

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JUNE 13, 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: None

Mayor Popko called the meeting to order at approximately 7:03 p.m. and led a salute to the flag and a moment of silence dedicated to the shooting victims in Orlando, Florida and Judge Joseph Montalto's mother who recently passed away.

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: Environmental Litigation Matters: Transco Compressor Station, Waste Management Landfill, Elcon Hazardous Waste Facility, SRL Pipeline, Penn East; Borden's Crossing Litigation (PULLED); Central Crossing Business Park, Phase 2 (Potential Litigation); Construction Department Personnel Matter; Police Department Personnel Matter; Open Space Contract Negotiations; K. Johnson Urban Renewal Tax Appeal and Financial Agreement Litigation; Legislation Posting Policy and Procedures.

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 Carson.

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

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:06 pm and reconvened the regular meeting at 7:50 pm.

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced that the bill list was amended twice, and outlined what the amendments were. There is an addendum to Consent Agenda adding Resolutions #2016-165-23A. As a result of Closed Session, Resolutions #2016-165-23B and #2016-165-23C are being added.

MAYOR POPKO: Mayor Popko made an announcement on how the Agenda was being presented. It is Attorney Fahey's recommendation to continue to post the Agenda along with copies of the drafted legislation. In the future, there will be a notice on the Agenda stating that the Agenda items are a draft and subject to change. Mayor Popko said she was happy with this determination and as much transparency as the Township can provide is a public service.

CONSENT AGENDA

Resolution #2016-165-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2016-165-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND CORRESPONDENCE.

Resolution #2016-165-9 entitled A RESOLUTION IN SUPPORT OF SENATE BILL S-2254 AND ASSEMBLY BILL A-3821 WHICH AFFIRMS THE LEGISLATIVE INTENT OF THE FAIR HOUSING ACT.

Resolution #216-165-10 entitled AMEND PUBLIC WORKS EXPANSION – PROJECT 2, 266 CROSSWICKS ROAD WITH JOSEPH PORRETTA BUILDERS, INC. – CHANGE ORDER NO. 5.

Resolution #216-165-11 entitled AMEND PUBLIC WORKS EXPANSION – PROJECT 3, 262 CROSSWICKS ROAD WITH JOSEPH PORRETTA BUILDINGS, INC. – CHANGE ORDERS NO. 2 AND 3.

Resolution #2016-165-12 entitled RESOLUTION TO CREATE TECHNICAL REVIEW COMMITTEE FOR REDEVELOPMENT APPLICATIONS.

Resolution #2016-165-13 entitled RESOLUTION TO SUPPORT THE “NO PASSING ZONE” ON RISING SUN ROAD (VICINITY OF I-295 AND US 206).

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Resolution #2016-165-14 entitled RESOLUTION APPOINTING MEMBERS TO THE RIVER ROUTE CORRIDOR'S REGIONAL STRATEGIC REVITALIZATION PLAN.

Resolution #2016-165-15 entitled RESOLUTION AUTHORIZING A REFUND OF A CONSTRUCTION PERMIT FEE TO VIVINT SOLAR DEVELOPER, LLC, FOR PROJECT LOCATED AT 831 ROUTE 206.

Resolution #2016-165-16 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO NJ, LLC T/A CHICKIE'S AND PETE'S.

Resolution #2016-165-17 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO NJ, LLC T/A CHICKIE'S AND PETE'S.

Resolution #2016-165-18 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO THE FOUNDATION FOR BORDENTOWN TRADITIONS.

Resolution #2016-165-19 entitled APPOINTING MEMBER TO THE VETERANS ADVISORY COMMITTEE.

Resolution #2016-165-20 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES.

Resolution #2016-165-21 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSES WITH SPECIAL CONDITIONS.

Resolution #2016-165-22 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY DISTRIBUTION LICENSE.

Resolution #2016-165-23 entitled RENEWING ALCOHOLIC BEVERAGE CLUB LICENSE.

Resolution #2016-165-23A entitled RESOLUTION TO APPOINT SEASONAL LABORER EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS.

Resolution #2016-165-23B entitled RESOLUTION TO APPOINT PART-TIME BUILDING INSPECTOR FOR THE BORDENTOWN TOWNSHIP CONSTRUCTION OFFICE.

Resolution #2016-165-23C entitled RESOLUTION TO APPOINT MARLENE LYSCZACK AS PART-TIME KEYBOARD CLERK 1 IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT.

Township Committee review and discussion of Consent Agenda Items Resolutions #2016-165-7 through #2016-165-23C. Committeeman Cann, Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, and Mayor Popko commented/asked questions on the Consent Agenda.

Resolutions #2016-165-10 and #2016-165-11. There was discussion regarding the change orders. By law, a change order cannot exceed 20% of the original contract amount.

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Resolution #2016-165-14. Deputy Mayor Benowitz noted there was a conflict with the Township Committee meeting and the River Route corridor's Regional Strategic Revitalization Plan meeting to be held on June 27, 2016. Township Clerk Eckert will notify Ed Fox that this is a conflict and report back to Committeeman Cann and Deputy Mayor Benowitz.

At this time, Committeeman Cann made a motion to open to the public the consent agenda items; 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's question was indiscernible. Committeeman Cann responded that the Township Committee acts as the Redevelopment Committee. The applicant will come in and give the Township Committee an overview, and then it is generally passed on to the Planning Board for its technical review. In order for the Redevelopment Committee to have a more complete understanding of what they are asking for, the technical review committee will meet first so that the Redevelopment Committee has a little more technical information and a better understanding of what exactly the project is. Mayor Popko added that it will streamline the process.

Mr. Morginstin inquired about Resolution #2016-165-14. Committeeman Cann explained it is Burlington County's vitalization plan.

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

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

NAY: None

At this time, Committeeman Carson 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 #2016-8 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, Deputy Mayor Benowitz made a motion to introduce Ordinance #2016-8: seconded by Committeeman Holliday.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be June 27th.

MAYOR POPKO: Mayor Popko asked that the salary range for Township Clerk and Director of Public Works reduce. It is currently too wide. Police Chief Nucera said the ordinance can be amended next year.

Consideration of Introduction of Ordinance #2016-9 entitled AN ORDINANCE OF BORDENTOWN TOWNSHIP AMENDING TITLE SIX OF THE TOWNSHIP CODE REGULATING THE SALES OF DOGS AND CATS BY PET SHOPS.

At this time, Committeeman Cann made a motion to introduce Ordinance #2016-9: seconded by Committeeman Carson.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be June 27th.

Township Committee discussion of Advertisement of Community Events.

Mayor Popko requested that money be used to advertise the community events. Police Chief Nucera said they would look into getting an ad ready advertising in all four papers: Trenton Times, Burlington County Times, the Current, and the People Papers, being cognizant of the money spent. He also said that information on the N.J. National Guard Concert was sent to Chesterfield, Hamilton, Florence, Mansfield, Bordentown City, and asked them to put it on their websites and inform their residents. Mayor Popko would like to see as many people as possible attending the events.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CANN: Committeeman Cann stated that Kevin Johnson's tree obligation has been substantially fulfilled, with plantings throughout the Township.

The construction at the new and old Public Works buildings is progressing, with concern over the headway on the buildings for the recycling center. This should have been done first. P.W. Director Buhner stated that they will be going single-stream at the drop-off very shortly.

COMMITTEEMAN CARSON: Committeeman Carson gave an update on what was discussed at the School Board meeting.

The Veterans' Advisory Committee is working on the fundraising concert. The Elks may be sponsoring it; however, they are concerned about the liability of the event. There is no rain date for this event. Bordentown City is also hosting their wine and beer tasting on the same day.

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A name was submitted to the Veteranø Advisory Committee for the Hometown Hero Award. Committeeman Carson asked several questions regarding the requirements for this Award. Mayor Popko responded that in years past the Veteranø Committee has been asked for a suggestion, but never submitted any names. Committeeman Cann said there have never been any standards set, but there should be a minimum of requirement of living in Bordentown and served in combat. Mayor Popko added it should be a Veteran who has recently returned home. Committeeman Cann said that the Tax Collector has a list of Veterans who are 100% disabled.

COMMITTEEMAN HOLLIDAY: Committeeman Holliday suggested adding a link Townshipø website in the newspaper advertisement of the events and also on the Townshipø Facebook page.

He and Deputy Mayor Benowitz attended the Fire District #1 meeting at Mission Firehouse and gave a summary of what was discussed. Both fire districts are working with Police Chief Nucera regarding the 4th of July events. Building construction continues with a partial opening of the firehouse expected in August and a full opening in October/November.

He also stated what was discussed at the Fire District #2 meeting.

Committeeman Holliday cited some recent police activities. The Torch Run for Special Olympics was held on June 10, 2016. Sergeant Matt Crowell, high school response officer, was praised in an article in the Current. A high school student received a full college scholarship from the Give Something Back Foundation. The student gave credit to Sergeant Crowell for being an inspiration and good role model to her as she pursues a possible career in law enforcement.

The Annual National Night Out will be held on August 2, 2016 at Joseph Lawrence Park.

DEPUTY MAYOR BENOWITZ: On June 6, 2016, he attended the Senior Meeting.

Mayor Popko and he attended The Bordenø Crossing HOA meeting. Discussed was the punchlist and pending litigation. A decision was made several days later.

On June 1, 2016, Committeeman Cann and he attended an Affordable Housing Development meeting regarding the Nissim Property.

He attended a Planning Board Redevelopment Subcommittee meeting regarding the Waterfront Phase II application. They will go before the Planning Board of July 14, 2016.

At the last Township Committee meeting, he reported that the Sewerage Authority would be having a 10% increase over the next four years. After conversations, including with Rick Eustace, the increases every year will be reviewed and adjusted accordingly.

There is a concern with the water pressure throughout the Township. After speaking to the appropriate people and Bordentown Cityø mayor, the lower pressure was due to the time of year (filling pools, etc.)

In regard to the grass replacement for the Arlington Road drainage project, Gowerø Landscaping will be conducting the remediation.

The Pep Boys and Dollar General will begin construction soon, with completion anticipated by the end of the year.

Code Enforcement continues with responses to complaints.

On June 11, 2016, he worked at the Quartermania Fundraiser, Danielø Fight, for Daniel Applegate. They raised \$7,400, not including the quarters. Kim Wolverton and Barbara Mathews organized the event, and there were many donations.

Flushing of the hydrants will begin June 15, 2016. Once Police Chief Nucera receives the schedule, it will be posted on the Townshipø website.

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MAYOR POPKO: Mayor Popko said she has been working with the Veterans Advisory Committee on the upcoming fundraiser concert for the memorial.

In regard to the Environmental Commission and Green Team, the Community Garden was opened. They are working with the Girl Scouts on this. On June 21, 2016, awards will be distributed for the Bordentown Township ó Nature is all around us poster contest.

Mayor Popko and Police Chief Nucera met with the Williamsburg Village HOA to discuss the fire lanes and the snow plowing.

She met with Committeeman Cann regarding the Affordable Housing issues. A resolution regarding legislation about Affordable Housing was adopted tonight.

Mayor Popko said she has been meeting with the environmental groups in Pennsylvania regarding ELCON. She will be having a planning meeting on how people can get involved.

She will be attending graduations this week.

The Quartermania Fundraiser, Danielø Fight, for Daniel Applegate was a beautiful event, and Mayor Popko said that it shows how Bordentown can make positive things happen if they want to. The Group, Bordentown Friends, donated several baskets and helped out.

Mayor Popko announced that one family made a donation for two plots at the Community Garden.

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

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

NAY: None

SID MORGINSTIN, 849 East Drive: Mr. Morginstin asked what was happening in the back of the Shop-Rite parking lot. Committeeman Cann said that it is being redeveloped by Shop-Rite who purchased the location and will be expanding the existing site.

Mr. Morginstin also asked about the Team 85 site. Committeeman Cann responded there is only one empty building. St. Francis and PACE have occupied the other buildings.

Mr. Morginstin said the police did a good job watching his home while he was on vacation.

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz thanked Police Chief Nucera and Mayor Popko for attending their HOA meeting and giving updates on the line striping and the fire hydrant flushing.

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

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

NAY: None

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ADDITIONAL MATTERS:

POLICE CHIEF NUCERA: Police Chief Nucera announced that on June 9, 2016, Alt. Engineer Fred Turek and he attended a meeting at FEMA regarding the Orchard Avenue project. After reviewing the information, FEMA said a letter would be sent to the Township Committee on Wednesday, June 15, 2016 indicating that the project has been approved. It is for approximately \$1 million in repairs to that area.

Burlington County has started on the Route 528 pedestrian crossing for the bike path (near Charles Bossert Drive). Tomorrow, the roadway will partially be closed. Once he receives a near-completion date, he will reach out to Public Service.

On June 7, 2016, Fire Chief Steve Scholey and he drove through the entire Township identifying all the fire lanes that need to be addressed. A description will be created to attach to the ordinance, which should be introduced by the end of August.

Police Chief Nucera announced that he received an email from the White House indicating that he's been invited to attend a seminar on 21st century policing. He has been advised that he's the only one in Burlington County that has received it.

COMMITTEEMAN CANN: In regard to the Orchard Avenue project, Committeeman Cann said that even though there has been criticism for the \$57,000 spent to do a hydraulic study, "sometimes you have to spend money to get some money". The study was used in every step to get the money. He commended the efforts of Alt. Engineer Fred Turek and OEM Director Any Law. Mayor Popko also gave kudos to Committeeman Cann.

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 Carson.

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 9:30 p.m.

JILL POPKO, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK