

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

ABSENT: None

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 October 3, 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.

Township Clerk Eckert announced that there is a revised Closed Session Agenda. At this time, Committeeman 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:

- Attorney-Client Communications – 2016 Payroll
- Environmental Litigation Matters: Transco Compressor Station; SRL Pipeline
- Public Works Expansion Contract Matters: Outbuildings and Emergency Generator
- Request for Proposals – Farmland Contract Matter
- Professional Services Contract Matter – Master Plan Re-Examination
- Attorney-Client Communications--Land Use Ordinance
- Municipal Building Potential Contract Matter
- Attorney-Client Privilege and Negotiation—K. Johnson Property

PAGE 2
REGULAR MEETING
OCTOBER 18, 2016

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby recess this Regular Meeting for purpose of discussing: Contract Negotiations—Personal and Litigation Matters, discussed to be released upon formal action by the Township Committee.

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.

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 7:07 pm and reconvened the regular meeting at 7:45 pm.

Township Committee discussion with Township Auditor, Michael Cragin, regarding 2016 Payroll. (PULLED)

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that discussion with Township Auditor, Michael Cragin, regarding 2016 Payroll has been pulled from the Regular Agenda and placed as a Closed Session discussion. A revised bill list was provided. As a result of Closed Session, Resolutions #2016-292-13A and #2016-292-13B are being added.

CONSENT AGENDA

Resolution #216-292-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2016-292-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2016-292-9 entitled RESOLUTION AMENDING THE APPOINTMENTS OF CERTAIN MEMBERS OF THE VETERANS ADVISORY COMMITTEE.

Resolution #2016-292-10 entitled RESOLUTION APPOINTING MEMBER TO THE ECONOMIC DEVELOPMENT ADVISORY COMMITTEE.

Resolution #2016-292-11 entitled RESOLUTION TO APPOINT PART-TIME ANIMAL CONTROL OFFICER.

Resolution #2016-292-12 entitled APPROVING RAFFLE LICENSE #RL:440.

Resolution #2016-292-13 entitled RESOLUTION TO ACCEPT A PROPOSAL FROM ARMANDO RICCIO AS SPECIAL LABOR COUNSEL FOR POLICE CONTRACT NEGOTIATIONS.

Resolution #2016-292-13A entitled RESOLUTION TO AWARD A CONTRACT TO LANCE ELECTRIC, INC., FOR THE PUBLIC WORKS EXPANSION PROJECT – OUTBUILDINGS AND EMERGENCY GENERATOR.

Resolution #2016-292-13B entitled RESOLUTION REQUESTING ASSISTANCE FROM THE BURLINGTON COUNTY BRIDGE COMMISSION PROFESSIONALS FOR THE RE-EXAMINATION OF THE BORDENTOWN TOWNSHIP'S MASTER PLAN.

Township Committee review and discussion of Consent Agenda Items Resolutions #2016-292-7 through #2016-292-13B. Committeeman Cann, Committeeman Holliday, Deputy Mayor Benowitz, and Mayor Popko 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; seconded by Committeeman Holliday.

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

NAY: None

Seeing no 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, Deputy Mayor Benowitz made a motion to adopt the consent agenda with amendments; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Carson with abstention to Resolution #2016-292-8, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

Public Hearing on Ordinance #2016-11 entitled AN ORDINANCE TO AMEND ORDINANCE #2016-8 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

At this time, Committeeman Carson made a motion to open the public hearing on Ordinance #2016-11; seconded by Committeeman Cann.

PAGE 4
REGULAR MEETING
OCTOBER 18, 2016

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 #2016-11; seconded by Committeeman Carson.

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

NAY: None

Consideration of Adoption of Ordinance #2016-11 entitled AN ORDINANCE TO AMEND ORDINANCE #2016-8 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

At this time, Deputy Mayor Benowitz made a motion to adopt Ordinance #2016-11; seconded by Committeeman Holliday.

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

NAY: None

Public Hearing on Ordinance #2016-12 entitled AN ORDINANCE AMENDING THE SOUTHERN GATEWAY REDEVELOPMENT AREA.

At this time, Deputy Mayor Benowitz made a motion to open the public hearing on Ordinance #2016-12; seconded by Committeeman Holliday.

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

NAY: None

SID MORGINSTIN, 849 East Drive: Mr. Morginstin asked when the Southern Gateway Redevelopment Area would be finished. Committeeman Cann responded that there are no pending applications right now.

Seeing no further public comment, Deputy Mayor Benowitz made a motion to close the public hearing on Ordinance #2016-12; seconded by Committeeman Cann.

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

NAY: None

Consideration of Adoption of Ordinance #2016-12 entitled AN ORDINANCE AMENDING THE SOUTHERN GATEWAY REDEVELOPMENT AREA.

