

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
JULY 17, 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  
Administrator Michael Theokas  
Township Clerk Colleen Eckert  
Attorney Eileen Fahey  
Chief Financial Officer Jeffrey Elsasser

ABSENT: Committeewoman Jill Popko

Mayor Benowitz called the meeting to order at approximately 7:07 p.m. and led a salute to the flag and a moment of silence. He announced that the moment of silence is being dedicated to Glenna Newman who passed away. She was a resident of the Township and member of the Senior Citizen community. Mayor Benowitz also asked for thoughts and prayers to go out to Agnes Marsala who was recently in an automobile accident.

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:

1. Community Development Personnel Matter.
2. OPRA Litigation Matters.
3. Affordable Housing Contract Matter.
4. POA Contract Matter.
5. Bordentown Waterfront Community Contract Matters.
6. Finance Department Contract Matter. (Payroll Services)
7. Finance Department Personnel 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 Holliday, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeewoman Popko

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:10 pm and reconvened the regular meeting at 7:56 pm.

**Presentation by Paul Forlenza, Burlington County Joint Insurance Fund, regarding Bordentown Township's Membership Renewal.**

Paul Forlenza, Deputy Executive Director of the Burlington County JIF discussed the Township's renewal of another 3 year membership with the Burlington County Joint Insurance Fund.

**ADMINISTRATIVE REVIEW**

Township Clerk Eckert said that as a result of Closed Session, Resolutions #2017-198-24A, #2017-198-24B, #2017-198-24C, and #2017-198-24D are being added to the Consent Agenda. And Consideration of Introduction of Ordinance #2017-15 is being pulled.

**CONSENT AGENDA**

**Resolution #2017-198-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.**

**Resolution #2017-198-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.**

**Resolution #2017-198-10 entitled RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWING MEMBERSHIP IN THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND.**

**Resolution #2017-198-11 entitled RENEWING ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE.**

**Resolution #2017-198-12 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO, NJ, LLC T/A CHICKIE'S & PETE'S.**

**Resolution #2017-198-13 entitled AUTHORIZING ISSUANCE OF A PUBLIC GATHERING PERMIT TO 130 CRABCO, NJ, LLC T/A CHICKIE'S & PETE'S.**

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**Resolution #2017-198-14 entitled RESOLUTION TO APPOINT POLICE OFFICERS FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT.**

**Resolution #2017-198-15 entitled RESOLUTION ACCEPTING PROPOSAL FROM BLACK LAGOON FOR POND MANAGEMENT PROGRAM LOCATED AT NORTHERN COMMUNITY PARK.**

**Resolution #2017-198-16 entitled RESOLUTION AUTHORIZING A REFUND OF A SIGN PERMIT APPLICATION TO FORMAN SIGN CO., FOR PERMIT LOCATED AT 160 ROUTE 130.**

**Resolution #2017-198-17 entitled RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO EXECUTE EXTENSION OF TRANSPORT AGREEMENT FOR BORDENTOWN TOWNSHIP EMS.**

**Resolution #2017-198-18 entitled RESOLUTION TO APPOINT CRAIG WHEELLOCK TO THE POSITION OF PUBLIC WORKS LABORER IN THE DEPARTMENT OF PUBLIC WORKS.**

**Resolution #2017-198-19 entitled RESOLUTION TO APPOINT FULL-TIME EMT.**

**Resolution #2017-198-20 entitled APPROVING CORRECTIVE ACTION PLAN FOR REPORT OF AUDIT FOR THE YEAR ENDING DECEMBER 31, 2016.**

**Resolution #2017-198-21 entitled RELEASE OF PERFORMANCE GUARANTEE FOR INTERSTATE 7 DISTRIBUTION CENTER – INTERIM STORMWATER IMPROVEMENTS, RISING SUN ROAD, BLOCK 137.02, LOT. 5.01.**

**Resolution #2017-198-22 entitled RELEASE OF PERFORMANCE GUARANTEE FOR INVESTORS BANK, 213 US ROUTE 206/130, BLOCK 116, LOTS 1, 2 & 3.**

**Resolution #2017-198-23 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.**

**Resolution #2017-198-24 entitled ESTABLISHING SALARIES AND OTHER RATES OF COMPENSATION FOR CERTAIN OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF BORDENTOWN.**

**Resolution #2017-198-24A entitled RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF BORDENTOWN AND ZB PROPERTIES, LLC AND ZEIGER ENTERPRISES, INC. RELATING TO BORDENTOWN TOWNSHIP'S AFFORDABLE HOUSING PLAN.**

**Resolution #2017-198-24B entitled A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF BORDENTOWN AND THE BORDENTOWN TOWNSHIP POLICE OFFICERS' ASSOCIATION.**

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**Resolution #2017-198-24C entitled RESOLUTION ACCEPTING PROPOSAL FROM PAYCHEX, INC. FOR PAYROLL SERVICES FOR THE TOWNSHIP OF BORDENTOWN.**

**Resolution #2017-198-24D entitled RESOLUTION ACCEPTING PROPOSAL FROM INTEGRATED DESIGN, INC. AS PART OF PAYROLL SERVICES FOR THE TOWNSHIP OF BORDENTOWN.**

Township Committee review and discussion of Consent Agenda Items Resolutions #2017-198-8 through #2017-198-24D. Committeewoman Popko commented/asked questions on the Consent Agenda.

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

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

NAY: None

ABSENT: Committeewoman Popko

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

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

NAY: None

ABSENT: Committeewoman Popko

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

AYE: Committeeman Cann, Committeeman Holliday; Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ABSENT: Committeewoman Popko

**Public Hearing on Ordinance #2017-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROVING AN APPLICATION FOR LONG TERM TAX EXEMPTION BY, AND AUTHORIZING A FINANCIAL AGREEMENT WITH, BWC2 APT URBAN RENEWAL, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, QUALIFIED AS AN URBAN RENEWAL ENTITY UNDER THE PROVISIONS OF THE NEW JERSEY LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.**

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2017-13; seconded by Deputy Mayor Fuzy.

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

NAY: None

ABSENT: Committeewoman Popko

Seeing no public comment, Committeeman Holliday made a motion to close the public hearing on Ordinance #2017-13; seconded by Deputy Mayor Fuzy.

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

NAY: None

ABSENT: Committeewoman Popko

**Consideration of Adoption of Ordinance #2017-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROVING AN APPLICATION FOR LONG TERM TAX EXEMPTION BY, AND AUTHORIZING A FINANCIAL AGREEMENT WITH, BWC2 APT URBAN RENEWAL, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, QUALIFIED AS AN URBAN RENEWAL ENTITY UNDER THE PROVISIONS OF THE NEW JERSEY LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.**

At this time, Committeeman Holliday made a motion to adopt Ordinance #2017-13; seconded by Committeeman Cann.

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

NAY: None

ABSENT: Committeewoman Popko

**Public Hearing on Ordinance #2017-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROVING AN APPLICATION FOR LONG TERM TAX EXEMPTION BY, AND AUTHORIZING A FINANCIAL AGREEMENT WITH, BWC2 TH URBAN RENEWAL, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, QUALIFIED AS AN URBAN RENEWAL ENTITY UNDER THE PROVISIONS OF THE NEW JERSEY LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.**

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2017-14; seconded by Deputy Mayor Fuzy.

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

NAY: None

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ABSENT: Committeewoman Popko

Seeing no public comment, Committeeman Cann made a motion to close the public hearing on Ordinance #2017-14; seconded by Committeeman Holliday.

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

NAY: None

ABSENT: Committeewoman Popko

**Consideration of Adoption of Ordinance #2017-14 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROVING AN APPLICATION FOR LONG TERM TAX EXEMPTION BY, AND AUTHORIZING A FINANCIAL AGREEMENT WITH, BWC2 TH URBAN RENEWAL, LLC, A NEW JERSEY LIMITED LIABILITY COMPANY, QUALIFIED AS AN URBAN RENEWAL ENTITY UNDER THE PROVISIONS OF THE NEW JERSEY LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.**

At this time, Committeeman Holliday made a motion to adopt Ordinance #2017-14; seconded by Committeeman Cann.

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

NAY: None

ABSENT: Committeewoman Popko

**Consideration of Introduction of Ordinance #2017-15 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AMENDING CERTAIN PRIOR ORDINANCES OF THE TOWNSHIP AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$102,055 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING OBLIGATIONS OF THE TOWNSHIP TO REFUND CERTAIN TAX APPEALS AND APPROPRIATING THE PROCEEDS OF SUCH REFUNDING OBLIGATIONS TO SUCH PURPOSE. (PULLED)**

**ADMINISTRATOR AND STAFF REPORTS**

Administrator Theokas announced the next Township Committee meeting is scheduled for August 21, 2017.

At the August meeting, an ordinance will be presented cancelling some previous bond ordinances that the Township Committee had passed in 2012 and 2013 for tax appeals. CFO Elsasser, the auditor, and he has reviewed them and determined that those bond ordinances are no longer needed. So the ordinances will be cancelled and re-appropriated for future tax appeal settlements that may be coming up.

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Last week, the Planning Board approved a redevelopment project for Georgetown Road. As part of the project, the Township Committee has to consider vacating a (paper) street. This will be presented at the August 21, 2017 Township Committee meeting.

Also at the August 21, 2017 Township Committee meeting, an ordinance for the fire lanes will need to be considered.

Administrator Theokas thanked the Township Committee for approving the MOA with the Police Union; the hiring of 3 new police officers was approved in the Consent Agenda. Acting Police Chief Pesce extended his thanks. The 3 recruits will be attending the police academy starting August 10, 2017, and will be coming before the Township Committee for a formal swearing in.

**TOWNSHIP COMMITTEE REPORTS**

COMMITTEEMAN CANN: Committeeman Cann said they are one step closer to a formal application by a major pharmaceutical company retailer. An application may be received within 2 months.

There was a sewerage authority scheduled for today that he was unable to attend but he will provide an update at the next Township Committee meeting.

He spoke to Interim C.D. Director Fred Turek and PSE&G has damaged some of our newer roads (Bywater and Mission). They have agreed to mill and repave.

COMMITTEEMAN HOLLIDAY: Committeeman Holliday said 3 new recruits are being hired in the Police Department. National Night Out is scheduled for Tuesday, August 1, 2017 from 6-9:00 pm at Northern Community Park. The Fireworks went well. On July 8, 2017, Patrolman Adam Edwards attended the Bradford Point Apartments Complex Annual Community Day. On July 11, 2017 several of the officers attended "Pizza with a Cop" at the Peter Muschal School Day Camp.

The Veteran's Advisory Committee (VAC) are looking to have bagpipers and students sing at the November Veteran's Day Ceremony. They have selected a speaker and a hometown hero for the event. Chairman Mike Huntanar is being deployed to Iraq on August 19, 2017.

DEPUTY MAYOR FUZY: On June 30, 2017, Deputy Mayor Fuzy attended the Fireworks along with Committeemen Holliday and Cann and Mayor Benowitz.

Mayor Benowitz, Committeeman Holliday, and he attended the 63<sup>rd</sup> Army Band Concert.

He attended and helped at the Community Garden.

He helped set up the Music in the Park concerts held on July 5 and 12, 2017. The next concert is scheduled for July 19, 2017.

He attended the District #2 Derby Firehouse meeting on July 11, 2017 and reported on what was discussed at the meeting.

The Environmental Commission meeting is scheduled for July 18, 2017.

MAYOR BENOWITZ: Mayor Benowitz said he attended all the Township events.

On June 27, 2017 and July 12, 2017, he met with Bordentown City Mayor James Lynch; Administrator Theokas was present at the July 12, 2017 meeting. On July 10, 2017, Administrator Theokas and he met with Chesterfield Township Mayor Jeremy Lietka. These meetings are to explore common interests including possible increased shared services.

On July 3, 2017, he attended the Senior Citizen Club business meeting and on July 17, 2017 he attended their Social Meeting.

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On June 28, 2017, Administrator Theokas and he met with Kerry Kirk Fleugh, Director of the Office of Local Government Assistance, N.J. DEP. They discussed the State litigation with reference to the Compressor Station and Elcon, among other things. He is still waiting for a final response on the stay litigation.

Meetings continue on the Affordable Housing issues. There was a meeting held on June 30, 2017 regarding the matrix of the proposed settlement. Township representatives continue to meet on proposed developments (July 11 and 12, 2017).

He attended a Northern Burlington Chamber of Commerce meeting. He swore in the officers and board members for this term.

On July 13, 2017, he attended the Planning Board meeting where the Matrix warehouse was granted preliminary and final site plan approval with no variances granted. The Township will be reaching out to the County on different levels in order to possibly alleviate some of the traffic situations that may occur on Georgetown Road.

The Pep Boys ribbon cutting ceremony is scheduled for 10:00 a.m. on July 28, 2017.

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

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

NAY: None

ABSENT: Committeewoman Popko

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

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

NAY: None

ABSENT: Committeewoman Popko

**ADDITIONAL MATTERS:**

DEPUTY MAYOR FUZY: Deputy Mayor Fuzy inquired about the step up before entering the pavilion at Joseph Lawrence Park. After discussion, the Township Committee was in favor of changing the step to a ramp. Administrator Theokas will speak to Township Engineer Turek regarding the change.

At this time, Committeeman Holliday 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 Deputy Mayor Fuzy.

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

NAY: None



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ABSENT: Committeewoman Popko

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 8:35 p.m.

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STEPHEN BENOWITZ, MAYOR

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COLLEEN M. ECKERT, TOWNSHIP CLERK