

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
DECEMBER 7, 2015

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 James Cann  
Deputy Mayor Jill Popko  
Committeeman Stephen Benowitz  
Committeeman Richard Carson  
Committeeman John Moynihan  
Committeeman-Elect Eric Holliday  
Township Clerk Colleen Eckert  
Attorney William J. Kearns, Jr.  
Chief Financial Officer David Kocian  
Chief of Police Frank M. Nucera, Jr.

ABSENT: Public Works Director Dean Buhrer

Mayor Cann called the meeting to order at approximately 7:51 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 January 7, 2015, and November 30, 2015 (to advertise the start time of 7:30 p.m.) 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 REGISTER-NEWS, 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.

**Resolution #2015-341-5 entitled APPROVING PROMOTION TO POSITION OF POLICE SERGEANT.**

**Resolution #2015-341-6 entitled APPROVING PROMOTION TO POSITION OF POLICE SERGEANT.**

**Resolution #2015-341-7 entitled APPROVING PROMOTION TO POSITION OF POLICE SERGEANT.**

**Resolution #2015-341-8 entitled APPROVING PROMOTION TO POSITION OF POLICE SERGEANT.**

Mayor Cann read the resolution and announced the names of the promoted Sergeants into the record.

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At this time, Committeeman Benowitz made a motion to approve Resolutions ##2015-341-5 through #2015-341-8; seconded by Deputy Mayor Popko

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

NAY: None

Township Clerk Eckert Administered the Oath of Office to Police Sergeants Salvatore Guido, Christopher Burns, and Keith Stahl. (Police Sergeant Joseph Ciabattoni was not present and will be given the Oath at a later time.)

**Presentation by Congressman Saxton regarding the Future of the Joint Base McGuire-Dix-Lakehurst.**

Congressman Saxton gave a presentation to the Township Committee and residents. He discussed the Joint Base and why it is important to everyone, the defense enhancement coalition, and explained that there are very serious threats of closing the Joint Base. Fort Dix, McGuire AFB, and Navy Lakehurst were combined into a Joint Base in 2009. The Township Committee previously approved a monetary donation and agreed to distribute literature provided by Mr. Saxton.

**Presentation by Mr. Richard Ragan of Ragan Design Group regarding Municipal Office Space Needs Study.**

Rick Ragan and Dan Nichols from Ragan Design Group, Architects/Planners, reviewed the report dated October 2015 that they prepared for the Township. The needs of each department were individually examined. Then they presented different addition scenarios to the current building, and then a brand new building. This report did not include land acquisition costs. Mr. Ragan answered questions from the Township Committee.

**ADMINISTRATIVE REVIEW**

Township Clerk Eckert stated that a revised Closed Session packet was provided. The Personnel Matter was revised, and Bordentown Waterfront Community Project Contract Matter and Public Works Expansion Project Contract Matter are being added. There is also a revision to the bill list; purchase order #15-01585 is being pulled.

**CONSENT AGENDA**

**Resolution #2015-341-12 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.**

**Resolution #2015-341-13 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.**

**Resolution #2015-341-14 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.**

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**Resolution #2015-341-15 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2015-341-16 entitled RESOLUTION AUTHORIZING A CONTRACT WITH THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND RETROSPECTIVE PROGRAM.**

**Resolution #2015-341-17 entitled RESOLUTION AUTHORIZING A REFUND TO THE BORDENTOWN CEMETERY ASSOCIATION FOR A CONSTRUCTION PERMIT FEE.**

**Resolution #2015-341-18 entitled NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT FOR PURCHASE OF A POLARIS RANGER ELECTRIC VEHICLE PURSUANT TO N.J.S.A. 52:34-6.2.**

**Resolution #2015-341-19 entitled NOTICE OF INTENT TO AWARD CONTRACT UNDER A NATIONAL COOPERATIVE PURCHASING AGREEMENT FOR PURCHASE OF AN ELGIN BROOM BADGER-DUAL MOUNTED PURSUANT TO N.J.S.A. 52:34-6.2.**

**Resolution #2015-341-20 entitled AUTHORIZING DECEMBER 7, 2015, BUDGET TRANSFERS.**

Township Committee review and discussion of Consent Agenda Items Resolutions #2015-341-12 through #2015-341-20. Committeeman Moynihan, Deputy Mayor Popko, and Mayor Cann commented/asked questions on the Consent Agenda.

Resolution #2015-341-12. In regard to P.O. #15-01755, Deputy Mayor Popko questioned this charge and said the donated funds for the dog park were for specific items. CFO Kocian will follow-up.

Resolution #2015-341-16. In regard to the Burlington County Municipal Joint Insurance Fund (JIF) Retrospective Program, Deputy Mayor Popko asked that a report on the Township's negative impact on the FUND'S surplus be provided. It should show why there will be an increase of over 15%. Police Chief Nucera stated that the Township's increased claims were due to Workmen's Compensation from the past 5-6 years, but some of these will be settled and removed.

Resolution #2015-341-13. In regard to the Minutes of November 23, 2015, Mayor Cann asked that the Minutes be revised to include Township Committee's comments during the William Transco Pipeline Compressor Station presentation. Township Clerk Eckert said they will be revised and relisted for the next meeting.

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

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

NAY: None

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

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

NAY: None

At this time, Committeeman Benowitz made a motion to adopt the consent agenda excluding the Regular Minutes of November 23, 2015 (Resolution #2015-341-13) and the amended bill payment for P.O. #15-01755 (Resolution #2015-341-12); seconded by Deputy Mayor Popko.

AYE: Committeeman Benowitz, Committeeman, Committeeman Moynihan, Deputy Mayor Popko, Mayor Cann

NAY: None

**Township Committee discussion of Establishing Date and Time for 2016 Reorganization Meeting.**

Mayor Cann said Reorganization is typically done on the first Saturday after the new year. The Township Committee was in agreement to have Reorganization on Saturday, January 2, 2015 at 12:00 noon. Township Clerk said the official resolution adopting the date will be placed on the next meeting Agenda.

MAYOR CANN: Mayor Cann announced that if there are comments or suggestions on the RFPs to please contact him before the next Township Committee meeting which will be held on December 21, 2015.

**TOWNSHIP COMMITTEE AND STAFF REPORTS**

COMMITTEEMAN CARSON: Committeeman Carson said he had nothing to report.

COMMITTEEMAN MOYNIHAN: The Veterans Advisory Committee met last week. The member roster and meetings for 2016 were discussed.

The Bordentown Sewerage Authority has not met since the last Township Committee meeting. Committeeman Moynihan gave some highlights of recent Police Department matters.

COMMITTEEMAN BENOWITZ: A development meeting was held with Jules Nissim regarding his proposal for redevelopment on his property located on Route 206 South. Presentation to the Planning Board may occur early 2016.

He attended the Senior Citizen business meeting today. He also gave a short presentation on the proposed Transco pipeline with compressor station hoping to enlist their support of opposition.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said she has been busy with the Elcon Hazardous Waste Facility. She attended a meeting with other like-minded residents and groups who want

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to fight the facility. She shared information on the incinerator and asked that information be placed on the Township website.

Mayor Cann and she attended the BPU meeting today in Trenton. She said that only the Pinelands Preservation is opposing the pipeline completely. There was no opposition to the compressor station. The Freeholders' legal team gave their full support of the pipeline; they did not oppose it. The other towns present were only asking for a re-route. The only thing that can stop this is people power, by contacting their representatives. She is preparing a packet of letters for people to sign and send to the various representatives. They will also go on the Township's website. Deputy Mayor Popko also asked if individuals, on behalf of the Township, could collect signed letters, box them up, and have the Township send them to the representatives. The Township Committee authorized 200 packets be made and mailed.

Deputy Mayor Popko said that on December 16, 2015 from 7:00-9:00 pm at the Senior Community Center, representatives from A Responsible Pipeline Another World will host a town forum.

She thanked the Public Works Department and said they did a fantastic job in decorating for the Christmas Tree Lighting. Leave pick-up will continue through the end of December. The salt machines are getting ready for snow.

The Environmental Commission has not met recently, so there is nothing to report.

**MAYOR CANN:** Mayor Cann said that there is a group from Bordentown that is trying to intercede in the Township's court case against affordable housing.

It does not appear that that the Township has received approval for the change in the emergency generator, but everything else seems to be in place.

Grant funding is available of maximum \$24,000 for the pine trees being attacked by the southern pine beetle. The cost to the Township could be up to \$175,000, so a management system should be considered.

There is a request from Emergency Management Coordinator Andy Law, who is representing the American Legion's Boy's State Program in which every year the Township gives them \$250. The Township Committee agreed to have Township Clerk Eckert create a resolution giving \$250 to both Boy's State and Girl's State.

The Holiday Inn Express has been remediated.

**DEPUTY MAYOR POPKO:** In regard to the BPU, Deputy Mayor Popko said they would not let the Township submit an intervention because it had to be submitted by June 30, 2015. She asked Township Clerk Eckert to look for an announcement that Transco or SRL (Southern Reliability Line) was filing a petition from April-June 2015. Deputy Mayor Popko stated she spoke with the lawyers at BPU and with their Liaison who were surprised that the Township did not receive the announcement. They will let Deputy Mayor Popko know by the end of the week so that Attorney Kearns can write and file a written intervention. A letter of appeal may be necessary if they say the Township cannot file the intervention.

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

**AYE:** Committeeman Benowitz, Committeeman Carson, Committeeman Moynihan, Deputy Mayor Popko, Mayor Cann

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NAY: None

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

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

NAY: None

**ADDITIONAL MATTERS:**

None

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 Transco Pipeline Compressor Station Potential Litigation; Professional Services Agreement Contract Matter ó Elcon; Personnel Matter ó Education Policy; Affordable Housingô Potention Litigation; Bordentown Waterfront Community Project Contract Matter; and Public Works Expansion Project Contract Matter; seconded by Deputy Mayor Popko.

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.

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

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 10:20 pm and reconvened the regular meeting at 10:45 pm.

**Resolution #2015-341-20A entitled A RESOLUTION TO AWARD A CONTRACT TO JOSEPH PORRETTA BUILDERS, INC. FOR THE PUBLIC WORKS EXPANSION PROJECT, PROJECT 2, 266 CROSSWICKS ROAD RENOVATIONS.**

**Resolution #2015-341-20B entitled A RESOLUTION TO AWARD A CONTRACT TO JOSEPH PORRETTA BUILDERS, INC. FOR THE PUBLIC WORKS EXPANSION PROJECT, PROJECT 3, 262 CROSSWICKS ROAD RENOVATIONS.**

At this time, Committeeman Carson made a motion to approve Resolution #2015-341-20A and #2015-341-20B; seconded by Committeeman Benowitz.

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

NAY: None

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 adjourn the regular meeting; seconded by Committeeman Carson.

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

NAY: None

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 10:46 p.m.

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JAMES CANN, MAYOR

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COLLEEN M. ECKERT, TOWNSHIP CLERK