

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
DECEMBER 5, 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
Committeeman-elect Eugene Fuzy
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 6:41 p.m. and led a salute to the flag and a moment of silence for Pop Nelson who passed away this past week.

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 November 17, 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:

--Environmental Litigation Matters: Elcon Hazardous Waste Facility
Environmental Budget
Transco Compressor Station
SRL Pipeline
NJNG

--CFO Personnel Matter.

--Police Department Personnel Matters.

--School Crossing Guard Personnel Matter.

--Barbara Woolley Dillon v. Township of Bordentown.

--Solid Waste Collection Contract Matter.

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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 6:44 pm and reconvened the regular meeting at 7:45 pm.

Presentation of Certificates of Appreciation to Boy and Girl Scouts for Participation in Veterans Day Ceremony.

At this time, certificates to the Boy and Girl Scouts for their participation in Veterans Day Ceremony were presented. Mayor Popko thanked them and then each scout was individually named and given the certificate.

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that the Township Committee was provided with an Addendum to the Agenda adding Resolution #2016-340-15A. As a result of closed Session, Resolutions #2016-340-15B and #2016-340-15C are being added to the Consent Agenda.

CONSENT AGENDA

Resolution #2016-340-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2016-340-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

Resolution #2016-340-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2016-340-11 entitled REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS.

Resolution #2016-340-12 entitled A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BORDENTOWN TOWNSHIP FIRE DISTRICTS NO. 1 AND 2 FOR CERTIFICATE OF CONFORMITY ENFORCEMENT FOR MULTIPLE DWELLINGS.

Resolution #2016-340-13 entitled AMENDING RESOLUTION #2016-109-18 ENTITLED ESTABLISHING LICENSE AND PERMIT FEES FOR THE TOWNSHIP OF BORDENTOWN.

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Resolution #2016-340-14 entitled RESOLUTION AUTHORIZING AGRICULTURAL LEASE AGREEMENT BETWEEN THE TOWNSHIP OF BORDENTOWN AND STEPHEN TURGYAN.

Resolution #2016-340-15 entitled RESOLUTION AUTHORIZING A CONTRACT WITH THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND RETROSPECTIVE PROGRAM.

Resolution #2016-340-15A entitled AUTHORIZING DECEMBER 5, 2016 BUDGET TRANSFERS.

Resolution #2016-340-15B entitled RESOLUTION TO APPOINT POLICE OFFICER.

Resolution #2016-340-15C entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) CROSSING GUARD.

Township Committee review and discussion of Consent Agenda Items Resolutions #2016-340-8 through #2016-340-15C. Committeeman Cann, Committeeman Holliday, Deputy Mayor Benowitz, and Mayor Popko commented/asked questions on the Consent Agenda.

Resolution #2016-340-8. Mayor Popko asked that payment to JRS Strategies for website management be held until after discussion in Closed Session at the end of the meeting.

Mayor Popko asked if we ever compared the price of copy paper. Police Chief Nucera said we currently do a purchasing co-op with Burlington County College.

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 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 with an amendment to the bill list to hold payments to JRS Strategies; seconded by Committeeman Carson.

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

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NAY: None

Township Committee discussion of FY2017 DOT Grant Projects.

Township Clerk Eckert stated that the application deadline is February 3, 2017. She had forwarded the grant information to Alt. Engineer Fred Turek for recommendations. Mr. Turek responded back that the Township that they should pursue the municipal aid for Dunns Mill Road, Phase II, and he is also recommending the next phase of the bikeway which is the bridge over the wetlands behind the high school. Township Clerk Eckert will advise Mr. Turek to apply for these two projects.

Township Committee discussion of Date and Time for 2017 Reorganization Meeting.

After Committee discussion, it was decided that the 2017 Reorganization Meeting will be held on Saturday, January 7, 2016 at 12:00 noon.

Township Committee discussion of UCC Permits for Township Committee Members.

Mayor Popko said she had a new heater installed at her home. Because it would be a conflict of interest, members of the Township Committee have to go to another town for a UCC inspection. She said she had to spend hundreds of dollars more than if she was able to have her new heater inspected by Bordentown Township, and felt she is being penalized for serving on the Township Committee. Her suggestion was that the towns should agree on a set fee or receive reimbursement of the difference from our Township. Attorney Fahey said there could be a cooperative with approval from the N.J. DCA. Police Chief Nucera will follow-up with Construction Official Joe LaRocca.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CANN: In regard to the Public Works Department, Committeeman Cann said the body of the animal control truck has been mounted on our truck. The small tractor that will be used in Williamsburg Village has arrived with all the attachments. Because of the rain, leaf collection is behind.

There was a meeting today regarding the Seth Hand Educational Park. QR identifier tags for the trees are being created so the schools can start using them in the park.

A technical review committee for the proposed redevelopment of the Shop-Rite will be held on December 6, 2016.

A resolution is getting closer on the affordable housing contribution from Grainger.

MAYOR POPKO: Mayor Popko asked how the new part-time Animal Control Officer was doing. Police Chief Nucera responded that she has worked with George Ondusko and P.W. Director Buhner is working out a schedule with her.

Mayor Popko suggested that Dave Dietrich, who is creating signs with the new sign machine, take some graphic arts classes at Mercer County College that the Township could pay for. The signs right now are hard to read because they include too much information.

Mayor Popko asked about the progress of the trails at Northern Community Park, and said there is only one year left on the Grant. Committeeman Cann responded that he spoke to P.W. Director Buhner who said that he expected the project to be completed by the end of the year. Mayor Popko said it needs

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to be done by the spring or the Township will lose a lot of money. Police Chief Nucera said he would speak with P.W. Director Buhner when he returns on December 12, 2016.

COMMITTEEMAN CARSON: Committeeman Carson said the Veteranø Advisory Committee is meeting on December 6, 2016.

The School Board meeting is scheduled for December 7, 2016.

MAYOR POPKO: Mayor Popko said that the school is holding a special program on December 7, 2016 about heroin and heroin in our community.

COMMITTEEMAN HOLLIDAY: Mission Firehouse District #1 is working on their 2017 budget. The building updates are nearly completed.

The meeting for Derby Fire Company District #2 is scheduled for December 12, 2016.

In regard to the Office of Emergency Management, a historic assessment of the culvert at the Glen was received. The review for FEMA was very extensive. Alt. Engineer Fred Turek has been involved with the project. The final design should be completed March 2017. An extension will be requested from the Stateø OEM to complete the project. Tentative project completion is December 2017.

He cited some recent Police activities.

MAYOR POPKO: Mayor Popko said that a resident, Ms. Diane Heinz of 3 Hattaras Court, was able to obtain a letter from the ISO about the new insurance ratings. (It has gone from a 10 to a 4.) She said that the fire department hasn't posted it on their website. Mayor Popko said she would email a copy to Committeeman Holliday. Ms. Heinz said that Fire Chief MacFarland told her that they still had some issues to clear up before posting it. Mayor Popko said that we can add it to the Township website and the residents can call if there homeownerø insurance has increased. Committeeman Holliday will follow-up.

Mayor Popko asked Committeeman Holliday if he obtained budget information from Mission Fire Company District #1 what the cost was for the renovation. She also inquired about the bond payments and what the fee schedule would be for the next 20 years.

DEPUTY MAYOR BENOWITZ: The Nissim technical review committee meeting occurred on November 22, 2016 and the Wawa project technical review committee meeting occurred on December 1, 2016. The December 6, 2016 Shop Rite meeting has been postponed. The Planning Board meeting scheduled for December 8, 2016 is also cancelled.

He attended the November 15, 2016 Economic Development Advisory Committee meeting (EDAC) meeting. He cited briefly what was discussed.

On November 21, 2016, Deputy Mayor Benowitz attended the Sr. Citizensø Social Meeting and the Business Meeting on December 5, 2016.

In regard to the Community Development Office and UCC Office, he gave an update on current projects in the Township.

Deputy Mayor Benowitz attended the Sewerage Authority meeting.

MAYOR POPKO: Mayor Popko said she did not attend the Environmental Commission Meeting because she was in Atlantic City.

While in Atlantic City, she met with the Assistant Commissioner to the DEP. She said they had a lengthy conversation on the future of pipelines and compressor stations in our State. In regard to Bordentownø current legal fight with Transco, etc., the N.J. DEP told them that they were not fully

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putting forth enough information about the pipeline, about the wetlands, and about its impact on the environment. This will help in the Township's appeal process.

Mayor Popko said she was a guest speaker at the National Guard Armory this past week to hand out Christmas Trees to veterans and members of the military who are on duty that were donated by the Department of Agriculture and the Christmas Tree Growers Association.

She recently received an award from the Sierra Club.

Mayor Popko was a guest speaker at the Emerge Meeting. Emerge is a group that encourages women to get involved and run for office.

The Christmas Tree Lighting was held on Saturday, December 3, 2016 and was a wonderful event. She thanked Angel Sauro who did a fantastic job putting this event together. It was beautiful and well attended.

EUGENE FUZY, 95 Eaton Road: Committeeman-elect Fuzy stated that he attended the Environmental Commission Meeting. He said Tom Hendrickson will be a new student representative.

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

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz said she attended the tree lighting event and said it was absolutely fantastic.

She said that she spoke with Fire Chief MacFarland at Derby Fire Company District #2, and he told her that she could send people to the firehouse to get the letter. Ms. Heinz asked him if he could post it on the Township website and he responded, they don't control our budget, so you can't put it there. Mayor Popko said this is poor customer service. Committeeman Holliday stated that their monthly meeting is scheduled for Monday, December 12, 2016 at 7:00 pm and encouraged everyone to attend.

Ms. Heinz said that the fire hydrant on Williamsburg Drive is still not fixed. Police Chief Nucera said he spoke with John Walls who said the contractor was out doing an assessment and they will be replacing many hydrants. Mayor Popko recommended to Ms. Heinz that since this is not the Township's jurisdiction, that she contact Bordentown City Water Department directly. She also suggested contacting the newspaper. Committeeman Cann also suggested that Ms. Heinz contact Derby Fire Department District #2 to put in an official request, since they are the ones who use the hydrants.

Ms. Heinz asked for an update on the repainting of the fire lines. Police Chief Nucera said Fire Chief Steve Scholey of Mission Fire Company District #1 is finishing up on the measurement and would give them to him so the ordinance could be updated.

GLEN ASHTON, 12 Windingbrook Road: Mr. Ashton inquired about the environmental legal budget that was depleting, and encouraged the Township to add more monies until the end of the year to continue the fight.

MARTHA VESELKA, 23 Gloucester Court: Ms. Veselka echoed Mr. Ashton's concerns. She was pleased in the Township Committee's support and asked them to continue the fight. She said that the

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compressor station plans had been revised to show not one compressor station, but two. There is potential for noise, air pollution, and damage to the water and wetlands.

She congratulated Mayor Popko for receiving the Sierra Club Steward Award.

AGNES MARSALA, 68 Old York Road, Chesterfield Township: Ms. Marsella said that Bordentown Township is taking the lead on this fight, not Chesterfield Township. The deadline to file an appeal is January 11, 2017, so she asked the Township Committee to not wait for Chesterfield. She encouraged Bordentown Township to proceed in filing the FERC appeal. Ms. Marsella said they will go to the next Chesterfield Township meeting and report back to Mayor Popko.

Ms. Marsella asked if the road on Wilson and Taft where the Pep Boys is being built could be repaved.

LEN de GROOT, 8 Arlington Road: In regard to the pipeline, Mr. de Groot said that Stephen Munson and he put in a directive to the Sewer Authority Solicitor to consider the effects on sewer processing. They are waiting to hear if the Sewer Authority was illegally by-passed with notifications from Transco.

Mr. de Groot said that because of the ISO insurance rating issue, residents can go shopping for a new insurance company.

In regard to the agreement between Bordentown City and Bordentown Township on properties that are divided, Mr. de Groot stated there were no approvals given by the Sewer Authority for the Marriott Hotel. He asked if it was proper for the Township to inquire what is happening there. His concern is there is a lot of pipe being put there with no approvals. Mr. de Groot said he was told to talk to the state inspector on Monday and Wednesday between 9:00-11:00 am.

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

At this time, Committeeman Carson made a motion to approve the proposed settlement with the joint insurance fund in the Barbara Woolley Dillon matter; seconded by Deputy Mayor Benowitz.

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

NAY: None

Township Clerk Eckert will prepare an approving resolution for the next meeting.

ADDITIONAL MATTERS:

POLICE CHIEF NUCERA: Police Chief Nucera said he was contacted by Judy from the Korean Presbyterian Church. She requested that Township Committee members attend a holiday dinner for needy families in the Township on December 20, 2016 at 6:00 pm.

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On December 2, 2016, the employees received CPR, defibulator, harassment and active shooter drill training. He said it was a good demonstration with a lot of participation and was surprised how many questions were asked by the staff.

The JIF Lunch and Learn/holiday luncheon will be held on December 9, 2016 at 12:00 noon.

Police Chief Nucera said he is close to settling another shared service agreement for Animal Control with Burlington City. He should have a preliminary document and agreement by December 19, 2016, which will be similar to Mansfield and Chesterfield Townships.

He met with the S.A.C., the Substance Abuse Coordinator from the high school, Nell Geiger, the the Municipal Judge and Prosecutor, and the Court Administrators and they will be implementing Project Care. It is a program that when you arrest someone for a drug offense, instead of catch and release, there will be people here from Recovery Advocacy or the like, and they will have to complete a recovery program.

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 the regular meeting to meet in Closed Session for the purpose of discussing: Solid Waste Collection Contract Matter, Environmental Budget, and the Township Webmaster; seconded by Committeeman Carson.

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 9:16 pm and reconvened the regular meeting at 9:57 pm.

At this time, Committeeman Cann made a motion to authorize to pay Township Webmaster Jason Springer; 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 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

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The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:57 p.m.

JILL POPKO, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK