

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
FEBRUARY 26, 2018

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 Eric Holliday
Committeeman James Kostoplis
Committeeman Ken Mason
Administrator Michael Theokas
Township Clerk Colleen Eckert
Attorney Eileen Fahey
Chief Financial Officer Jeffrey Elsasser

ABSENT: None

Mayor Benowitz called the meeting to order at approximately 6:35 p.m. and led a salute to the flag and a moment of silence. He dedicated the moment of silence to the 17 victims who lost their lives in Parkland, FL during the shooting at the Marjory Stoneman Douglas High School and to the passing of America's Preacher, the Reverend Billy Graham.

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, 2018, 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 Holliday 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:

- Construction Department Personnel/Contract Matters.
- Environmental Litigation Matter: Compressor Station.
- Professional Services Contract Matters.
- Bordentown Waterfront Community 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 Committeeman Kostoplis.

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AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 6:38 pm and reconvened the regular meeting at 7:33 pm.

Mayor's Proclamation Recognizing Black History Month. At this time, Mayor Benowitz read the Proclamation into the record and stated that this is the 5th year having this Proclamation and the Black History Month Ceremony will be taking place at Bordentown Regional High School on February 28, 2018 (two sessions).

APPOINTMENT OF PLANNING BOARD MEMBERS:

In accordance with N.J.S.A. 40:55D-23 and Section 25:704 of the Revised General Ordinances of the Township of Bordentown as adopted by Ordinance #1990-15, commonly known as the Land Development Ordinance of the Township of Bordentown establishing a Planning Board, I, Stephen Benowitz, as Mayor, do hereby make the following appointments to the Planning Board:

Class IV Member – 4 Year Uxepired Term Expiring 12/31/18: Danielle Esser

Mayor Benowitz stated that Ms. Esser is moving from the Zoning Board to the Planning Board.

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced that as a result of Closed Session, Resolutions #2018-057-18A through #2018-057-18E are being added to the Consent Agenda and Consideration of Introduction of Ordinance #2018-10 is being added to the Agenda. Mayor Benowitz said that he is adding a discussion item to the Agenda: Township Committee discussion of Resolution for Gun Control.

CONSENT AGENDA

Resolution #2018-057-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2018-057-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2018-057-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2018-057-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2018-057-13 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2018-057-14 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

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Resolution #2018-057-15 entitled AUTHORIZING 2017 BUDGET APPROPRIATION RESERVE TRANSFERS (N.J.S.A. 40A:59).

Resolution #2018-057-16 entitled RESOLUTION APPROVING A TEMPORARY BUDGET AMENDMENT.

Resolution #2018-057-17 entitled AUTHORIZING CANCELLATION OF GENERAL LEDGER LIABILITIES.

Resolution #2018-057-18 entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TTI ENVIRONMENTAL, INC., FOR THE PHASE 1 ENVIRONMENTAL SITE AND PRELIMINARY ASSESSMENT, BLOCK 92.01, LOT 18.

Resolution #2018-057-18A entitled RESOLUTION AUTHORIZING THE PROVISIONAL APPOINTMENT OF ROBERT SALMONS TO THE POSITION OF FULL-TIME UNIFORM CONSTRUCTION CODE OFFICIAL AND AS BUILDING SUBCODE OFFICIAL AND PLUMBING INSPECTOR.

Resolution #2018-057-18B entitled RESOLUTION AUTHORIZING THE PROVISIONAL APPOINTMENT OF JOSEPH LaROCCA TO PART-TIME PLUMBING SUBCODE OFFICIAL FOR THE BORDENTOWN TOWNSHIP CONSTRUCTION OFFICE.

Resolution #2018-057-18C entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LLC, FOR THE INSTALLATION OF ADA CURB RAMPS PROJECT – BOSSERT ESTATES – PHASE 2.

Resolution #2018-057-18D entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LLC, FOR THE PUBLIC WORKS EXPANSION PROJECT – 262 CROSSWICKS ROAD PROJECT, FORWARD ACTIONS FOR COMPLETION OF REMEDIAL INVESTIGATION REPORT (RIR) – SUPPLEMENTAL WORK – ADDITIONAL RECEPTOR EVALUATION ACTIONS.

Resolution #2018-057-18E entitled RESOLUTION ACCEPTING THE PROPOSAL FROM RAGAN DESIGN GROUP ARCHITECTS, FOR THE (UPDATED) MUNICIPAL BUILDING ARCHITECTURAL STUDY PROJECT.

Township Committee review and discussion of Consent Agenda Items Resolutions #2018-057-9 through #2018-057-18E. There were no comments/questions on the Consent Agenda.

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

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

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

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, 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 Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2018-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING A CERTAIN APPROPRIATION BALANCE IN THE AMOUNT OF \$700,000 AND RE-APPROPRIATING SAID FUNDS FOR THE ACQUISITION OF PROPERTY.

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2018-2; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Deputy Mayor Fuzy made a motion to close the public hearing on Ordinance #2018-2; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY; CANCELLING A CERTAIN APPROPRIATION BALANCE IN THE AMOUNT OF \$700,000 AND RE-APPROPRIATING SAID FUNDS FOR THE ACQUISITION OF PROPERTY.

At this time, Committeeman Holliday made a motion to adopt Ordinance #2018-2; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2018-6 entitled AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AMENDING ORDINANCE #2015-11 REGARDING THE ESTABLISHMENT OF AN AMBULANCE SQUAD AND AMBULANCE BILLING SERVICES FOR THE TOWNSHIP OF BORDENTOWN.

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2018-6; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Deputy Mayor Fuzy made a motion to close the public hearing on Ordinance #2018-6; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-6 entitled AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN AMENDING ORDINANCE #2015-11 REGARDING THE ESTABLISHMENT OF AN AMBULANCE SQUAD AND AMBULANCE BILLING SERVICES FOR THE TOWNSHIP OF BORDENTOWN.

At this time, Deputy Mayor Fuzy made a motion to adopt Ordinance #2018-6; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2018-8 entitled AUTHORIZE THE PURCHASE OF REAL PROPERTY LOCATED ON CROSSWICKS ROAD AND KNOWN AS BLOCK 92.01, LOT 18 AND 18 QFARM PURSUANT TO N.J.S.A. 40A:12-5.

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2018-8; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

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Seeing no public comment, Committeeman Holliday made a motion to close the public hearing on Ordinance #2018-8; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-8 entitled AUTHORIZE THE PURCHASE OF REAL PROPERTY LOCATED ON CROSSWICKS ROAD AND KNOWN AS BLOCK 92.01, LOT 18 AND 18 QFARM PURSUANT TO N.J.S.A. 40A:12-5.

At this time, Committeeman Holliday made a motion to adopt Ordinance #2018-8; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Introduction of Ordinance #2018-9 entitled CALENDAR YEAR 2018 "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 Holliday made a motion to introduce Ordinance #2018-9; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be March 12th.

Consideration of Introduction of Ordinance #2018-10 entitled ORDINANCE REPEALING AND REPLACING ORDINANCE #2009-12 REGARDING PUBLIC CONTRACTING AND POLITICAL CONTRIBUTIONS. Mayor Benowitz read the Ordinance into the record.

At this time, Deputy Mayor Fuzy made a motion to introduce Ordinance #2018-10; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be March 12th.

Township Committee discussion of the Burlington County request to Conduct Mosquito Control Activities.

Mayor Benowitz read a brief statement by him declaring that there has not been much change in the spraying program or chemicals used in the past and the lack of effectiveness, and he does not see the need for this authorization. Deputy Mayor Fuzy added that he is an entomologist and adulticides don't work; they are sprayed during the day when the adults are hiding, and he is not in favor of it either. Committeeman Holliday said that spraying can cause more problem than good with the environment. Mayor Benowitz said if there is a problem with a certain area in the Township, they will spray. The consensus of the Township Committee was not to spray.

Township Committee discussion of Resolution for Gun Control.

The Township Committee discussed and agreed that assault weapons should be banned. Mayor Benowitz, on behalf of the Township Committee, asked Attorney Fahey to create a resolution for adoption at the next meeting making sure our students are protected and feel safe in our schools and that assault weapons should be banned.

ADMINISTRATOR REPORT

Administrator Theokas said that there were several ordinances introduced at that last meeting that due to public noticing requirements had to be postponed to the March 12, 2018 meeting, but they will be scheduled for public hearing and consideration of adoption at that time.

On February 27, 2018, there will be an in-house safety training as part of the JIF schedule. Our JIF Safety Coordinator, Sam Vail will be running the meeting for the Department Heads.

On March 1, 2018, Administrator Theokas will be attending a training held by the N.J. League of Municipalities regarding combatting sexual harassment in the workplace.

Budget introduction will be at the next Township Committee meeting on March 12, 2018. Because of noticing requirements, adoption will possibly be April 23, 2018. Administrator Theokas said he scheduled a budget presentation by the auditor for the Township Committee and the public on April 9, 2018.

The Township is moving forward with the website redesign.

TOWNSHIP COMMITTEE REPORTS

COMMITTEEMAN KOSTOPLIS: Committeeman Kostoplis said the February Zoning Board meeting was cancelled.

The Sewer Authority had their meeting on January 16, 2018. They passed a resolution to petition the N.J. DOT to install an additional traffic light at Farnsworth Avenue and Route 206.

COMMITTEEMAN HOLLIDAY: Committeeman Holliday described several upcoming Police Department events and training sessions. They have been working closely with the students at the various schools. Police recruit, Michael Maloney, is scheduled to graduate from the Mercer County Police Academy on March 9, 2018. They are in the process of establishing a Police Chaplain Program in the Township. They are purchasing a small vehicle to be used to demonstrate while wearing goggles what it is like to drive under the influence.

On February 6, 2018, he attended the Veteran's Advisory Committee meeting. On March 31, 2018 from 8:30 am to 1:00 pm, a Veteran's Outreach will be held at the National Armory.

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COMMITTEEMAN MASON: Committeeman Mason said he attended the School Board meetings on January 28, 2018 and February 21, 2018. He gave highlights of what was discussed at the meetings.

He will be attending the Turnpike Authority meeting next month and the next Bordentown Little League meeting on March 26, 2018.

DEPUTY MAYOR FUZY: On February 13, 2018, Deputy Mayor Fuzy said he attended his second Stormwater Management meeting with P.W. Director Buhner, C.D. Director Johnson, Environmental Commission Chairman Plew, Township Engineer Turek, and OEM Director Law. They discussed the work that still needs to be accomplished to get in compliance. Their next meeting is March 20, 2018 where he will be presenting a cost effective way for the Township to get education points for the Stormwater Plan and creating a nice timetable plan for P.W. Director Buhner to implement for the Public Works Department to stay in compliance.

The Public Works Department has been performing ongoing general maintenance throughout the Township.

The next Environmental Commission Meeting is February 27, 2018.

On March 18, 2017 at Northern Community Park, the Conserve Wildlife Foundation of N.J. gave a seminar on frog calls and identifying the mid-coastal leopard frog.

He is working on Music in The Park.

He is working with the Veteran's Advisory Committee and making sure the Veteran's Outreach event is advertised.

Deputy Mayor Fuzy is working with Administrator Theokas to make sure departments' webpages are up-to-date.

MAYOR BENOWITZ: Re-examination of the Master Plan occurred at the February 13, 2018 Economic Development Advisory Committee meeting.

Mayor Benowitz thanked Administrator Theokas and CFO Elsasser for the work on budget preparation, as well as all the Department Heads.

Administrator Theokas and he attended the Village Grande HOA meeting on February 22, 2018.

Administrator Theokas and he met with several residents as a follow-up to the Town Hall meeting in order to discuss a form of committee that fosters a partnership between local government and the Township Committee.

He continues to meet with Bordentown City and Chesterfield Township.

A \$255,000 grant was received from the N.J. Department of Transportation to resurface Ward Avenue and with mid-block safety (crossing) improvements.

On February 19, 2018, he attended the Bordentown Township Senior Club meeting.

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

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

DAVIN JOSEPH EGET, 24 Independence Drive: Mr. Eget asked if he could build a park bench in the field by the Luyber farm. It is for his Eagle Scout Community Project. He presented photos and

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specifications and said it will be built prior to August. He will also plant flowers around the bench and perform his own fundraising.

At this time, Committeeman Kostoplis made a motion to authorize Mr. Eget to build the park bench for his Eagle Scout Community Project; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz asked if a discount for seniors, veterans, or disabled people could be applied to construction permit fees. Administrator Theokas said he would look into this. Committeeman Holliday asked if Administrator Theokas could compare Hamilton Township's fees to ours.

Administrator Theokas said he was still following up on the broken fire hydrant on Georgetown Road/Williamsburg Drive.

Ms. Heinz added that one of the street lights on Williamsburg Drive is out, and she has informed the police officer.

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

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ADDITIONAL MATTERS: None

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 Committeeman Kostoplis.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

The Regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 8:36 p.m.

Respectfully Submitted,

COLLEEN M. ECKERT, RMC, TWP. CLERK