At this time, Deputy Mayor Benowitz made a motion to adopt Ordinance #2016-12; seconded by Committeeman Holliday.

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

NAY: None

Consideration of Introduction of Ordinance #2016-13 entitled AN ORDINANCE GRANTING PUBLIC SERVICE ELECTRIC & GAS A BLANKET UTILITY EASEMENT ON BLOCK 92, LOT 9.03.

At this time, Deputy Mayor Benowitz made a motion to introduce Ordinance #2016-13; 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 November 1st.

Township Committee discussion of the Burlington County Municipal Park Development Program Grant.

The Township Committee discussed the list of possible projects provided by Alt. Engineer Fred Turek. Deadline for the application is December 2, 2016. After discussion, the Township Committee decided they would find out the costs and apply for grant funding for the soccer fields at the former Dix Drive-in site and the Veteran's Memorial.

Township Committee discussion of Best Practices Worksheet CY 2016 / SFY 2017.

The Township Committee reviewed and discussed the (completed) Best Practices Worksheet.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CANN: Committeeman Cann said there was an ADHOC Affordable Housing Committee meeting held on October 13, 2016. He gave a summary of what was discussed.

On October 12, 2016 the ADHOC Municipal Building Committee also met. It was determined that a new building makes more sense, although the cost difference is about \$500,000 less. There would be a positive exchange for the land value. The Township could go out to bond or apply to the Department of Agriculture Farmland Loan Program. It will take approximately 3-5 years before the project begins and, in the meantime, it was discussed that the current municipal building will be needing upgrades to be recommended by Ragan Engineering.

PAGE 6
REGULAR MEETING
OCTOBER 18, 2016

He gave an update on activities and progress at the Public Works Department. The Haunted Hayride is scheduled for October 28, 2016 at 6:00 p.m. P.W. Director Buhner stated that Police Chief Nucera and he met with the contractor regarding the Arlington Road Drainage Project—Nut Grass removal. The old poles at Joseph Lawrence Park were removed.

COMMITTEEMAN CARSON: Committeeman Carson said there is a meeting this week regarding the Veteran's Day Ceremony to review the finalized script. There is discussion about using the older Cub Scouts for escorts for the wreaths. Getting the kids involved was well received.

COMMITTEEMAN HOLLIDAY: Committeeman Holliday said that Office of Emergency Manager (OEM) Andy Law has completed the installation of the transfer switch in the Community Center. It is now operational for emergency generator power. The OEM Operation Center at Public Works has a cable and phone/land line hooked up.

On October 17, 2016, FEMA Environmental has completed its final review of the Orchard and Glen Culvert, and we are awaiting their final assessment. A request for an extension of time was granted to December 31, 2017. OEM Andy Law submitted a preliminary application for an Emergency Management Assistant Grant—it will supplement the salary for essential projects.

A grant application was submitted for an additional emergency generator for the Township.

There will be a 24/7 prescription drug drop box in the lobby at the Township building. Sgt. Crowell has been teaching the LEAG Course (Law Enforcement Against Drugs) to the 6th graders.

He cited some recent Police activities.

Committeeman Holliday gave an update on Fire District #1 Mission Fire Company. The building renovations should be completed in November. There was no impact with the ISO rating at Fire District #1.

The new fire truck has been delivered to Derby Fire District #2.

In regard to the ISO insurance rating, the original person who did the ISO rating never went into the firehouse and that person is no longer with the company. The second person never entered the firehouse, as well. The third person finally corrected the inaccuracies. Committeeman Holliday hopes that the rating comes out in the next quarter, but needs to confirm this with the fire chief.

The fire hydrants and water pressure were also addressed.

DEPUTY MAYOR BENOWITZ: Deputy Mayor Benowitz attended the Sr. Citizens' Business and Social Meetings on October 16 and 17, 2016. He recommended they attend the N.J. DEP Wetlands hearings on the Compressor Station and Pipeline applications.

He attended the October 10, 2016 Economic Development Advisory Committee Meeting. The business luncheon was discussed and membership in the committee and continued marketing of the Township.

He participated in the Shredder Day Event.

He attended the October 13, 2016 Planning Board Meeting.

Also on October 13, 2016, he represented Bordentown Township at the Northern Burlington County Regional Chamber of Commerce Expo.

On October 20, 2016, he will be attending the River Route Strategic Plan Update Steering Committee.

Deputy Mayor Benowitz said he continues meeting with Zoning Officer Fred Turek and UCC Official Joe LaRocca. He gave a summary of the current projects. Code Enforcement continues, including property maintenance and violations with reference to vacant properties.

PAGE 7
REGULAR MEETING
OCTOBER 18, 2016

He attended the October 17, 2016 Sewer Authority meeting. The 2016 budget was passed. He summarized what was discussed at the meeting.

MAYOR POPKO: The Environmental Commission meeting is scheduled for tomorrow. They received their Bronze certification again this year. The Township Committee authorized paying for Roger Plew, the Environmental Commission Chairman, to attend the award luncheon with Mayor Popko. The Community Garden was closed. There was an open house for new members, and 2 new members and a student representative from the high school were appointed. The Community Garden generated 600-700 lbs. of organic produce. Over the past 3 years, 2400 lbs. was donated to the local food pantries.

She attended a ribbon cutting with Police Chief Nucera at Petro.

The N.J. DOT contacted her regarding releasing funds for the repaving of Dunns Mill Road.

Mayor Popko attended the Transco Pipeline/Compressor Station hearings. She made a statement about the newspaper article regarding her removal from the hearing, and said she received several telephone calls from the N.J. DEP apologizing to her for their being overly protective of the hearing. She thanked the People Over Pipelines, Rethink Energy, Food and Water Watch, the Sierra Club, and Environment New Jersey. There are 2 more meetings scheduled, October 19 and 20, 2016, and encouraged everyone to attend.

The 24/7 prescription drug drop box will be in the lobby at the Township building. It was initiated by the Environmental Commission jointly with the Police Department.

Mayor Popko has met with the residents of Arlington Road regarding the Nut Grass removal project.

PUBLIC PARTICIPATION: At this time, Deputy Mayor Benowitz 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 is happening on the property where the Saturn was. Committeeman Cann responded that there is no application currently pending, but there was discussion about an application from Wawa, that was withdrawn, coming back in before the end of the year or beginning of next year.

Mr. Morginstin also asked if the Sr. Community Center would also be replaced if a new municipal building is erected. Committeeman Cann responded, yes.

He asked if the fire districts would ever merge. Deputy Mayor Benowitz responded that he didn't think there have been any discussions since 2014.

Deputy Mayor Benowitz responded to his question that East Drive would be repaved in 2017. He also asked if East Drive would receive storm drains. Committeeman Cann stated that there was a hydrologic study performed in the whole area to get FEMA involved. After the repair of the Orchard and Glen culvert, then the next step would be the area across route 206. The Township will try to pursue Federal Grant money for this.

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz said she saw a water truck near a hydrant in Williamsburg Village. The man said it was being repaired, but not today.

PAGE 8
REGULAR MEETING
OCTOBER 18, 2016

In regard to the striping in Williamsburg Village, Ms. Heinz said the police have been ticketing vehicles parked on the lines, but the residents don't care.

Police Chief Nucera said that once Fire Chief Scholey finishes up taking measurements in Village Grande at Crystal Lake, an ordinance can be create. This new ordinance will be modified into an ordinance where the police can enforce the fire zones.

LEN de GROOT, Arlington Road: Mr. de Groot thanked the Township Committee for the work done to fight the Pipeline.

In regard to the nut grass, he said Arlington Road is looking much better.

Mr. de Groot explained the reason for the low ISO rating and what the Fire District has been doing to rectify the situation. He also addressed why the water pressure is low.

SAL SCHIANO, Commissioner, Fire District #2: Mr. Schiano gave a history of what happened to reduce the ISO rating, and what actions Fire District #2 Derby Firehouse is making to rectify the situation. They have an informational letter posted on their website, and the residents are still being told to contact Derby Firehouse for a letter that they should send to their insurance companies.

In regard to merging the Fire Districts, Mr. Schiano said that he was in favor of this until District #1 took out a large loan; now the residents of District #2 will also have to pay towards it. He said he would be in favor of it if the Township were to take it over as a municipal fire department.

SAL SCHIANO, 9 Farmington Court: Mr. Schiano asked who takes care of the roads in Clifton Mills. Committeeman Cann responded that it would be a large expense if the Township took over all of the private roads in the communities; and in order to accept the roads, they would have to be in acceptable condition.

LEN de GROOT, Arlington Road: Mr. de Groot added that the ISO reported that the fire department was 7 miles away (outside) from the district.

In regard to the Sewer Authority, he said they are on track expenses over revenue to lose only \$1.1 million this year. This is after a 10% increase this year.

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 said that he received notification from the health insurance provider for all the employees in the Township, that although the dental portion of the insurance increased \$2,000, the overall cost increase in health insurance is \$60.

At this time, Deputy Mayor Benowitz made the following motion:

PAGE 9
REGULAR MEETING
OCTOBER 18, 2016

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby adjourn the regular meeting to meet in closed session for the purpose of completing the discussion items as indicated in the beginning of the 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 9:38 p.m.

JILL POPKO, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK