

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
DECEMBER 19, 2016

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 Jill Popko  
Deputy Mayor Stephen Benowitz  
Committeeman Richard Carson  
Committeeman Eric Holliday  
Committeeman-elect Eugene Fuzy  
Township Clerk Colleen Eckert  
Attorney Eileen Fahey  
Chief Financial Officer David Kocian  
Public Works Director Dean Buhner  
Chief of Police Frank M. Nucera, Jr.

ABSENT: Committeeman James Cann

Mayor Popko called the meeting to order at approximately 7:05 p.m. and led a salute to the flag and a moment of silence for John Glen who passed away and the Electoral College today.

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 4, 2016, 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, Deputy Mayor 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:

- Environmental Litigation Matters: Transco Compressor Station  
SRL Pipeline  
NJNG
- Kevin Johnson Urban Renewal Litigation.
- CFO Personnel Matter.
- VOA Tax Abatement 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 Holliday.

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AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:08 pm and reconvened the regular meeting at 8:07 pm.

**Resolution #2016-354-6 entitled APPROVING PROMOTION TO POSITION OF POLICE SERGEANT.**

At this time, Mayor Popko read the Resolution into the record. The Township Committee congratulated Sergeant Biddle.

Deputy Mayor Benowitz made a motion to approve Resolution #2016-354-6; seconded by Committeeman Carson.

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

**Administration of Oath of Office to Police Sergeant Anthony Biddle.** At this time, Township Clerk Eckert administered the Oath of Office to the Police Sergeant Anthony Biddle.

**Presentation of Certificates of Appreciation to Individuals who have been Dedicated to the Opposition of the SRL Pipeline and Transco Compressor Station.**

Mayor Popko personally thanked each individual on behalf of the Township Committee and Bordentown Township. She said she hopes their resistance would not end with this Pipeline because the battle is not over. The Township Committee presented the certificates to each person.

**ADMINISTRATIVE REVIEW**

Township Clerk Eckert stated that the Township Committee was provided with an Addendum to the Agenda adding Resolution #2016-354-20A. As a result of Closed Session, there are three formal motions that need to be made: 1) motion to authorize Genova-Burns to file an appeal with FERC in the Transco matter and to discuss legal cost sharing with Chesterfield Township, 2) motion to authorize Genova-Burns to discuss settlement of the Transco condemnation action, and 3) motion to approve reduction of property tax assessment for K. J. Urban Renewal per recommendation of legal counsel.

**CONSENT AGENDA**

**Resolution #2016-354-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.**

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**Resolution #2016-354-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.**

**Resolution #2016-354-11 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2016-354-12 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2016-354-13 entitled ESTABLISHING THE DATE AND TIME OF THE ANNUAL REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE FOR THE YEAR 2017.**

**Resolution #2016-354-14 entitled AUTHORIZE EXECUTION OF RELEASE WITH MEL-JIF.**

**Resolution #2016-354-15 entitled RESOLUTION AUTHORIZING FINAL PAYMENT TO ARAWAK PAVING FOR 2014 ROAD PROGRAM.**

**Resolution #2016-354-16 entitled RESOLUTION AUTHORIZING THE TOWNSHIP OF BORDENTOWN TO ENTER INTO AN INTERLOCAL SERVICE AGREEMENT FOR ANIMAL CONTROL OFFICER.**

**Resolution #2016-354-17 entitled A RESOLUTION TO AWARD A THREE (3) YEAR CONTRACT FOR SOLID WASTE COLLECTION SERVICES AND MUNICIPAL DUMPSTER COLLECTION SERVICES TO EXCLUSIVE SERVICE & MAINTENANCE CO., LLC, DBA GARDEN STATE REMOVAL CO. AND A THREE (3) YEAR CONTRACT FOR SCHOOL DUMPSTER COLLECTION SERVICES TO WASTE MANAGEMENT OF NEW JERSEY, INC.**

**Resolution #2016-354-18 entitled APPROVE SHARED SERVICES AGREEMENT WITH THE BORDENTOWN REGIONAL SCHOOL DISTRICT FOR SOLID WASTE COLLECTION SERVICES.**

**Resolution #2016-354-19 entitled AUTHORIZING DECEMBER 19, 2016, BUDGET TRANSFERS.**

**Resolution #2016-354-20 entitled CANCELLATION OF 2016 BUDGET APPROPRIATIONS.**

**Resolution #2016-354-20A entitled RESOLUTION TO APPOINT PART-TIME CROSSING GUARD FOR THE TOWNSHIP OF BORDENTOWN.**

Township Committee review and discussion of Consent Agenda Items Resolutions #2016-354-9 through #2016-354-20A. Deputy Mayor Benowitz commented/asked questions on the Consent Agenda.

Resolution #2016-354-9. Mayor Popko asked why there were so many payments to Google on the bill list. Police Chief Nucera responded that Google would not send back the signed vouchers, but said we would have to go through a 3rd party provider which would cost the Township more money. The Township Auditor determined that the Township could make payment to Google directly without a

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signed purchase order so additional expenditures would not be required. Google charges the Township because it is not an individual account; we are a government entity that uses it for in-house and cell phone emails.

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

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

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

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

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

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

At this time, Committeeman Carson made a motion to authorize Genova-Burns to file an appeal with FERC in the Transco matter and to discuss legal cost sharing with Chesterfield Township; seconded by Deputy Mayor Benowitz.

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

At this time, Deputy Mayor Benowitz made a motion to authorize Genova-Burns to discuss a possible settlement of the Transco condemnation action; seconded by Committeeman Carson.

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz

NAY: Mayor Popko

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ABSENT: Committeeman Cann

At this time, Deputy Mayor Benowitz made a motion to approve reduction of property tax assessment for K. J. Urban Renewal per recommendation of legal counsel; seconded by Committeeman Holliday.

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

**TECHNICAL ADVISORY COMMITTEE REPORTS**

Deputy Mayor Benowitz asked that this item be removed from the Agenda because the applicant has changed the process of approval and altered the whole situation and they will apply utilizing different timelines.

**TOWNSHIP COMMITTEE AND STAFF REPORTS**

COMMITTEEMAN CARSON: Committeeman Carson said the Veteranø Advisory Committee met and discussed the recent Veteranø Day Ceremony pros and cons. They would like to see if in the future the speakers could coordinate their speeches so there is no duplication. In addition, adding soft music while the wreaths are being presented. The Veteranø Advisory Committee members will also like to have the school-aged kids (5<sup>th</sup>-6<sup>th</sup> graders) involved in the ceremony; i.e. running an essay contest and having the two winners read their essays at the ceremony, as well as having the chorus there to sing.

MAYOR POPKO: Mayor Popko thanked Committeeman Carson for the time he has spent on the Township Committee during the past three years and wished him the best.

COMMITTEEMAN HOLLIDAY: Committeeman Holliday said he spoke with Andy Law of the Office of Emergency Management about the upcoming weather for the winter season. Last year, the Township was reimbursed approximately \$54,000 from FEMA. The Township website will be kept up with major weather events. Andy Law continues to work with the County and State OEM.

They are still awaiting approvals and funding for the construction of the culvert at the Glen which should come in January 2017, and an extension for 12 months through FEMA Region 2.

They are waiting for Public Service to complete work so the generator can be hooked up. The potholes on New Jersey Avenue to Taft Avenue have been filled in.

There was a major fire at 18 Poplar Avenue.

He cited some recent Police activities.

Mission Firehouse District #1 is still working on their 2017 budget.

The meeting for Derby Fire Company District #2 had their meeting on December 12, 2016. Resident Diane Heinz attended. The letter stating the ISO insurance rating was reduced from a 10 to a 4 will be posted on Derbyø website. The broken fire hydrants in Williamsburg Village were discussed and they will be repaired. District #2 is also working on their 2017 budget.

The County Rescue Task Force is looking to have two EMTs trained for an active shooter incident.

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In regard to EMS, Supervisor Brian Maugeri said the new vehicle body going onto the EMS vehicle should be completed in January.

Committeeman Holliday said the new Animal Control truck cap has been put on and is working out well.

Committeeman Holliday and Police Chief Nucera met with the Township Webmaster Jason Springer. Training will continue with the two employees.

**DEPUTY MAYOR BENOWITZ:** In regarding the fire at 18 Poplar, Deputy Mayor Benowitz thanked the fire companies and expressed his condolences to the family.

He wished everyone a happy holiday season.

Deputy Mayor Benowitz thanked Committeeman Carson for his service on the Township Committee.

On December 7 and 15, 2016, he attended two inter-generational events; a spaghetti dinner and a tea for the seniors.

Deputy Mayor Benowitz attended the Sr. Citizens Social Meeting today.

In regard to the Community Development Office and UCC Office, he received an update on current projects in the Township, inspections, and tentative direction for 2017.

He attended the Sewerage Authority meeting. The applicant for 840 Route 206 (the old Bob Maguire Chevrolet property) talked about the new hotel and car wash.

**MAYOR POPKO:** Mayor Popko said she attended the Pinelands Commission last week. They were voting to revisit the pipeline that was sent back to them from the court. The Sierra Club, the Pinelands Alliance, and other environmental groups got together and won the court case, so there were a lot of people there asking that the Commission not revisit it. But they did vote to revisit it, whether to allow the pipeline, and then they opened up to public comment after they made the vote. The next meeting where they will vote to allow (or not allow) the pipeline is January 24, 2016 at 9:30 a.m. It will have a great effect on the pipeline and compressor station right here in Bordentown and Chesterfield.

The Environmental Commission Meeting is scheduled for tomorrow night.

Mayor Popko said she was a guest speaker this week for the Federation for Elected Women at their annual holiday breakfast.

P.W. Director Buhner and she will be going on a trail walk this week. She said they will also be meeting with Bordentown City who lost equipment when their Public Works building caught fire. Police Chief Nucera said he stopped there over the weekend and offered services on behalf of the Township Committee. Mayor Popko said if there is a meeting with them before the end of the year, she wanted to also attend.

Mayor Popko attended the presentation at the high school where the kids talked about the heroin and opioid epidemic.

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

**AYE:** Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

**NAY:** None

**ABSENT:** Committeeman Cann

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DAWN SHERIDAN, Bordentown-Chesterfield Road: Ms. Sheridan thanked Bordentown Township and the Committee for attending the DEP meeting and all their hard work.

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz said she attended the Derby Firehouse District #2 meeting. Committeeman Holliday was also in attendance. They brought up the broken hydrant on Williamsburg Drive. Derby responded it should be fixed, but they can use other hydrants if needed.

MAYOR POPKO: Mayor Popko wished everyone a happy holiday and said to be safe.

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

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

**ADDITIONAL MATTERS:**

COMMITTEEMAN CARSON: Committeeman Carson asked about the ice on Arlington Road. P.W. Director Buhrer responded that a resident decided to empty a pool that day.

POLICE CHIEF NUCERA: Police Chief Nucera said that on behalf of the Township employees and Committee, \$1600 was presented to the fire victim and family who live at 18 Poplar Avenue. Mayor Popko said they were several organizations also collecting for them.

At this time, Deputy Mayor Benowitz made the following motion:

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby recess the regular meeting to meet in Closed Session for the purpose of discussing: CFO Personnel Matter and VOA Tax Abatement Matter; seconded by Committeeman Holliday.

AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 9:19 pm and reconvened the regular meeting at 9:51 pm.

At this time, Deputy Mayor 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.

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AYE: Committeeman Carson, Committeeman Holliday, Deputy Mayor Benowitz, Mayor Popko

NAY: None

ABSENT: Committeeman Cann

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:51 p.m.

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JILL POPKO, MAYOR

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COLLEEN M. ECKERT, TOWNSHIP CLERK