

TOWNSHIP COMMITTEE MINUTES  
REGULAR MEETING  
NOVEMBER 12, 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 John Moynihan  
Township Clerk Colleen Eckert  
Attorney William J. Kearns, Jr.  
Public Works Director Dean Buhner  
Chief of Police Frank M. Nucera, Jr.

ABSENT: Committeeman Karl Feltes  
Chief Financial Officer David Kocian

Mayor Cann called the meeting to order at approximately 7:36 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.

**ADMINISTRATIVE REVIEW**

Township Clerk Eckert announced there is a revised Closed Session Agenda adding Police Officers and Sergeants Associations Contract Matters and Public Works Expansion Project Contract Matter.

(Mayor Cann announced he was going out of order and proceeding with discussion item #23 on the Agenda.)

**Township Committee discussion with Construction Official, Pete Carbone, regarding Draft Solar Panel Ordinance.**

Construction Official, Pete Carbone and Director of Community Development, Brian Johnson discussed the Draft Solar Panel Ordinance. Construction Official Carbone explained that there are two ordinances being revised: 1) The land use ordinance that was modified by him and Brian Johnson, and 2) the fire safety ordinance being modified by Fire Chief Steve Scholey. Director of Community

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Development Johnson said there are two parts of the land use ordinance: regulation of roof-top solar installations and regulation of solar farms. Deputy Mayor Popko requested a copy of both draft ordinances to be reviewed by the Environmental Commission. The State Fire Marshall had said that the State is in the process of developing new standards which should be introduced in 2015.

**CONSENT AGENDA**

**Resolution #2013-316-6 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.**

**Resolution #2013-316-7 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS.**

**Resolution #2013-316-8 entitled AUTHORIZING REFUND OF OVERPAYMENT OF TAXES.**

**Resolution #2013-316-9 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2013-316-10 entitled AUTHORIZING REFUND OF TAX SALE PREMIUM.**

**Resolution #2013-316-11 entitled AUTHORIZING NOVEMBER 12, 2013, BUDGET TRANSFERS.**

**Resolution #2013-316-12 entitled RESOLUTION AUTHORIZING EXTENSION OF AGRICULTURAL LEASE AGREEMENTS BETWEEN THE TOWNSHIP OF BORDENTOWN AND STEPHEN TURGYAN.**

**Resolution #2013-316-13 entitled RESOLUTION APPOINTING ANIMAL CONTROL OFFICER.**

**Resolution #2013-316-14 entitled RESOLUTION TO APPOINT JAMES SALATA TO THE POSITION OF PROVISIONAL PUBLIC WORKS REPAIRER IN THE DEPARTMENT OF PUBLIC WORKS.**

**Resolution #2013-316-15 entitled APPROVING AND AUTHORIZING A PLACE-TO-PLACE AND PERSON-TO-PERSON TRANSFER OF ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE.**

**Resolution #2013-316-16 entitled GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT EXTENSION JANUARY 1, 2014 TO JUNE 30, 2014.**

Township Committee reviewed and discussed Consent Agenda Items Resolutions #2013-316-6 through #2013-316-16. Committeeman Benowitz, Deputy Mayor Popko, and Mayor Cann commented/asked questions.

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Resolution #2013-316-6. Mayor Cann suggested reviewing the copier rental contracts. It is his feeling that it is better to purchase and have maintenance contracts. Police Chief Nucera will follow-up.

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

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

NAY: None

ABSENT: Committeeman Feltes

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

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

NAY: None

ABSENT: Committeeman Feltes

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

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

NAY: None

ABSENT: Committeeman Feltes

**Public Hearing on Ordinance #2013-16 entitled ORDINANCE AMENDING CHAPTER 10 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE ENTITLED VEHICLES AND TRAFFIC, SCHEDULE VIII – STOP INTERSECTIONS.**

At this time, Committeeman Benowitz made a motion to open the public hearing on Ordinance #2013-16; seconded by Deputy Mayor Popko.

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

NAY: None

ABSENT: Committeeman Feltes

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Seeing no public comment, Deputy Mayor Popko made a motion to close the public hearing on Ordinance #2013-16; seconded by Committeeman Benowitz.

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

NAY: None

ABSENT: Committeeman Feltes

**Consideration of Adoption of Ordinance #2013-16 entitled ORDINANCE AMENDING CHAPTER 10 OF THE BORDENTOWN TOWNSHIP MUNICIPAL CODE ENTITLED VEHICLES AND TRAFFIC, SCHEDULE VIII – STOP INTERSECTIONS.**

At this time, Deputy Mayor Popko made a motion to adopt Ordinance #2013-16; seconded by Committeeman Benowitz.

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

NAY: None

ABSENT: Committeeman Feltes

**Consideration of Introduction of Ordinance #2013-17 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.**

Committeeman Benowitz presented a newspaper article regarding Mansfield Township’s solicitation ordinance. Attorney Kearns said that Bordentown’s ordinance can be changed and have it not apply to anything that is non-commercial. Mayor Cann said that Bordentown’s ordinance only applies to residents who want to be on the do-not-solicit list. Attorney Kearns added that the ordinance can be amended in the future, if needed.

At this time, Deputy Mayor Popko made a motion to introduce Ordinance #2013-17; seconded by Committeeman Moynihan.

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

NAY: None

ABSENT: Committeeman Feltes

TOWNSHIP CLERK ECKERT: The public hearing will be November 25<sup>th</sup>.

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**Consideration of Introduction of Ordinance #2013-18 AN ORDINANCE TO AMEND ORDINANCE #2009-33 ENTITLED AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR PERMANENT AND PROVISIONAL EMPLOYEES.**

At this time, Committeeman Benowitz made a motion to introduce Ordinance #2013-18; seconded by Deputy Mayor Popko.

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

NAY: None

ABSENT: Committeeman Feltes

TOWNSHIP CLERK ECKERT: The public hearing will be November 25<sup>th</sup>.

**Consideration of Introduction of Ordinance #2013-19 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN AMENDING THE SECTION 15.04.020 OF THE BORDENTOWN TOWNSHIP CODE TO ESTABLISH FEES AND TO FURTHER PROVIDE A PROCEDURE FOR REVIEWING AND AMENDING THE FEE SCHEDULE.**

At this time, Deputy Mayor Popko made a motion to introduce Ordinance #2013-19: seconded by Committeeman Benowitz.

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

NAY: None

ABSENT: Committeeman Feltes

TOWNSHIP CLERK ECKERT: The public hearing will be November 25<sup>th</sup>.

**Consideration of Introduction of Ordinance #2013-20 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN ESTABLISHING THE OFFICE OF EMERGENCY MANAGEMENT, THE POSITION OF EMERGENCY MANAGEMENT COORDINATOR AND TO ADOPT THE EMERGENCY OPERATIONS PLAN.**

Mayor Cann stated that this has been in place for years, but there was no ordinance. Deputy Mayor Popko added that this came to the Committee's attention when completing the Grant for Hurricane Sandy.

At this time, Committeeman Moynihan made a motion to introduce Ordinance #2013-20: seconded by Deputy Mayor Popko.

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

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NAY: None

ABSENT: Committeeman Feltes

TOWNSHIP CLERK ECKERT: The public hearing will be November 25<sup>th</sup>.

**TOWNSHIP COMMITTEE AND STAFF REPORTS**

COMMITTEEMAN BENOITZ: Committeeman Benowitz said he attended the Northern Burlington County Chamber of Commerce today which Bordentown Township is now a member.

He met with the Senior Citizen Executive Board on 11/4/13. He discussed their website and current activities.

He attended the Fire Commissioners' Meetings on 11/7/13. He gave an overview of what was discussed at the meetings. At District #1, there is going to be a special referendum election to be held on 12/14/13 for capital improvements.

Regarding the Public Works Department, Bossert Park and water tower clean-up is completed. Tree trimming will commence shortly. Leaf collection continues. Public Works Director Buhrer is looking into green lawn maintenance.

COMMITTEEMAN MOYNIHAN: Committeeman Moynihan said there have been no meetings with the Sewer Authority or the School Board since the last Township Committee Meeting.

On behalf of the Veteran's Advisory Committee and Chairman Havens, he thanked everyone for a successful Veteran's Day Ceremony.

DEPUTY MAYOR POPKO: Deputy Mayor Popko said the Environmental Commission has cleaned up the Community Garden and will put in the winter seeds on November 16, 2013. The Girl Scouts are participating in the Sustainable Jersey Program and will be doing a poster contest for recycling.

She met with Emergency Management Coordinator, Andrew Law, and they are working on the Grants for Hurricane Irene and Hurricane Sandy. They are also working on the flood plain ordinance; Andy Law has requested a flood plain administrator be appointed. Mayor Cann suggested Community Development Director, Brian Johnson. Andy Law suggested the Township obtain a computer program called "Ready for Solutions." Additional information will be provided at a later meeting.

The proposed dog park at Northern Community Park is underway.

She has been working with Public Works Director Buhrer on an Open Free Library project to be held at the new Public Works building.

MAYOR CANN: At the last meeting, General Code made a presentation on ordinance codification which would take 18 months to 2 years. The Township Committee requested a quotation to upload the ordinance amendments now. A letter was received saying there would be no charge for this service.

The large warehouse project is moving forward and they are happy with the Township. There are still hurdles from the Bordentown Sewerage Authority.

Mayor Cann thanked Angel Sauro and the Veteran's Advisory Committee for a well-done Veteran's Day Ceremony. He suggested that the home-town heroes be given more attention in the future and before the 2014 Township Reorganization.

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Bid specifications from Fred Turek have been received for Bossert Park Improvements, including the bridge repair and updating, in the amount of \$208,000; the Grant is in the amount of \$160,000. Other bids will be considered and/or we may only complete certain parts of the project. This will be discussed at the next Township Committee Meeting.

Mayor Cann said there have been many business inquiries received in the Community Development Office.

**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 Moynihan, Deputy Mayor Popko, Mayor Cann

NAY: None

ABSENT: Committeeman Feltes

KARL BECKER, 71 Eaton Road: Mr. Becker inquired/commented on Bossert Park. Mayor Cann responded to his inquiries on the repair of the bridge and improvements to the park. Mr. Becker asked how he could get information about crime in Bordentown Township. Police Chief Nucera responded that he could contact him directly. Mayor Cann told Mr. Becker to contact him on his cell phone or contact Community Development Director Brian Johnson.

THERESA ELLIS, 70 Eaton Road: Ms. Ellis said that she is very happy with Bossert Park being adjacent to her back yard. Ms. Ellis said she'd like to see a path from the bridge to the sewer plant. Mayor Cann responded that this is part of the plan. He added that the park hasn't had any improvements in a long time and there is grant money now available to make the improvements.

PATRICIA LaFUR, 71 Eaton Road: Ms. LaFur said she loves Bordentown, and said it is like stepping back into the past.

JOHN TERDIK, 204 Eclipse Drive: Mr. Terdik made a complaint about the high school sports field lights being on at night. He said this is wasting his tax money. Mayor Cann said that the high school will be alerted.

LEN de GROOT, 8 Arlington Road: Mr. de Groot asked if Bordentown Township had a Facebook page. Mayor Cann said that it is connected to the website and is informational only. Mr. deGroot recommended that the other Facebook page say, "this is not the official site." The Township Committee said they have no control of this. Mr. de Groot also said that this has been the best leaf collection by Public Works with their new machine.

WALT KOSUL, 539 Route 206: Mr. Kosul complimented the Township on the Veteran's Day Ceremony and the recent election.

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

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

NAY: None

ABSENT: Committeeman Feltes

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 recess this Regular Meeting to meet in Closed Session for the purpose of discussing K. Johnson Financial Agreement Contract Matter, Personnel Matter—Vacation Carry Over Request, Police and Police Sergeants Contracts Matter, and the Public Works Expansion Project Contract Matter; seconded by Committeeman Benowitz.

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

NAY: None

ABSENT: Committeeman Feltes

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 9:29 pm and reconvened the regular meeting at 10:28 pm.

At this time, Deputy Mayor Popko made a motion to permit the vacation carryover request made by Frank Nucera, Jr. and Colleen Eckert as specified in their request; seconded by Committeeman Benowitz.

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

NAY: None

ABSENT: Committeeman Feltes

At this time, Deputy Mayor Popko made a motion to concur with the tentative agreement and authorize the solicitor to prepare the formal agreement for both the Patrolmen and Sergeants; seconded by Committeeman Benowitz.

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

NAY: None

ABSENT: Committeeman Feltes



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At this time, Committeeman 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 Moynihan.

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

NAY: None

ABSENT: Committeeman Feltes

The regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 10:33 p.m.

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JAMES CANN, MAYOR

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COLLEEN M. ECKERT, TOWNSHIP CLERK