

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
FEBRUARY 11, 2013

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 Karl Feltes
Committeeman John Moynihan
Township Clerk Colleen Eckert
Attorney William J. Kearns, Jr.
Chief Financial Officer David Kocian
Public Works Director Dean Buhner
Chief of Police Frank M. Nucera, Jr.

ABSENT: Construction Official Pete Carbone

Mayor Cann called the meeting to order at approximately 7:32 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, 2013, 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, 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.

Announcements from Representatives of the Veteran's Advisory Committee

Mr. Hill asked the Township Committee if the Township could donate to the housing of the West Point Jazz Knights who will be staying at the Hampton Inn on Friday, April 5, 2013. They will be having a day of music clinics with the Bordentown High School students and will be performing a free public concert at 7:30 pm in the High School Performing Arts Center that evening. The Township Committee will be receiving tickets for this event, and the Governor may attend. Mr. Hill already communicated with Bordentown City's Mayor Lynch, and security will be necessary. Mayor Cann suggested requesting the owner of the Hampton Inn to comp some rooms. He will also contact Mayor Lynch and coordinate a reasonable contribution from both entities.

Mr. Hill stated they are waiting for someone to open the meeting room on the Veteran's Advisory Committee Meeting nights. He was advised that at the last meeting the Committee (Harry Havens) was approved to receive a key which is on its way. The new meeting night for the Veteran's Advisory Committee is the first Tuesday of the month at 7:00 pm.

PAGE 2
REGULAR MEETING
FEBRUARY 11, 2013

Public Hearing on Ordinance #2013-3 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF LAND AND BUILDINGS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$600,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$570,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

Mayor Cann made a statement regarding what was printed in the newspaper on the Proposed Expansion of the Bordentown Township Public Works Facility. The \$17.95/year average cost to the resident was as if there was no income generated by the project. And since they are conservatively anticipating \$30,000 in income, the impact on revenue would be \$0.

Alt. Township Engineer Fred Turek reviewed the changes with the Township Committee and the public.

At this time, Deputy Mayor Popko made a motion to open the public hearing on Ordinance #2013-3; seconded by Committeeman Benowitz.

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

NAY: None

Seeing no further public comment, Committeeman Feltes made a motion to close the public hearing on Ordinance #2013-3; seconded by Committeeman Benowitz.

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

NAY: None

Consideration of Adoption of Ordinance #2013-3 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF LAND AND BUILDINGS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$600,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$570,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan stated that he is not in favor of approving the ordinance at this time. He said he wasn't sure the Public Works expansion is an expense the Township needs at this point, and approving the ordinance before the Township conducts the formal budget process for the upcoming year is premature. The local use tax would be increased at a time when State Aid is uncertain and the Township faces fee increases from the Bordentown Regional School District, Fire Districts, Sewer Authority, and the Bordentown City Water Company. He added that this project will remove a commercial ratable from a continually declining property tax base. His suggestion is to turn this over to the Township's financial advisors for their input. He also proposes that the taxpayers be asked in the form of a ballot referendum if they think it is a good idea. And if

PAGE 3
REGULAR MEETING
FEBRUARY 11, 2013

they chose to go forward with this project, the Township would have the benefit of their advice and consent.

COMMITTEEMAN BENOWITZ: Committeeman Benowitz said that the opportune time for bonding of the project is right now. The interest rates would be the lowest in many years.

DEPUTY MAYOR POPKO: Deputy Mayor Popko added that now is the time because the property is adjacent to the current Public Works property, and the chances to get another opportunity like this is very low. Construction costs and interest rates are at their lowest. If the funding was not available, they would not be proceeding with the project now.

MAYOR CANN: Mayor Cann confirmed that \$15,000/year will be removed from the tax rolls, but are expecting an income of \$30,000. The Township is also trying to provide needed services to the residents, and we are lagging behind the surrounding municipalities. The Township has been working on the project and trying to acquire the property for years. He said the project makes sense.

At this time, Committeeman Benowitz made a motion to adopt Ordinance #2013-3; seconded by Deputy Mayor Popko.

