

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
APRIL 18, 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 Richard Carson  
Committeeman Eric Holliday  
Township Clerk Colleen Eckert  
Attorney Eileen Fahey  
Chief Financial Officer David Kocian  
Public Works Director Dean Buhner  
Chief of Police Frank M. Nucera, Jr.

ABSENT: Committeeman James Cann (Tele-conferenced from 8:30 pm to 9:05 pm)

Mayor Popko 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 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:

1. Environmental Litigation Matters: Transco Compressor Station  
Waste Management Landfill  
Elcon Hazardous Waste Facility  
SRL Pipeline  
Penn East
2. Litigation/Negotiation/Attorney-Client Privilege re: Potential Claims.

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; seconded by Committeeman Holliday.

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

NAY: None

ABSENT: Committeeman Cann

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:04 pm and reconvened the regular meeting at 7:35 pm.

**Presentation of Certificates of Appreciation for Volunteers of the Haunted Hayride Event.**

Mayor Popko thanked everyone for their volunteer service over the past 6 years, and then presented a certificate to each individual.

**Presentation by Ed Fox, Burlington County Bridge Commission, regarding Burlington County's River Route Strategic Plan.**

Mark Remsa, Director and Ed Fox of the Burlington County Bridge Commission gave the presentation on the regional planning effort along the Delaware River that has been going on since 1995. The River Line and funding were also discussed.

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 the regular meeting; seconded by Committeeman Holliday.

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

NAY: None

ABSENT: Committeeman Cann

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 8:25 pm and reconvened the regular meeting at 8:30 pm.

At this time, Deputy Mayor Benowitz made a motion to reopen the meeting; seconded by Committeeman Holliday.

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

NAY: None

ABSENT: Committeeman Cann

8:30 pm ó At this time, Committeeman Cann was teleconferenced into meeting.

**ADMINISTRATIVE REVIEW**

Township Clerk Eckert announced that the Southern Gateway Redevelopment Plan Ordinance had been referred to the Planning Board for their review and recommendations. They made minor changes to the ordinance, and the revised ordinance and the Planning Board Resolution which approved the changes were given to the Township Committee Members.

**CONSENT AGENDA**

**Resolution #2016-109-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.**

**Resolution #2016-109-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.**

**Resolution #2016-109-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.**

**Resolution #2016-109-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2016-109-13 entitled RELEASE OF PERFORMANCE GUARANTEE FOR RIVERGATE URBAN RENEWAL COMPANY, LLC, (BORDENTOWN WATERFRONT, PHASE 1A), BURLINGTON STREET, BLOCK 140, LOT 5.01.**

**Resolution #2016-109-14 entitled A RESOLUTION AUTHORIZING THE PREPARATION OF ESTIMATED TAX BILLS FOR THE YEAR OF 2016.**

**Resolution #2016-109-15 entitled APPROVING RAFFLE LICENSE #RL:427.**

**Resolution #2016-109-16 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO NJ, LLC, T/A CHICKIE'S AND PETE'S.**

**Resolution #2016-109-17 entitled RESOLUTION ACCEPTING PROPOSAL FROM BLACK LAGOON FOR POND MANAGEMENT PROGRAM LOCATED AT NORTHERN COMMUNITY PARK.**

**Resolution #2016-109-18 entitled AMENDING RESOLUTION #2011-255-10 ENTITLED ESTABLISHING LICENSE AND PERMIT FEES FOR THE TOWNSHIP OF BORDENTOWN.**

**Resolution #2016-109-19 entitled AUTHORIZING THE SUBMISSION OF RECYCLING TONNAGE GRANT APPLICATION FOR THE YEAR 2015.**

Township Committee review and discussion of Consent Agenda Items Resolutions #2016-109-9 through #2016-109-19. Deputy Mayor Benowitz commented/asked questions on the Consent Agenda.

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

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

NAY: None

WALT KOSUL, 539 Route 206: Mr. Kosul asked for an explanation of Resolution #2016-109-13. Attorney Fahey responded. (indiscernible)

LEN de Groot, 8 Arlington Road: Attorney Fahey responded to Mr. de Groot's question regarding Resolution #2016-109-13, and said this is just a reduction and part of the performance guarantee for those improvements that have been installed.

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

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 Carson.

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

NAY: None

**Consideration of Adoption of Ordinance #2016-4 entitled AN ORDINANCE GRANTING A FIVE (5) YEAR TAX EXEMPTION AND ABATEMENT OF LOCAL REAL PROPERTY TAXES TO EXETER 301 BORDENTOWN-HEDDING, LLC, FOR PROPERTY LOCATED AT 301 BORDENTOWN-HEDDING ROAD IN THE CENTRAL CROSSINGS BUSINESS PARK AND IDENTIFIED AS BLOCK 137.01, LOT 3.01, ON THE TAX MAP OF THE TOWNSHIP OF BORDENTOWN.**

ATTORNEY FAHEY: Attorney Fahey stated that Exeter 301 Bordentown-Hedding, LLC have not yet submitted the additional information requested by the Committee, and recommended tabling the ordinance until the next meeting.

At this time, Deputy Mayor Benowitz made a motion to table Consideration of Adoption of Ordinance #2016-4 to the May 9, 2016 Township Committee Meeting; seconded by Committeeman Carson.

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

NAY: None

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**Public Hearing on Ordinance #2016-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP AND APPROPRIATING \$5,400,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$5,130,000, PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.**

At this time, Deputy Mayor Benowitz made a motion to open the public hearing on Ordinance #2016-6; seconded by Committeeman Holliday.

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

NAY: None

Seeing no public comment, Deputy Mayor Benowitz made a motion to close the public hearing on Ordinance #2016-6; seconded by Committeeman Holliday.

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

NAY: None

**Consideration of Adoption of Ordinance #2016-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP AND APPROPRIATING \$5,400,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$5,130,000, PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.**

At this time, Deputy Mayor Benowitz made a motion to adopt Ordinance #2016-6; seconded by Committeeman Holliday.

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

NAY: None

**Public Hearing on Ordinance #2016-7 entitled AN ORDINANCE AMENDING THE SOUTHERN GATEWAY REDEVELOPMENT ZONE.**

At this time, Deputy Mayor Benowitz made a motion to open the public hearing on Ordinance #2016-7; seconded by Committeeman Holliday.

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

NAY: None

Seeing no public comment, Deputy Mayor Benowitz made a motion to close the public hearing on Ordinance #2016-7; seconded by Committeeman Holliday.

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

NAY: None

**Consideration of Adoption of Ordinance #2016-7 entitled AN ORDINANCE AMENDING THE SOUTHERN GATEWAY REDEVELOPMENT ZONE.**

At this time, Deputy Mayor Benowitz made a motion to adopt Ordinance #2016-7; seconded by Committeeman Holliday.

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

NAY: None

8:57 pm ó At this time, Committeeman Cann left the meeting and the teleconference ceased.

**Township Committee discussion of Safe Routes to Schools Grant.**

The Township Committee decided to further review Alt. Engineer Turek's comments and relist the discussion for the May 9, 2016 meeting.

**TOWNSHIP COMMITTEE AND STAFF REPORTS**

COMMITTEEMAN CARSON: Committeeman Carson stated that the Veterans' Advisory Committee met on April 5, 2016. They would like to participate in the parade of wreaths on May 26, 2016. The concert is scheduled for August 13, 2016 with a rain date of August 20, 2016. It will be held at Joseph Lawrence Park, and they are also looking into having a beer garden. They will be having tables at Community Day, the Bordentown City Street Fair, and the Green Fair.

In regard to School Board, recognition and presentations were made to honor five students, and the seniors will be leaving for their trip to Florida. According to the budget, there are 6-7 teachers scheduled to be laid-off. The school was rated number one in bus route utilization in the County, and seventh in the State. There was discussion about the issue of lead in the water. The Superintendent is working with the Bordentown City Water Department on the lead testing.

COMMITTEEMAN HOLLIDAY: Committeeman Holliday said he attended the Fire District #1 meeting on April 7, 2016. Steve Scholey was sworn-in as Fire Chief.

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He also attended the Fire District #2 meeting on April 11, 2016 where a vote was taken to pass a resolution opposing the Pipeline and Compressor Station.

In regard to the Office of Emergency Management, OEM Director Andy Law and P.W. Director Buhner completed the project worksheet submitted to FEMA for the snowstorm that occurred on January 23-24, 2016. A check for \$50, 871.56 is expected.

Committeeman Holliday cited some recent police activities.

**DEPUTY MAYOR BENOWITZ:** Deputy Mayor Benowitz attended the Economic Development Advisory Committee meeting on April 12, 2016.

He gave a brief summary of what happened at the recent Planning Board meeting.

On April 18, 2016, Deputy Mayor Benowitz attended the Senior Social Meeting.

Deputy Mayor Benowitz met with Construction Official Joe LaRocca and Community Development Director Brian Johnson. He gave an update on some redevelopment applications.

He attended the Sewer Authority Meeting and gave a summary of what was discussed.

**MAYOR POPKO:** Mayor Popko said the Green Team has been working on the Green Fair which is scheduled for April 30, 2016 at Joseph Lawrence Park.

Drug take-back is being held at Town Hall on April 30, 2016 from 10-2:00 pm.

May 7, 2016 is Shredder Day.

Mayor Popko attended a Clean Community Seminar with P.W. Director Buhner at Burlington County. She discussed various changes in recycling that will be placed on the Township's website.

A forum regarding the current environmental projects is being planned for the second week in May at the Senior Community Center.

She spoke to Police Chief Nucera about getting officers to the early grades in high school to talk about the abuse of alcohol and drugs. Police Chief Nucera said it is called LEAD, Law Enforcement Against Drugs. Sergeant Crowell attended the necessary training so he is now certified. The Middle School has agreed to allot time for the program. Mayor Popko asked if the VMS sign could be displayed occasionally reminding everyone not to drink and drive.

Mayor Popko met with Congressman MacArthur and Assemblyman Herb Conaway this past week. She went to a Women's Legislative Coalition Session and made contact with State Senator Bonnie Watson-Coleman. She is trying to get them to help stop the Compressor Station and Pipeline.

Mayor Popko asked about the cat licenses and whether or not it was worth having them in the Township. After discussion among the Committee, it was decided that Township Clerk Eckert will report at the next meeting how many licenses are issued and how much is spent on purchasing the supplies.

Preparation of the Community Garden will be held this weekend.

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

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

NAY: None

ABSENT: Committeeman Cann

**DIANE HEINZ, 3 Hattaras Court:** Ms. Heinz was following up on the list of fire lanes. Police Chief Nucera said that Lt. Mount evaluated the existing fire lanes and has prepared a list of additional

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ones that have to be designated. The Williamsburg Village HOA will pay their part for the restriping as part of the Township's contract with the paint striping company.

Ms. Heinz said that the Township was going to follow-up on the hydrant flushing. Police Chief Nucera responded that he spoke with Mayor Malone and provided him with the NFPA standards and requirements. Mayor Malone indicated that he will speak with John Walls from the Water Department and get a schedule of hydrant flushing throughout the Township. He will provide Chief Nucera a copy once it is prepared.

WALT KOSUL, 539 Route 206: Mr. Kosul inquired about the progress of the ADHOC sub-committee for the new municipal complex. Committeeman Holliday said they have not met yet and a briefing would be ready mid-summer.

Mr. Kosul asked if there will be a presentation on the budget at the May 9, 2016 meeting. Mayor Popko responded, yes, and there is a copy of it on-line.

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

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

NAY: None

ABSENT: Committeeman Cann

**ADDITIONAL MATTERS:**

POLICE CHIEF NUCERA: A Lunch and Learn for the JIF in conjunction with the annual picnic will be held on Friday, April 29, 2016 at 11:30 am.

The National Guard will be performing the military concert at the High School on Sunday, July 3, 2016 at 7:00-9:00 pm. Fireworks will be on Friday, July 1, 2016. The Fishing Derby will be held on Monday, July 4, 2016.

On April 7, 2016, Police Chief Nucera attended a training session with the JIF where the Township was awarded a safety incentive program participation. The Township also received special recognition of an outstanding safety record for the annual hayride where more than 15,000 people have participated since 2010 without an incident.

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 Holliday.

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

NAY: None

ABSENT: Committeeman Cann



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The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:50 p.m.

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JILL POPKO, MAYOR

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COLLEEN M. ECKERT, TOWNSHIP CLERK