

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
April 24, 2017

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 Stephen Benowitz
Deputy Mayor Eugene Fuzy
Committeeman James Cann
Committeeman Eric Holliday
Committeewoman Jill Popko
Interim Administrator George Haeuber
Township Clerk Colleen Eckert
Attorney Eileen Fahey
Chief Financial Officer David Kocian

ABSENT: Public Works Director Dean Buhrer

Mayor Benowitz called the meeting to order at approximately 7:06 p.m. and led a salute to the flag and a moment of silence. Mayor Benowitz announced that Dorothy Nagy passed away today at the age of 99, was a member of our Senior Citizen's Club, and lived in the Township for almost 70 years and asked that she be kept in everyone's thoughts.

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 11, 2017, 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
SRL Pipeline
NJNG
Elcon Hazardous Waste Facility

Personnel Matters – Administration
Chief Financial Officer
Community Development

PAGE 2
REGULAR MEETING
APRIL 24, 2017

Township Webmaster/Social Media Contract Matter.

VOA Pilot Contract Matter

Veteran's Park Concession Building Renovations Contract Matter.

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 Deputy Mayor Fuzy.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:09 pm and reconvened the regular meeting at 7:53 pm.

Presentation by Mary Leck, Friends of Abbott Marshlands, regarding Signs for the Trails Grant.

Mary Leck and Carol Brown gave a presentation regarding enhancing recreation and creating an image of the Marsh. She displayed some signs being obtained with our Recreational Trails Grant for Northern Community Park.

Committeewoman Popko asked Dr. Leck to speak about taking over the MOA out to the Crosswicks Creek (via Stanton Avenue). She said they are just looking for maintenance of the trail, and the Township would have to solicit the State for this. At the last meeting, the Township Committee authorized Attorney Fahey to look into the MOA. Committeewoman Popko asked that the MOA be placed as a discussion item at the next Township Committee meeting.

ADMINISTRATIVE REVIEW

Township Clerk Eckert that as a result of Closed Session, Resolutions #2017-114-18A through 2017-114-18B are being added to the Consent Agenda. In addition, Ordinance #2017-9 is being introduced.

CONSENT AGENDA

Resolution #2017-114-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2017-114-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2017-114-10 entitled REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS.

PAGE 3
REGULAR MEETING
APRIL 24, 2017

Resolution #2017-114-11 entitled RESOLUTION TO APPOINT PART-TIME (PER DIEM) EMT.

Resolution #2017-114-12 entitled RESOLUTION AUTHORIZING THE CANCELLATION OF UNCASHED CHECKS TO THE TOWNSHIP OF BORDENTOWN GENERAL FUND.

Resolution #2017-114-13 entitled RESOLUTION AUTHORIZING APPROVAL BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT TO APPLY AND PARTICIPATE IN THE LAW ENFORCEMENT SUPPORT OFFICE (LESO) 1033 PROGRAM.

Resolution #2017-114-14 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH PYROTECNICO FOR JULY 4TH FIREWORKS DISPLAY.

Resolution #2017-114-15 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF FLORENCE AND THE TOWNSHIP OF BORDENTOWN FOR ANIMAL CONTROL SERVICES.

Resolution #2017-114-16 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.

Resolution #2017-114-17 entitled RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE GRANT AGREEMENTS WITH THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE 2014 RECREATIONAL TRAILS PROGRAM GRANT, PROJECT ID 15-0304-2 – CROSSWICKS CREEK TRAILS AT NORTHERN COMMUNITY PARK.

Resolution #2017-114-18 entitled RESOLUTION SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 22, 2017 TO JUNE 4, 2017.

Resolution #2017-114-18A entitled RESOLUTION TO APPOINT TOWNSHIP ADMINISTRATOR.

Resolution #2017-114-18B entitled RESOLUTION APPOINTING CHIEF FINANCIAL OFFICER.

Township Committee review and discussion of Consent Agenda Items Resolutions #2017-114-8 through #2017-114-18B. Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, and Mayor Benowitz commented/asked questions on the Consent Agenda.

Resolution #2017-114-8 (bill list). In regard to the bill for the tipping fees into the landfill, Committeewoman Popko stated it increases every year in the spring from residents placing grass, brush, etc. into the trash. She said that financially and environmentally a campaign should be started to reach out to the community and educate them about leaving the grass on the lawn and recycling, reusing, and other environmental things and how much it is costing them.

In regard to payment to Yardville Supply on the bill list, Purchase Order 17-00536, she stated that the Clearlane was also on last month's bill list. CFO Kocian stated that he was not sure how P.W.

PAGE 4
REGULAR MEETING
APRIL 24, 2017

Director Buhner purchases it and stock piles it. These may be supplies for the next snow season. CFO Kocian will follow-up.

Committeewoman Popko asked for a report on Affordable Housing. Mayor Benowitz stated he would provide one at the next meeting. They would be finding out more information this Thursday, April 27, 2017. Attorney Fahey said that litigation is moving forward and motions were just filed.

Resolution #2017-114-9. In regard to the January 23, 2017 Regular Minutes, Committeewoman Popko asked repeatedly for months, it was (typed) as verbatim, but there were missing conversational things in there that she actually took notes on and remembered quite distinctly. And she is not going to send it back again because she already sent it back numerous times. She just wanted to say how disappointed she was that something that was requested over and over again could not be done in a correct manner, and that's it. There's no more to be said about it. She said she was pretty unhappy about it and pretty upset and she didn't think that's any way to run a Township.

Resolution #2017-114-13. Committeeman Holliday discussed the different supplies that are available through this program. Committeewoman Popko said she is still against bringing in the LESO program, will be voting no, and does not want her name on it. She said the Township's insurance will increase and the maintenance on the items will cost more. Deputy Mayor Fuzy added that in the future, new committee people could decide for themselves if they would like to support this program and what items they want to purchase by resolution. Mayor Benowitz stated that the date on the resolution should be updated; Township Clerk Eckert will amend it. He also stated that he agrees that if there is Committee oversight, there should not be a problem.

Resolution #2017-114-18A. Committeewoman Popko said she will be abstaining from this resolution; she has not yet met the new Administrator.

At this time, Committeeman Holliday made a motion to open to the public the consent agenda items; seconded by Committeeman Cann.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no comments, Committeeman Cann made a motion to close to the public; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

At this time, Deputy Mayor Fuzy made a motion to adopt the Consent Agenda; seconded by Committeeman Holliday.

AYE: Committeeman Cann with abstention to Regular Minutes of April 3, 2017 and no to Resolution #2017-114-13, Committeeman Holliday, Committeewoman Popko with no to Resolution

PAGE 5
REGULAR MEETING
APRIL 24, 2017

#2017-114-13, abstention to Resolution #2017-114-18A, and no to the minutes of January 23, 2017;
Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

MAYOR BENOWITZ: Mayor Benowitz introduced the Township's new Administrator, Michael Theokas. His starting date is Monday, May 22, 2017. Mayor Benowitz gave a summary of his recent work experience.

Mayor Benowitz introduced the Township's new CFO who is presently the Tax Collector, Jeffrey Elsasser. He will be holding the dual role, and his start date is June 1, 2017.

Public Hearing on Ordinance #2017-3 entitled CALENDAR YEAR 2017 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

At this time, Committeeman Cann made a motion to open the public hearing on Ordinance #2017-3; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Deputy Mayor Fuzy made a motion to close the public hearing on Ordinance #2017-3; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2017-3 entitled CALENDAR YEAR 2017 "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

At this time, Committeeman Cann made a motion to adopt Ordinance #2017-3; seconded by Committeeman Deputy Mayor Fuzy.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2017-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR CAPITAL IMPROVEMENTS TO REPAIR AND RESTORE THE CULVERT UNDER ORCHARD AVENUE AT GLEN ROAD AND RELATED EXPENSES AND APPROPRIATING

PAGE 6
REGULAR MEETING
APRIL 24, 2017

\$775,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$737,500 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; AUTHORIZING THE APPLICATION OF THE GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF \$651,168 TO REDUCE THE AMOUNT OF OBLIGATIONS INCURRED OR TO REPAY THE OBLIGATIONS INCURRED; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.

At this time, Deputy Mayor Fuzy made a motion to open the public hearing on Ordinance #2017-6; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Committeeman Holliday made a motion to close the public hearing on Ordinance #2017-6; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2017-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR CAPITAL IMPROVEMENTS TO REPAIR AND RESTORE THE CULVERT UNDER ORCHARD AVENUE AT GLEN ROAD AND RELATED EXPENSES AND APPROPRIATING \$775,000 FOR SAID PURPOSES; AUTHORIZING THE ISSUANCE OF \$737,500 PRINCIPAL AMOUNT OF OBLIGATIONS OF THE TOWNSHIP TO FINANCE SAID PURPOSES; AUTHORIZING THE APPLICATION OF THE GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY OF \$651,168 TO REDUCE THE AMOUNT OF OBLIGATIONS INCURRED OR TO REPAY THE OBLIGATIONS INCURRED; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.

At this time, Committeeman Cann made a motion to adopt Ordinance #2017-6; seconded by Committeewoman Popko.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2017-7 entitled AN ORDINANCE TO AMEND ORDINANCE #2016-8 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.

PAGE 7
REGULAR MEETING
APRIL 24, 2017

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2017-7; seconded by Committeeman Cann.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Committeeman Holliday made a motion to close the public hearing on Ordinance #2017-7; seconded by Committeeman Cann.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2017-7 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 Fuzy made a motion to adopt Ordinance #2017-7; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Introduction of Ordinance #2017-8 entitled ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AMENDING SECTION 25:501 OF THE LAND DEVELOPMENT ORDINANCE.

At this time, Committeeman Cann made a motion to introduce Ordinance #2017-8; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

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

Consideration of Introduction of Ordinance #2017-9 entitled ORDINANCE AMENDING ORDINANCE 2009-3 ESTABLISHING POSITIONS ELIGIBLE THE DEFINED CONTRIBUTIONS RETIREMENT PROGRAM.

PAGE 8
REGULAR MEETING
APRIL 24, 2017

At this time, Deputy Mayor Fuzy made a motion to introduce Ordinance #2017-9: seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be May 8TH.

Township Committee discussion of Ordinance Regulating Drones.

Mayor Popko said her neighbor has a drone and it is annoying. She supplied a copy of an ordinance adopted by Toms River in Ocean County, who charges a \$70 fee, and feels that Bordentown Township should consider adopting such an ordinance to include minor changes. Committeeman Cann suggested that Township Clerk Eckert search to see if other municipalities have adopted this ordinance. Committeeman Holliday said he thought a certain size drone requires a permit from the State; he will explore this. He also thought that residents should not be charged a fee. The discussion will be listed again on the next Township Committee Agenda.

Township Committee discussion to Authorize the Veterans Advisory Committee to Expend Funds for the Bordentown City Street Fair.

Deputy Mayor Fuzy stated that the Veterans Advisory Committee would like to use \$70 of their funds to pay for a table at the Bordentown Street Fair to be used for fundraising.

At this time, Committeeman Holliday made a motion to authorize the Veterans Advisory Committee to spend \$70 for the Bordentown City Street Fair; seconded by Committeeman Cann.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN CANN: Committeeman Cann said he's been out sick, and did not have a report.

COMMITTEEMAN HOLLIDAY: Committeeman Holliday said that Deputy Mayor Fuzy attended the Veteran's Advisory Committee (VAC) meeting since he had to work. The VAC will be at the Bordentown Street Fair on May 20 & 21, 2017. They would like to do a wreath-laying ceremony at the Joint Base on Friday, May 26, 2017. The Memorial Day event is scheduled for Monday, May 29, 2017 from 11:00-12:00 noon. Mayor Benowitz will be the keynote speaker and it will be held in front of the Municipal Building. The Bordentown City Memorial Day Event is scheduled for Saturday, May 27, 2017. They will be participating in the Community Day Event in September. They would like to put together a Veteran's educational event tentatively scheduled for Saturday, October 7 or 14, 2017 from

PAGE 9
REGULAR MEETING
APRIL 24, 2017

9:00-12:00 noon to be held at the Military Armory on Route 206. The Veteran's Day Ceremony is scheduled for Saturday, November 11, 2017 at 11:00 a.m.

Committeeman Holliday gave a report on the Mission Firehouse District #1.

He attended the Township's Easter Egg Hunt and said it went very well.

The Police Department conducted an active shooter training exercise at the school during spring break.

COMMITTEEWOMAN POPKO: Committeewoman Popko gave an update on the Public Works Department and their normal maintenance at this time of year.

The Township's Recycling Center will be closed on April 29, 2017 because the Chairman of the Environmental Commission will be at the Green Fair. She said she wanted to put in a complaint because of the busy spring season, and asked that someone else be there for the 4 hours. Acting Administrator Haeuber will contact P.W. Director Buhner.

In regard to the School Board meeting, the Clara Barton children gave a singing performance and there was an award ceremony for the winter all-star athletic recognitions.

DEPUTY MAYOR FUZY: On April 4, 2017, Deputy Mayor Fuzy attended the Veterans Advisory Committee meeting. Committeeman Holliday gave the report earlier in the meeting. Their next meeting is scheduled for May 2, 2017 at Alstarz.

On April 18, 2017, he attended the Environmental Commission Meeting. The Green Fair is scheduled for this Saturday, April 29, 2017 from 11:00 am to 3:00 pm in Chesterfield. On May 13, 2017, there will be a work session at the Community Garden, and it will officially open on May 20, 2017 at 10:00 a.m. The State only gave them 2 species of trees this year (instead of the 5 native trees as promised). They are available to the residents at the Public Works Building every Saturday and will be available at the Green Fair. Shredder Day will be held on May 6, 2017 from 9:00-12:00 noon at the Public Works Building.

Deputy Mayor Fuzy has been in discussion with the Webmaster regarding Facebook postings and improvements to the Township webpage. He asked that if anyone has photos from events to please send them to him. He spoke to P.W. Supervisor Dave Dietrich and he will be receiving copies of the graphics he makes for the signs so they can be added to the website for continuity.

Angel Sauro and he worked on the ad published in The Current.

On April 15, 2017, he also attended the Easter Egg Hunt. It was heavily attended and heavily advertised including social media.

He attended the Williamsburg HOA meeting. The fire lanes, snow removal, and the Pipeline were discussed.

MAYOR BENOWITZ: The Fireworks have been approved for June 30, 2017, with a July 6, 2017 raindate.

He attended the April 11, 2017 Economic Development Advisory Committee Meeting where improving the local business climate was discussed, and it will continue at the next meeting with the possible development of a plan.

The Road Program continues with a goal of completion of the 18 roads in mid-May; 10 roads being resurfaced overlaid and 8 roads that are being micro-surfaced. The 2017 Road Program will have to be decided on shortly.

On April 17, 2017, he attended the Sr. Citizens' Social Meeting.

He attended a meeting with a developer and Township Engineer Fred Turek on April 20, 2017.

PAGE 10
REGULAR MEETING
APRIL 24, 2017

He attended a meeting on April 21, 2017 regarding the financial agreement for Phase II of the Waterfront Community with Attorney Fahey, Bond Counsel, and Financial Consultants.

He attended the Northern Burlington Regional Chamber of Commerce breakfast meeting at Team 85.

On April 13, 2017, he attended the Planning Board Meeting where two resolutions were passed and the applicant, Matrix Realty, Inc. decided not to appear. They said they will be coming to the May 11, 2017 Planning Board Meeting, but that will probably not occur.

He encouraged everyone to attend the B.R.A.D. (Bordentown Residents Against Drugs) Town Hall meeting which will occur on April 25, 2017 from 6:00-9:00 pm at the Carslake Community Center.

On April 15, 2017, he attended the Easter Egg Hunt. It was the largest crowd ever, estimated between 225-250 in attendance.

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

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz stated that on April 5, 2017, Deputy Mayor Fuzy and Township Engineer Turek came to the Williamsburg Village HOA meeting. They received answers to their questions and thanked the Township Committee.

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

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ADDITIONAL MATTERS:

None

At this time, Deputy Mayor Fuzy 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 Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

PAGE 11
REGULAR MEETING
APRIL 24, 2017

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:12 p.m.

STEPHEN BENEWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK