

TOWNSHIP OF BORDENTOWN

TOWNSHIP COMMITTEE REGULAR MEETING AGENDA

DATE: MAY 7, 2012 TIME: 7:30 P.M. MEETING ROOM, MUNICIPAL BUILDING

ATTENDANCE:	PRESENT	ABSENT	
	_____	_____	Mayor Feltes
	_____	_____	Deputy Mayor Dauber
	_____	_____	Committeeman Cann
	_____	_____	Committeewoman DiMattia
	_____	_____	Committeewoman Popko
	_____	_____	Township Clerk Eckert
	_____	_____	Attorney Drollas
	_____	_____	Construction Official Carbone
	_____	_____	Chief Financial Officer Kocian
	_____	_____	Public Works Director Buhrer
	_____	_____	Police Chief Nucera
	_____	_____	Engineer Ruddiman

1. Salute to the flag and moment of silence.
2. Roll Call.
3. 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 9, 2012, 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.

4. 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.
5. In accordance with N.J.S.A. Appendix A:9-40.1, I Karl Feltes, as Mayor, do hereby appoint Andrew Law as Emergency Management Coordinator for a three year term beginning May 1, 2012 and expiring April 30, 2015.
6. Administrative Review
 - a. Review of agenda
 - b. Review of correspondence

CONSENT AGENDA ITEMS:

- a. Township Committee review and discussion of Consent Agenda Items.
 - b. Questions or comments from the audience on consent agenda items.
 - c. Motion, Second and Roll Call to adopt Resolutions #2012-128-7 through #2012-128-15.
7. Resolution #2012-128-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.
 8. Resolution #2012-128-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.
 9. Resolution #2012-128-9 entitled RESOLUTION AUTHORIZING AN APPLICATION FOR THE BURLINGTON COUNTY MUNICIPAL PARK DEVELOPMENT PROGRAM FUNDS.
 10. Resolution #2012-128-10 entitled A RESOLUTION AUTHORIZING THE PREPARATION OF ESTIMATED TAX BILLS FOR THE YEAR OF 2012.
 11. Resolution #2012-128-11 entitled RESOLUTION TO APPOINT A PART-TIME EMT.
 12. Resolution #2012-128-12 entitled RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN SUPPORTING THE NEW JERSEY LEAGUE OF MUNICIPALITIES FOR MUNICIPAL ENLISTMENT IN THE MILITARY INITIATIVE.
 13. Resolution #2012-128-13 entitled RESOLUTION CALLING FOR A BAN ON FRACKING.
 14. Resolution #2012-128-14 entitled RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION N.J.S.A. 40A:4-87.
 15. Resolution #2012-128-15 entitled RESOLUTION AUTHORIZING SUBMISSION OF MUNICIPAL ALLIANCE GRANT FOR CALENDAR YEAR 2012.
 16. Public Hearing on Ordinance #2012-4 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE GRANT OF \$250,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE DESIGN OF THE NEW JERSEY TRANSIT RIVERLINE TRAIN STATION AND TO INTERSECTION IMPROVEMENTS ON ROUTE 130 IN CONNECTION WITH THE BORDENTOWN WATERFRONT REDEVELOPMENT PROJECT.
 17. Consideration of Adoption of Ordinance #2012-4 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE GRANT OF \$250,000 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE DESIGN OF THE NEW JERSEY TRANSIT RIVERLINE TRAIN STATION AND TO INTERSECTION IMPROVEMENTS ON ROUTE 130 IN CONNECTION WITH THE BORDENTOWN WATERFRONT REDEVELOPMENT PROJECT.
 18. Consideration of Introduction of Ordinance #2012-5 entitled REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR

TAXES LEVIED IN AND BY THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING NOT TO EXCEED \$568,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$568,000.00 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF.

19. Consideration of Introduction of Ordinance #2012-6 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$766,900 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$728,555 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.
20. Township Committee discussion with Bordentown Waterfront Community, LLC, representatives regarding Performance Bond matters.
21. Presentation by Chris Nunn and Keith McWhirk of the Economic Development Advisory Committee.
22. Township Committee discussion with Chief Nucera regarding Upgrade to Video-Conferencing System.
23. Township Committee discussion regarding PILOT Revenue Plan.
24. Township Committee and Staff Reports.
25. Public Participation.

Questions, comments or statements from members of the public in attendance.

26. Any additional matters or correspondence to be reviewed, discussed or acted upon at the discretion of the Township Committee.
27. Resolution to meet in closed session:

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby (adjourn) (recess) this Regular Meeting to meet in Closed Session for the purpose of discussing:

RESOLUTION #2012-128-

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that all of the bills listed to be paid on the list dated May 7, 2012, as submitted by the Office of the Treasurer are hereby approved for payment and the Office of the Treasurer is directed to pay the same.

05/07/12

RESOLUTION #2012-128-

APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS

BE IT RESOLVED by the Township Committee of the Township of Bordentown that the minutes of the Township Committee Closed Session Meeting of April 9, 2012, and the Regular Meeting of March 26, 2012 and April 9, 2012, as submitted by the Clerk and posted on the bulletin board, be and are hereby approved as (_____ submitted) (_____ corrected); and

BE IT RESOLVED that the following reports for the month of March 2012 as submitted by the Township Officials are hereby received and filed: Tax Collector, Township Clerk, Construction, Community Development, Municipal Court, Finance and Engineer.

05/07/12

RESOLUTION #2012-128-

RESOLUTION TO APPOINT A PART-TIME EMT

WHEREAS, the Township Committee of the Township of Bordentown has determined the need to appoint a part-time EMT;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby appoint Ms. Dorenda Kerr as a part-time EMT effective May 8, 2012; and

BE IT FURTHER RESOLVED that compensation shall be set as \$12.00 per hour in accordance with Ordinance #2011-10.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on May 7, 2012.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/07/12

RESOLUTION #2012-128-

RESOLUTION AUTHORIZING AN APPLICATION FOR THE BURLINGTON COUNTY MUNICIPAL PARK DEVELOPMENT PROGRAM FUNDS

WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund") and established a Municipal Park Development Program ("Program") to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, the Township Committee of the Township of Bordentown desires to obtain County Municipal Park Development Program funds in the amount of \$250,000 to fund 2012 multiple park improvements located in the Township of Bordentown; and

WHEREAS, the Township of Bordentown is the owner of and controls the project sites;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown that:

1. Turek Consulting is authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;
2. The Township of Bordentown is committed to this project and will provide the balance of funding necessary to complete the form of non-county matching funds as required in the policy and procedures manual for the program; and
3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. The Mayor and Township Clerk are hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Burlington for the approved funds; and
5. This resolution shall take effect retroactive to May 4, 2012, with the submission of the application to the Board of Chosen Freeholders of the County of Burlington.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on May 7, 2012.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/07/12

RESOLUTION #2012-

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BORDENTOWN
SUPPORTING THE NEW JERSEY LEAGUE OF MUNICIPALITIES FOR MUNICIPAL
ENLISTMENT IN THE MILITARY INITIATIVE

Whereas, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, “Above all, our freedom endures because of the men and women in uniform who defend it,” and that “ ... this generation of heroes has made the United States safer and more respected around the world.”; and

Whereas, the President, further, promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

Whereas, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

Whereas, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

Whereas, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

Whereas, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

Whereas, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

Whereas, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

Whereas, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and

Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

Whereas, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

Whereas, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

Whereas, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

Whereas, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

Whereas, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up; now therefore be it

Resolved, on this 23rd day of April, 2012 that the Township Committee of the Township of Bordentown recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

Be It Further Resolved, that in gratitude, the Township of Bordentown pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

Be It Further Resolved, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities.

RESOLUTION #2012-128-

RESOLUTION CALLING FOR A BAN ON FRACKING

WHEREAS, the hydraulic fracturing (fracking) for natural gas involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and workover operations; and

WHEREAS, hydraulic fracturing of underground geologic formations is often accomplished by injecting a complex mix of fluids and chemicals, including large volumes of water, on average 4.5 million gallons per well, under very high pressure to create fractures in gas bearing geologic formations; and

WHEREAS, many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts; and

WHEREAS, there have been more than 1,000 documented cases of water contamination near fracking sites; some people who live near these sites can now light their drinking water on fire; and

WHEREAS, wastewater from fracking may contain radioactive elements and other toxic components and has been discharged into rivers that supply drinking water for millions; and

WHEREAS, use of these hydraulic fracturing mixes exposed air, aquifers and adjacent land and surface waters to the risk of contamination through spills and accidents, open pit storage, truck transport on roadways, and activities during well development; and

WHEREAS, Former President George W. Bush's EPA point person on water now admits fracking should never have been exempted from regulation; and

WHEREAS, New Jersey's Legislature and Governor have enacted a one-year moratorium on fracking set to expire in January of 2013; and

WHEREAS, since the New Jersey Legislature originally acted to ban fracking, the case for a ban on fracking is strengthened by a US EPA report of fracking fluids in an aquifer in Pavilion Wyoming, and separate incidents involving earthquakes in Ohio linked to fracking waste disposal using injection wells; and

WHEREAS, wastewater, wastewater solids or sludge, drill cuttings and/or other byproducts from the fracking process are known to contain toxic levels of contaminants, including unknown quantities of undisclosed chemical additives used in hydraulic fracturing fluid, as well as contaminants from sources underground; Benzene, naphthalene, formaldehyde, cadmium, mercury, arsenic, total dissolved solids, and radioactive material, such as radium, are among the known contaminants; and

WHEREAS, methods of treatment and disposal for fracking waste do not eliminate the risks that hydraulic fracturing wastewater, wastewater solids or sludge, drill cuttings and/or other byproducts pose to human health and the environment; and

WHEREAS, S246/A567 is currently pending before the NJ Legislature, and would prohibit hydraulic fracturing in New Jersey; and

WHEREAS, A575/S253 is currently pending before the NJ Legislature, and would prohibit treatment, discharge, disposal or storage of waste from hydraulic fracturing in New Jersey; and

WHEREAS, the Fracturing Responsibility and Awareness of Chemicals Act (“FRAC Act”) which is currently pending in Congress, would repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking; and

WHEREAS, the BREATHE Act (Bringing Reductions to Energy’s Airborne Toxic Health Effects Act) is currently pending before Congress and would close two gas and oil drilling exemptions which currently exist in the Clean Air Act for fracking; and

WHEREAS, the New Alternative Transportation to Give Americans Solutions (“NAT GAS Act”) Act is currently pending before Congress and would create artificial demand for gas by providing billions of dollars in subsidies to the gas industry, further promoting fracking; and

WHEREAS, at least three pipelines, which will transport fracked gas, are expanding into NJ, passing through densely populated communities like Jersey City and environmentally sensitive areas in the NJ Highlands, encompassing protected land paid for and owned by the people of New Jersey to be preserved as open space to protect water resources; and

WHEREAS, historically 100% of US produced gas has been used domestically, and now 12% of US produced gas is being exported to international markets via liquefied natural gas (LNG) terminals; and

WHEREAS, previous decisions to halt the construction of LNG facilities in New Jersey and off our coast could be reversed to profit gas companies who can charge four times as much for gas in Europe as they can in the US; and

WHEREAS, the wise stewardship of our natural resources involves protection of the Township of Bordentown’s air, water supplies and water resources for generations to come; and

WHEREAS, protection of the Township of Bordentown’s air, water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to cleaning up contamination and restoring degraded environments after the fact;

NOW, THEREFORE, BE IT RESOLVED that on the 23rd day of April, 2012, the Township of Bordentown supports a statewide and national ban on hydraulic fracturing for natural gas, banning the treatment, disposal and transport of dangerous fracking waste in New Jersey and preventing our drinking water supplies from being used for fracking; and

BE IT FURTHER RESOLVED that the Township of Bordentown opposes the NATGAS Act; and

BE IT FURTHER RESOLVED that the Township of Bordentown supports the FRAC Act; and

BE IT FURTHER RESOLVED that the Township of Bordentown supports the BREATHE Act; and

BE IT FURTHER RESOLVED that the Township of Bordentown opposes LNG facilities in New Jersey and off our coast; and

BE IT FURTHER RESOLVED that the Township of Bordentown will forward a certified copy of this resolution to our Congressional Representative and US Senators alerting them to our concerns with

fracking and urging them to support a federal ban on fracking and co-sponsor the FRAC and BREATHE Acts and oppose the NATGAS Act; and

BE IT FURTHER RESOLVED that the Township of Bordentown will send a certified copy of this resolution to our NJ Assembly and Senate members alerting them to our concerns with fracking and urging them to co-sponsor S246/A567 to prohibit hydraulic fracturing in New Jersey and A575/S253 to prohibit the treatment, discharge, disposal or storage of hydraulic fracturing waste in New Jersey; and

BE IT FURTHER RESOLVED that hydraulic fracturing for natural gas is prohibited within the Township of Bordentown; and

BE IT FURTHER RESOLVED that the Township of Bordentown recommends that the Bordentown Sewerage Authority not accept hydraulic fracturing fluids and/or waste produced by natural gas drilling.

DISTRIBUTION LIST

1. Bordentown Township State Representatives.
2. Bordentown Township Congressional Representative.
3. Governor Chris Christie, P.O. Box 001, Trenton, NJ 08625.
4. Senator Robert Menendez, One Gateway Center, Suite 1100, Newark, NJ 07102.
5. Senator Frank Lautenberg, One Gateway Center, 23rd Floor, Newark, NJ 07102.
6. Delaware Riverkeeper Network, 300 Pond Street, 2nd Floor, Bristol, PA 19007.
7. Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on May 7, 2012.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/07/12

RESOLUTION #2012-128-

RESOLUTION AUTHORIZING SUBMISSION OF MUNICIPAL ALLIANCE GRANT FOR CALENDAR YEAR 2012

WHEREAS, the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Burlington;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Bordentown, County of Burlington, State of New Jersey, that it hereby recognizes the following:

1. The Township Committee of the Township of Bordentown does hereby authorize submission of an application for the Municipal Alliance Grant for calendar year 2012 in the amount of \$22,900.
2. The Township Committee of the Township of Bordentown acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

It is hereby certified that the foregoing is a true and correct copy of a resolution adopted by the Township Committee of the Township of Bordentown at a meeting held on May 7, 2012.

COLLEEN M. ECKERT, RMC, TWP. CLERK

05/07/12