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

NAY: Committeeman Moynihan

Presentation with Jason Konek of Lutheran Social Ministries regarding Amendment to Proposed Plans within the Bordentown Waterfront Community Redevelopment Project.

Mayor Cann stated that Lutheran Social Ministries have decided to seek an alternate route to secure their funding. This discussion is being withdrawn from the Agenda.

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated that Resolution #2013-042-12 is being pulled from the Consent Agenda and will be considered at a later date.

CONSENT AGENDA

Resolution #2013-042-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2013-042-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.

Resolution #2013-042-11 entitled APPROVING RAFFLE LICENSE #RL:378.

Resolution #2013-042-12 entitled RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE CLOSING DOCUMENTS WITH REGARDS TO THE NJ TURNPIKE AUTHORITY LAND DIVERSION.

PAGE 4
REGULAR MEETING
FEBRUARY 11, 2013

Resolution #2013-042-13 entitled RESOLUTION AUTHORIZING THE EXTENSION OF EMPLOYMENT FOR TAX ASSESSOR BEYOND RESIGNATION DATE.

Resolution #2013-042-14 entitled AUTHORIZING YEAR 2013 TEMPORARY EMERGENCY APPROPRIATIONS (N.J.S.A. 40A:4-20).

Township Committee review and discussion of Consent Agenda Items Resolutions #2013-042-9 through #2013-042-14, excluding #2013-042-12.

Resolution #2013-042-9. Township Clerk stated that the bill #12-00340 from the Concorde Group (records retention) is being removed from the bill list. The resolution was approved last year for yearly services and the purchase order has been signed, however, the work has not yet been performed.

Committeeman Benowitz announced that he refunded the Township for the total cost of business cards.

Committeeman Feltes again asked CFO Kocian for quantities of the items ordered be placed on the bill list.

Committeeman Benowitz, Committeeman Feltes, Committeeman Moynihan, Deputy Mayor Popko, and Mayor Cann commented/asked questions about the bill list.

Resolution #2013-042-13. Committeeman Feltes asked about the payment arrangements for the extension of employment for the Tax Assessor. Attorney Kearns recommended adding that the salary remain at the \$20,000 annual rate.

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

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

NAY: None

AL BERNOTAS, 76 Groveville Road: Mr. Bernotas asked about the removal of the ice machine. Mayor Cann and Police Chief Nucera responded to his questions.

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

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

NAY: None

At this time, Deputy Mayor Popko made a motion to adopt the consent agenda excluding Resolution #2013-042-12, revising Resolution #2013-042-9 and remove bill item 12-00340 as discussed (noted above), and amending Resolution #2013-042-13; seconded by Committeeman Benowitz.

PAGE 5
REGULAR MEETING
FEBRUARY 11, 2013

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

NAY: None

Public Hearing on Ordinance #2013-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO ESTABLISH A RESTRICTED-PARKING ZONE IN FRONT OF A RESIDENCE OCCUPIED BY A HANDICAPPED PERSON.

At this time, Deputy Mayor Popko made a motion to open the public hearing on Ordinance #2013-2; seconded by Committeeman Benowitz.

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

NAY: None

Seeing no public comment, Deputy Mayor Popko made a motion to close the public hearing on Ordinance #2013-2; seconded by Committeeman Benowitz.

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

NAY: None

Consideration of Adoption of Ordinance #2013-2 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN TO ESTABLISH A RESTRICTED-PARKING ZONE IN FRONT OF A RESIDENCE OCCUPIED BY A HANDICAPPED PERSON

At this time, Committeeman Benowitz made a motion to adopt Ordinance #2013-2; seconded by Deputy Mayor Popko.

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

NAY: None

Township Committee discussion of County of Burlington Authorization to Conduct Aerial Larval/Adult Mosquito Control Activities.

Mayor Cann and Deputy Mayor Popko began the discussion on the aerial control activities of larvae/adult mosquitoes. Deputy Mayor Popko talked about the detriment of the chemicals and said she is not convinced that the chemicals are helping. These are pellets that are spread into natural wildlife habitat, not residential areas. Committeeman Feltes suggested contacting Rutgers University who do these kinds of studies.

PAGE 6
REGULAR MEETING
FEBRUARY 11, 2013

At this time, Deputy Mayor Popko made a motion to open up the discussion to the public; seconded by Committeeman Feltes.

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

NAY: None

BRUCE HILL, 757 Mission Road: Mr. Hill said when he was mayor of the Township, the residents were afraid of West Nile Virus and wanted the Township to be sprayed.

AL BERNOTAS, 76 Groveville Road: Mr. Bernotas said that these treatments are long-term. He did not think the control activities should discontinue, but it should be researched and looked at very cautiously.

At this time, Deputy Mayor Popko made a motion to close the discussion to the public; seconded by Committeeman Feltes.

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

NAY: None

Deputy Mayor Popko asked if she could contact ANJEC for their input. Just to maintain balance, Mayor Cann said if there is someone at Rutgers who has done a study on this, it might be worth looking into. It may be the Township's only viable alternative in keeping the mosquito population down because of the cost and there may not be an alternative. There was no decision made, and the Township will notify the County at a later date if they intend on participating.

TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN BENOWITZ: Committeeman Benowitz said he met with Chris Nunn regarding the Economic Development Advisory Committee (EDAC). They reviewed past and discussed future items, and reviewed the ordinance which will be revised. Mr. Nunn will attend the next Township Committee Meeting. Committeeman Benowitz will reach out to the former members to see if they would like to continue being members. The July 4th event is progressing.

He attended the Senior Citizen's meeting on February 4, 2013. There is a resident, Howard McCue, who turns 100 on February 13, 2013. He asked if the Township Committee could do a Mayoral Proclamation. Resident Bruce Hill added that if you send this announcement to the President of the United States, he will be recognized. Angel Sauro will handle the Proclamation and sending out this letter. The Environmental Commission gave a presentation on the Green Team Challenge at this meeting.

He will be meeting with Police Chief Nucera and P.W. Director Buhner to tour the town to make sign recommendations, and followed with an update on the Public Works Department.

Committeeman Benowitz attended the February 7, 2013 Derby Fire Commissioner's meeting that was also attended by Construction Official Carbone.

The medicine drop conducted at least once a year by the Police Department was discussed.

PAGE 7
REGULAR MEETING
FEBRUARY 11, 2013

COMMITTEEMAN FELTES: Committeeman Feltes stated there has been no movement on the affordable housing issue, which is still in hearings.

There is new legislation on N.J. Current Workers' Compensation Law to amend the law. It will be almost impossible to contest the claims that occur from injuries and illnesses caused off the jobs. Burden will be put on the government employers to establish that it wasn't a non-compensatable injury. And it will have a detrimental effect on the Public Employees/Police & Fire Retirement System. The New Jersey Municipalities asked if the municipalities will prepare a resolution opposing A-1196.

The Zoning Board will be selecting their professionals at the next meeting.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan stated that he attended the Board of Education Meeting on February 6, 2013. The Superintendent reported that the State and Federal funding for the coming fiscal year is uncertain. Superintendent Bauer also stated that she has no information on ratables or assessed valuations. He is following up on this. It was announced that a sub-committee of school board members was appointed to look into the solar project and the previous bond issue. Committeeman Moynihan also met with the school board president to discuss concerns about this.

There was a meeting on Friday, February 1, 2013 with Mayor Cann, Community Development Director, Brian Johnson and N.J. Turnpike Engineer, John Keller of the N.J. Turnpike Authority, and he met with residents concerning noise issues in the Holloway Lane/Alfred Drive area. Alt. Engineer Fred Turek and Planner Jack Carman will develop a tree planting plan.

MAYOR CANN: Mayor Cann added that the N.J. Turnpike had previously agreed to extend the barrier wall. The residents' main concern was that the emergency turn-around is located directly behind their homes and it will affect their property values. The trees would be planted on Township property.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said Mr. Hill covered the Veteran's Advisory Committee update.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said she and Committeeman Benowitz attended the February 7, 2013 Derby Fire Commissioner's meeting. They are doing remediation to bring the firehouse up to code so they can do inspections. The second floor is being turned into an attic, and the first floor sleeping quarters will be moved out of the garage area. Construction Official Carbone assisted in this. Both Derby Firehouse and Mission Firehouse will be holding elections for new commissioners on February 16, 2013.

In regard to the Environmental Commission, they are doing a photo contest for their Environmental Resource Inventory (ERI). Winners will be selected at the April meeting. Photographs will be enlarged and placed in public areas. They are working on a Public Works fleet census, which will go to the Sustainable Jersey Certification Points. The Green Team did a presentation at the Senior Center. She spoke with the seniors about signing up if they want to be checked-on if there is a crisis in the Township.

She attended a meeting in Roebling on the Burlington County Bicycle Master Plan. They want to get input from municipalities on the bicycle routes to update their maps, and will be deciding where County funding will go.

PAGE 8
REGULAR MEETING
FEBRUARY 11, 2013

MAYOR CANN: Mayor Cann said the Town Center Redevelopment Plan (Southern Gateway) is being worked on. Fred Turek, Planning Board Engineer and Jack Carman, Planning Board Planner/Landscape Architect in conjunction with the Community Development Office have been looking at ways to make it a viable plan. There will be a joint meeting at the end of March with the Township Committee and Planning Board. The transportation/large trucks on Farnsworth Avenue, Dunns Mill Road, and Hedding Road needs to be addressed. They are looking to put in a diversion road on Rising Sun Road which would come into Dunns Mill Road or complete the clover. The DVRPC is endorsing this, and they are looking to get other entities on board with this.

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

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

NAY: None

ROSELYN BRADBURY, 17 Wyndham Court: Ms. Bradbury asked for an exemption in the Township's ordinance limiting the numbers of dogs at a residence. She says she trains them to be therapy/service dogs and has them for 3 months or less. Mayor Cann suggested modifying the ordinance to permit the exemption providing proof is submitted. Attorney Kearns will review the current ordinance. Ms. Bradbury will let Township Clerk know if there are towns that have made exemptions like this. The Homeowner's Association is aware and has waived the limit for her.

BRUCE HILL, 757 Mission Road: Mr. Hill asked who was responsible for the traffic signal on Hedding Road that keeps getting knocked down. Mayor Cann responded the state will move the signal and it is their responsibility.

Mr. Hill also asked that the information on the poster outside the door regarding Veterans be placed on the Township's website. He asked that all information regarding Veterans be forwarded to the Veteran's Advisory Commission. Mayor Cann told him that a Bordentown resident just received a distinguished service award; Mr. Hill will follow-up with this.

He thanked the Township Committee for consideration of the ordinance past today for the handicapped parking spot.

LEN de Groot, 8 Arlington Road: Mr. de Groot stated that the presentation and audience participation of the ordinance passed tonight for the new Public Works Building was the best he'd ever seen. He added that this should be the standard for any future proposal.

Seeing no further comments, Committeeman Feltes made a motion to close the public portion of the meeting; seconded by Committeeman Moynihan.

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

NAY: None

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

PAGE 9
REGULAR MEETING
FEBRUARY 11, 2013

BE IT RESOLVED by the Township Committee of the Township of Bordentown that it does hereby recess the regular meeting for purpose of discussing Emergency Management Coordinator Personnel Matter, PSA Contracts, Health Insurance Personal Policy Matter, Municipal Service Contract Act, Bordentown Waterfront Community Contract Matter, Woolston Craft Property Contract Matter, and Tax Assessor Personnel Matter; seconded by Committeeman Feltes.

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

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 9:41 pm and reconvened the regular meeting at 10:37 pm.

Resolution #2013-042-14A entitled RESOLUTION ESTABLISHING ANNUAL SALARY OF THE DEPUTY EMERGENCY MANAGEMENT COORDINATOR, which will be P.W. Director Dean Buhner.

At this time, Committeeman Benowitz made a motion to adopt Resolution #2013-042-14A; seconded by Committeeman Moynihan.

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

NAY: None

At this time, Committeeman Feltes 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 Deputy Mayor Popko.

AYE: Committeeman Benowitz, Committeeman Feltes, 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 10:38 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK