

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
JULY 8, 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: None

Mayor Cann called the meeting to order at approximately 7:34 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.

APPOINTMENT OF MEMBER TO ENVIRONMENTAL COMMISSION

In accordance with N.J.S.A. 40:56A-1 et seq and Section 2-18 of the Revised General Ordinances of the Township of Bordentown, I, James Cann, as Mayor, do hereby make the following appointment to the Environmental Commission:

William M. Bancroft 3 Year Unexpired Term Expiring 12/31/13

ADMINISTRATIVE REVIEW

Township Clerk Eckert stated there is an Addendum to the Consent Agenda adding Resolution #2013-189-12A to appoint a seasonal laborer to the Department of Public Works. Also, the payment to Bowman and Company is being pulled from the bill list.

CONSENT AGENDA

Resolution #2013-189-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2013-189-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND CORRESPONDENCE.

Resolution #2013-189-9 entitled RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN GENERAL CAPITAL FUNDED IMPROVEMENT AUTHORIZATION BALANCES.

Resolution #2013-189-10 entitled APPROVING RAFFLE LICENSE #RL:386.

Resolution #2013-189-11 entitled AUTHORIZING ISSUANCE OF BINGO LICENSE #BL:387.

Resolution #2013-189-12 entitled APPROVING RAFFLE LICENSE #RL:388.

Resolution #2013-189-12A entitled RESOLUTION TO APPOINT SEASONAL LABORER EMPLOYEE IN THE DEPARTMENT OF PUBLIC WORKS.

Township Committee review and discussion of Consent Agenda Items Resolutions #2013-189-7 through #2013-189-12A.

Committeeman Benowitz, Committeeman Feltes, Deputy Mayor Popko, and Mayor Cann commented/asked questions about the Consent Agenda.

Resolution #2013-189-8. Committeeman Feltes asked that his motions at the May 6, 2013 and May 20, 2013 minutes be confirmed. Mayor Cann asked that the wording in the May 6, 2013 minutes be confirmed. Township Clerk Eckert will follow-up and make corrections accordingly if needed.

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

Seeing no 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

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At this time, Deputy Mayor Popko made a motion to adopt the consent agenda with exception of the payment to Bowman and Company which is being removed from the bill list; seconded by Committeeman Benowitz.

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

NAY: None

TOWNSHIP CLERK ECKERT: Township Clerk Eckert announced that Items #15 & 16 on the Agenda for Ordinances #2013-14 & #2013-15 should be listed for Introduction (not Adoption).

Public Hearing on Ordinance #2013-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25 OF THE MUNICIPAL CODE TO INCLUDE THE ENVIRONMENTAL RESOURCE INVENTORY FOR THE TOWNSHIP OF BORDENTOWN.

At this time, Deputy Mayor Popko made a motion to open the public hearing on Ordinance #2013-13; seconded by Committeeman Feltes.

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 #2013-13; seconded by Committeeman Benowitz.

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

NAY: None

Consideration of Adoption of Ordinance #2013-13 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING CHAPTER 25 OF THE MUNICIPAL CODE TO INCLUDE THE ENVIRONMENTAL RESOURCE INVENTORY FOR THE TOWNSHIP OF BORDENTOWN.

At this time, Deputy Mayor Popko made a motion to adopt Ordinance #2013-13; seconded by Committeeman Benowitz.

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

NAY: None

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Consideration of Introduction of Ordinance #2013-14 entitled AN ORDINANCE REGULATING SMOKING IN AND UPON PUBLIC BUILDINGS AND ON PUBLIC PROPERTY, INCLUDING PARKS AND RECREATION AREAS OF THE TOWNSHIP OF BORDENTOWN.

At this time, Deputy Mayor Popko made a motion to introduce Ordinance #2013-14; seconded by Committeeman Benowitz.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be July 22nd.

Consideration of Introduction of Ordinance #2013-15 entitled AN ORDINANCE ESTABLISHING A CODE OF CONDUCT FOR SOLICITORS AND CANVASSERS AND PROVIDING FOR A REGISTRY FOR RESIDENTS WHO WISH TO BE PLACED ON A “DO NOT SOLICIT” LIST.

MAYOR CANN: Attorney Kearns stated that the hours were not changing – by law they cannot change. Mayor Cann said this is only an amendment to the Ordinance.

At this time, Deputy Mayor Popko made a motion to introduce Ordinance #2013-15; seconded by Committeeman Benowitz.

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

NAY: None

TOWNSHIP CLERK ECKERT: The public hearing will be July 22nd.

Township Committee discussion with Deputy Mayor Popko regarding Music in the Park.

Deputy Mayor Popko said that Thursday, July 11, 2013 will be the first day of the program. If it rains it will be cancelled with no raindate. Additional dates are July 18, 25 and August 1.

Township Committee discussion with Deputy Mayor Popko regarding Applications for Environmental Grants.

Deputy Mayor Popko said that this item should have been removed from the Agenda because the Environmental Commission was not ready to discuss.

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TOWNSHIP COMMITTEE AND STAFF REPORTS

COMMITTEEMAN BENOWITZ: Committeeman Benowitz thanked everyone involved in the July 5, 2013 Fireworks.

The pole for the netting at the baseball field has been installed at Northern Community Park.

An additional safety tour of the Township was conducted by Police Chief Nucera, P.W. Director Buhner and Committeeman Benowitz. Additional street signs, painting of lines, and replacement of signs are necessary.

He attended the July 1, 2013 Senior Citizen Meeting and mentioned their recent and upcoming events.

Committeeman Benowitz said that he and Mayor Cann met with the ADHOC Sign Committee and the Township's sign ordinance may be changed.

COMMITTEEMAN FELTES: Committeeman Feltes said the new hire in the police department is working out well, and two additional hires are in the final stages of review.

The Animal Control Officer is working out well, and positive feedback has been received from the municipalities. An analysis of costs will be performed. Police Chief Nucera is working with surrounding municipalities to see if there are enough participants for a shared services agreement. Police Chief Nucera is also getting compliments from residents.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said that the Sewerage Authority, Veteran's Advisory Committee, and School Board have not met yet since the last meeting. The Veteran's Advisory Committee had a productive night at their table at the 4th of July Fireworks.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said the Environmental Commission is working on several grants including community health & wellness, fleet inventory, and water conservation.

On July 11, 2013, the Environmental Commission will be presenting the district manager and store manager of Home Depot with a plaque for their generous donation of the fencing for the Community Garden. She invited the Township Committee to attend. The Community Garden has been prosperous and they've taken vegetables over to St. Mary's food bank.

She is working with Angel Sauro on the Township's website e-mail notifications.

Deputy Mayor Popko said the 4th of July Fireworks, the Car Show, and the Fishing Derby were a lot of fun. She thanked several people for their help.

MAYOR CANN: Mayor Cann said that a letter was received from Mark Remsa, Director of Planning for Burlington County and the Burlington County Bridge Commission, which states that the County supports moving the Rising Sun by-pass road project forward. When the study is completed, the Township can seek funding. The by-pass will be discussed at the Planning Board meeting.

Township representatives met with N.J. DOT officials and DVRPC to discuss pedestrian problems on Route 130 and 206.

There was a meeting with Marybeth Lonergan, the Township's court master for COAH. They discussed the defending of the funds so the State does not take them and actions that need to be taken during that time period.

Union Paving donated and installed the pole for the netting at the baseball fields at Northern Community Park.

The current sign ordinances will be referred to the Township Planner, Jack Carman.

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Township officials met with a business that is looking to relocate to the Township. They would like to buy a certain property and inquired what they need to do to make the changes happen.

There was a meeting on Bordentown's Health & Wellness Fair. Angel Sauro is organizing it. There will be demonstrations, hand-outs, a family walk, and a trike-a-thon.

On July 9, 2013 at Carslake Community Center, there will be a Buy at Burlington County First Program meeting for anyone who wants to attend.

In regard to the 4th of July Fireworks and the Fishing Derby, he said all the entities who put it together including Bordentown Traditions did a fabulous job. He acknowledged Angel Sauro for putting together the Fishing Derby. Mayor Cann suggested making the 11:00 a.m. start time a little earlier.

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

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

NAY: None

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz said the water hydrant in Williamsburg Village discharged mud for 10 minutes before turning to water. She did not know who was responsible for flushing out the hydrants, and said they haven't been flushed in years. Police Chief Nucera said it is the City Water Department's responsibility to flush out the hydrants and he will follow-up with Mr. Ericson.

CHRIS NUNN, Foundation for Bordentown Traditions: Mr. Nunn read a statement regarding the 4th of July Fireworks. He thanked everyone involved with the celebration.

MELANIE KUNKLER, 19 Sagamore Lane: Ms. Kunkler inquired about the poles for the nets at the baseball fields. Mayor Cann and P.W. Director Buhner responded to her questions regarding the installation.

Ms. Kunkler also asked if the disrepair on the pathway between Bossert Estates and Peter Muschal School was addressed. P.W. Director Buhner said he will be sending letters to the homeowners about the overgrowth.

She asked for the status of the traffic light at Rising Sun Road and Hedding Roads. Mayor Cann said N.J. DOT is awaiting funding so they can replace the light.

MICHAEL DAUBER, 23 Yorktown Road: Mr. Dauber inquired about the fire hydrant fees. Police Chief Nucera responded the fire district pays the fees for the rental of the fire hydrant.

On the Ordinance #2013-15, Mr. Dauber advised the Township Committee that Hamilton Township, Mansfield, and Florence has limited solicitation hours. He said the public wanted limited hours. Attorney Kearns responded that if the Township Committee wanted to limit the hours, there is a potential for litigation. Mr. Kearns will provide a list of groups that are exempt.

Mr. Dauber asked for the status of the Southern Gateway Redevelopment Plan. Mayor Cann responded that the Township is waiting on Ed Fox from County Planning, who is currently working on the by-pass road project which is part of the Redevelopment Plan.

Mr. Dauber asked if the amended Township Committee Agenda and attachments could be posted on line. He added that e-mail notices are being received from the Township, however, the agendas and the

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meeting notice notifications are not being sent out. Deputy Mayor Popko said this is being worked on right now and takes time.

Mr. Dauber asked what the Sunshine Law states about Township Committee members being part of a Facebook discussion about Township business. Attorney Kearns stated if it is not the majority of the Committee and they are not discussing public business, then it is not a meeting. Mr. Dauber also asked Deputy Mayor Popko why she is using her personal e-mail account and telephone number for Township events. She responded that her township accounts will be used in the future.

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

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

NAY: None

At this time, Deputy Mayor Popko 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 Benowitz.

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 8:43 p.m.

JAMES CANN, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK