events and projects listed on the Environmental Commission website for anyone who wants to be involved.

COMMITTEEMAN CANN: Committeeman Cann added that he spoke with Public Works Director Dean Buhner who said the recent snow storm was very heavy and one of the hardest to clean up. He suggested notifying residents prior to a major snowstorm to move their vehicles off the streets and letting them know that they can leave their vehicle at our parks. Committeeman Holliday suggested using the 911 reverse to notify residents and announce on the website. Police Chief Nucera will follow-up on this.

PAGE 6
REGULAR MEETING
JANUARY 25, 2016

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

SID MORGINSTIN, 849 East Drive: Mr. Morginstin asked if Team 85 was opening this weekend. Deputy Mayor Benowitz responded he should contact Team 85 directly.

In regard to the Sewer Authority, Mayor Benowitz responded that Ron Marino is no longer on the Sewer Authority.

Mr. Morginstin asked if the Township has an ordinance on beekeepers. Mayor Popko responded, no.

Mr. Morginstin asked if a small snow plow could be used on narrow streets. Committeeman Cann said they tried and the small plow would not move with the heavy snow.

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz said that emails and postcards were sent to Williamsburg Village residents stating that vehicles are not permitted to park on the streets during snow cleaning efforts. Additionally, there is available parking at their clubhouse. Police Chief Nucera stated that it would be difficult to tow a vehicle from a route that is not designated as a snow route.

In regard to painting of the fire lanes in Williamsburg Village, Ms. Heinz stated that years ago Derby Fire Company made recommendations where the fire lanes should be. The Williamsburg HOA followed these recommendations and had the lines painted.

Ms. Heinz asked if there was a schedule for the flushing of the fire hydrants. Police Chief Nucera will follow-up and get back to her on this.

ROB DELANEY, 5 Alfred Drive: Mr. Delaney welcomed Committeeman Holliday to the Township Committee.

He asked what the Township's actual plan is in regard to the SRL Pipeline and Transco Compressor Station Forum. Mayor Popko responded that the Township is in the process of accepting proposals for an attorney to appeal the submitted wetlands permit and section 401. Attorney Fahey said that in the interim until one is appointed, she works with environmental consulting attorneys. Mayor Popko said the Township is also looking at a group who does ordinances for a clean air act. And Transco has been stopped from coming onto Bordentown's property. The Township has asked national elected officials to petition FERC to give us intervener status, since the Township was not given notice of intent. The Township is also looking at some other sections of DEP Freshwater and Wetlands Regulations and urging that they be strictly adhered to. Committeeman Cann said that the State should require these companies to put up hazardous indemnification performance bonds to every town for a minimum of 10 years.

Mr. Delaney referenced the Clean Air Act and asked why the Township isn't looking for other uses for the warehouses where truck traffic isn't associated with them. Mayor Cann responded that these were in business parks that were established and partially occupied by warehouses. The property and recent meeting regarding the intersection of Georgetown Road and Old York Road was discussed.

Mr. Delaney asked if Wawa received final approval. Committeeman Cann and Deputy Mayor Benowitz responded, no. He asked if the sign indicating that there is a future home of Wawa on that site

PAGE 7
REGULAR MEETING
JANUARY 25, 2016

is permitted. Attorney Fahey responded that there is a pending application, matter has been under appeal, and they have the right to post a sign as the owner of the land.

Mr. Delaney asked who was the Township's previous Certified Recycling Professional. (This person has not changed.)

In regard to the chicken ordinance, Mr. Delaney expressed concern about the electric going to the coops, the size of the property, and inspections.

Mr. Delaney said the Public Works Department did a great job plowing snow during the storm. He asked if in the future, the Township consider letting the Department go home early prior to the storm.

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:

POLICE CHIEF NUCERA: Police Chief Nucera announced that the 2016 Budget Worksheets went out to the Department Heads, and should be returned to CFO Kocian by Friday, February 12, 2016. A budget meeting will tentatively be held on Saturday, February 27, 2016 at 10:00 a.m.

Pyrotechnics said the rain date of July 3, 2016 for the July 4 fireworks is no good; they are booked solid. Police Chief Nucera suggested the following Friday, July 8, and will check with Bordentown Traditions.

At this time, Deputy Mayor Benowitz 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 Cann.

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 9:25 p.m.

JILL POPKO, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK