

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
DECEMBER 21, 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 Skip Reale
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 7:05 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, 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.

At this time, Committeeman Carson 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 Professional Services Agreement Contract Matter ó Elcon; Bordenø Crossing ó Potential Litigation; Barbara Woolley-Dillon vs. Township of Bordentown; and Professional Appointments for 2016; seconded by Committeeman Moynihan.

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

PAGE 2
REGULAR MEETING
DECEMBER 21, 2015

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:08 pm and reconvened the regular meeting at 7:40 pm.

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that there was nothing to report.

CONSENT AGENDA

Resolution #2015-355-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2015-355-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2015-355-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-355-10 entitled A RESOLUTION TO CANCEL TAXES.

Resolution #2015-355-11 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.

Resolution #2015-355-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.

Resolution #2015-355-13 entitled ESTABLISHING THE DATE AND TIME OF THE ANNUAL REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE FOR THE YEAR 2016.

Resolution #2015-355-14 entitled RESOLUTION AUTHORIZING MERITORIOUS AWARD TO AN EMPLOYEE OF THE TOWNSHIP OF BORDENTOWN.

Resolution #2015-355-15 entitled A RESOLUTION AUTHORIZING 2016 SPONSORSHIP OF BOYS' STATE PARTICIPATION THROUGH AMERICAN LEGION POST 26.

Resolution #2015-355-16 entitled RESOLUTION AUTHORIZING MONETARY DONATION TO THE NEW JERSEY DEFENSE ENHANCEMENT COALITION FOR THE PURPOSE OF SUPPORTING THE CONTINUED OPERATION OF THE JOINT BASE MDL (McGUIRE-FORT DIX-LAKEHURST).

Resolution #2015-355-17 entitled AMENDING RESOLUTION #2015-138-13 ENTITLED RESOLUTION ADJUSTING THE AMOUNT OF OFFICE HOURS AND SALARY FOR THE BORDENTOWN TOWNSHIP TAX ASSESSOR.

Resolution #2015-355-18 entitled APPROVING RAFFLE LICENSE #RL:420.

PAGE 3
REGULAR MEETING
DECEMBER 21, 2015

Resolution #2015-355-19 entitled APPROVING RAFFLE LICENSE #RL:421.

Resolution #2015-355-20 entitled APPROVING RAFFLE LICENSE #RL:422.

Resolution #2015-355-21 entitled AUTHORIZING DECEMBER 21, 2015, BUDGET TRANSFERS.

Resolution #2015-355-22 entitled CANCELLATION OF 2015 BUDGET APPROPRIATIONS.

Township Committee review and discussion of Consent Agenda Items Resolutions #2015-355-7 through #2015-355-22. Committeeman Benowitz, Deputy Mayor Popko, and Mayor Cann commented/asked questions on the Consent Agenda.

Resolution #2015-355-8. In regard to the Regular Meeting Minutes of November 23, 2015, Committeeman Benowitz asked that the Minutes be revised to state in his comments that the Affordable Housing meeting was held at Township Hall. In regard to the Regular Meeting Minutes of December 7, 2015, Mayor Cann asked that the Minutes be revised to state in his comments that Emerald Ash Trees should be replaced with Pine Trees.

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

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

NAY: None

SID MORGINSTIN, 849 East Drive: In regard to Resolution #2015-355-22, Mr. Morginstin asked why so much money is being unexpended for Police Salary and Wages. Mayor Cann responded that the Township has not filled all the vacant positions (four of them). And the total unexpended budget appropriations will go into the general budget.

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

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

NAY: None

At this time, Committeeman Carson made a motion to adopt the consent agenda with amendments to the meeting minutes as discussed; seconded by Committeeman Moynihan.

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

PAGE 4
REGULAR MEETING
DECEMBER 21, 2015

NAY: None

Township Committee discussion of Tax Abatement Request from Exeter Property Group for Exeter 301 Bordentown-Hedding, LLC.

Mayor Cann stated that the Exeter Property Group would like to take advantage of the Township's Tax Abatement Program that was adopted by ordinance in 2009 to help attract businesses. Michael Yako of the Exeter Property Group was present and stated that the reason they were seeking this program was to attract a viable tenant for the building. Mr. Yako also indicated on two different occasions that if the abatement is not considered by the Township, they would not consider building the warehouse. The Township Committee was in agreement to have an ordinance prepared for the first regular meeting in January.

TOWNSHIP COMMITTEE AND STAFF REPORTS

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

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan gave some highlights of recent Police Department matters. The Police Department also introduced the Safe Transaction Zone Program, which was very well received by the residents.

The Bordentown Sewerage Authority met tonight. The Sewerage Authority's operating permit is up for renewal. There is an issue with new N.J. DEP regulations regarding nitrate discharge levels from the plant, and discussions are ongoing with the N.J. DEP.

Committeeman Moynihan discussed with Mr. Targonski the test results from the new Z88 Filtering System that they are putting in place at the water plant. The results are very favorable and the Water Department is on their way to compliance on the gross alpha issue.

COMMITTEEMAN BENOWITZ: On December 8, 2015, Committeeman Benowitz attended the Economic Development Advisory Committee (EDAC) meeting. The business breakfast will be held on January 25, 2016 from 7:30 am to 9:30 am at the Town and Country Diner Restaurant. The presentation will be business/commercial activities in the Township. He discussed the progress being made on the EDAC website.

Committeeman Benowitz attended the December 10, 2015 Planning Board meeting. Team 85 requested that their application be continued until the January 7, 2016 meeting. Love's Travel Stops and Country Stores is seeking preliminary and final site plan approval to erect a building.

He also attended the Senior Social Meeting. Nearly every member signed the letters opposing Transco's proposed pipeline and compressor station.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said she went to Florence and reviewed Phase II of Waste Management's Landfill application proposal to the PA DEP. She shared the unfavorable information and said it should be determined if the Township should seek legal advice to fight this.

The Environmental Commission met on December 15, 2015. They discussed ELCON, the Waste Management Landfill, and the Transco Pipeline and Compressor Station. Over the weekend at Town and Country Diner, Committeeman Benowitz and Deputy Mayor Popko obtained signatures opposing the Transco Pipeline and Compressor Station. In addition, they obtained signatures at the Senior Center today. In all, they received approximately 600 signed letters. Tonight in Chesterfield Township, the

PAGE 5
REGULAR MEETING
DECEMBER 21, 2015

letters will be separated and mailed out. The Green Fair is scheduled for April 30, 2016. It will be held at Joseph Lawrence Park, and is being planned and partnered with Chesterfield Township. The Environmental Commission is also looking into purchasing a picnic table next year for the Community Garden.

The Public Works Department is still collecting leaves. The new street sweeper has had repairs completed under warranty and is now working. They've been putting sealer on the cracks in the road. There were only 1 or 2 complaints about garbage last week.

MAYOR CANN: Mayor Cann said some court decisions have been received on the Township's immunity request concerning affordable housing. The Township has been granted a 5 month period of temporary immunity. The Bordentown Developer has been granted intervener status, and they also opposed the appointment of our long-standing Special Master (Mary Beth Lonergan), but the court did re-appoint her.

The E-Waste Bill will be acted on by the Township in January.

The Township received a \$775,000 reimbursement from Green Acres.

The Cadillac Tax has been pushed back to 2020, and will save the Township money.

The Princeton Tectonics site behind McDonald's on Route 130 has been remediated and recently purchased.

In regard to the Compressor Station, the Township has been contacted in writing for access to the property by their appraisers and they were denied. They do not yet have eminent domain authority granted by FERC.

The tree buffering along route 130 funded by Waterfront for the Grande at Crystal Lake has been completed and installed.

PSE&G had an environmental discharge from a historic transformer; it has been remediated.

Progress on the generator is ongoing. Kathy Meer has been provided with all the information in terms of cost, and it should be less than what was budgeted.

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

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

NAY: None

RICHARD HAMMILL, 2468 Axe Factory Road, Mansfield Township: Mr. Hammill discussed the current traffic and prospective traffic on Bordentown-Hedding Road (where the Grainger warehouse is located). He asked if the road could be permanently closed or speed humps be put in on Mansfield's side. Mayor Cann said there have been requests to reopen the road, and have no say in what Mansfield Township does on their side. He added that we don't know what problems will happen once Grainger is opened, but the Township will respond to them. Grainger has been very cooperative so far. There have been no final inspections on the road.

SID MORGINSTIN, 849 East Drive: Mr. Morginstin thanked the Public Works Department for returning to pick-up his leaves.

Mr. Morginstin thanked Committeeman Moynihan for his service to the Township.

PAGE 6
REGULAR MEETING
DECEMBER 21, 2015

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

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

NAY: None

ADDITIONAL MATTERS:

Mayor Cann presented a plaque to Committeeman Moynihan for his three years of service to Bordentown Township. Committeeman Moynihan thanked everyone.

At this time, Committeeman Carson 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 Moynihan.

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 8:27 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK