

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
DECEMBER 18, 2017

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 Stephen Benowitz
Deputy Mayor Eugene Fuzy
Committeeman James Cann
Committeeman Eric Holliday
Committeewoman Jill Popko
Committeeman-elect Kostoplis (entered at 7:05 pm)
Committeeman-elect Mason
Administrator Michael Theokas
Township Clerk Colleen Eckert
Attorney Eileen Fahey
Chief Financial Officer Jeffrey Elsasser

ABSENT: None

Mayor Benowitz called the meeting to order at approximately 7:11 p.m. and led a salute to the flag and a moment of silence. The moment of silence is dedicated to the time of year. He said the Township hopes the New Year is a productive, happy, healthy one for everybody.

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 11, 2017, 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, Committeeman Holliday 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:

--Affordable Housing Contract Matters.

--Professional Services Contract Matter – Public Works Expansion Project.

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 Deputy Mayor Fuzy.

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AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:13 pm and reconvened the regular meeting at 7:44 pm.

Administration of Oath of Office to Police Recruits. At this time, Township Clerk Eckert Administered the Oath of Office to the following:

Jennifer Passerella
Joshua Gardner
Sean Ferrari

At this time, Mayor Benowitz proceeded to Item #21 on the Agenda:

Public Hearing on Ordinance #2017-29 entitled AN ORDINANCE TO CREATE THE AH-1 AFFORDABLE HOUSING OVERLAY ZONE, PROVIDING FOR AFFORDABLE HOUSING AND OTHER USES ON PROPERTY IN THE TOWNSHIP OF BORDENTOWN.

Mayor Benowitz stated that the Township is mandated to comply with Affordable Housing. The Bordentown Development Company (Block 138.01, Lots 41, 42 & 43) filed a motion to intervene in Superior Court, which was granted. The mediation with Burlington County Superior Court resulted in the settlement. Committeeman Cann said the Township has been vigorously fighting to get the numbers reduced and to try to minimize the number of market units. Attorneys were hired in 2015 when the Supreme Court decision came down. For the audience members, Committeeman Cann gave a history of the State's Affordable Housing (formerly COAH) Supreme Court mandate.

At this time, Committeewoman Popko made a motion to open the public hearing on Ordinance #2017-29; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

The following individuals asked questions/expressed concerns with Ordinance #2017-29:

Chadara Hall, 32 Ridgewood Drive
Linda Marsala, 116 Bordentown-Hedding Road
Nicole Caruso, 21 Meadow Run Road
Darrin Hopkins, 28 Ridgewood Drive
Robert Misner, 11 Farmview Road
Kevin Julius, 24 Ridgewood Drive
Mary Ann Holston, 1 Gateswood Court
Keith Hoffman, 27 Meadow Run Road
Al Marsala, 116 Bordentown-Hedding Road
Joe Keil, 10 Oakbourne Court

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Flavio Lourenco, 6 Mayfield Road
Dawn Moretti, 22 Meadow Run Road
Jermain Hall, 32 Ridgewood Drive
Len de Groot, 8 Arlington Road
Chris McIntyre, 12 Gateswood Court
Donna O'Connor-Kiel, 10 Oakbourne
Mike Kobylarz, 16 Gateswood Court
Parag Wargantiwar, 3 Gateswood Court
John Herold, 25 Tantum Court
Vijay Appani, 35 Meadow Run Road

Seeing no further public comment, Deputy Mayor Fuzy made a motion to close the public hearing on Ordinance #2017-29; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2017-29 entitled AN ORDINANCE TO CREATE THE AH-1 AFFORDABLE HOUSING OVERLAY ZONE, PROVIDING FOR AFFORDABLE HOUSING AND OTHER USES ON PROPERTY IN THE TOWNSHIP OF BORDENTOWN.

At this time, Committeeman Cann made a motion to adopt Ordinance #2017-29; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Deputy Mayor Fuzy, Mayor Benowitz

NAY: Committeewoman Popko

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 9:36 pm and reconvened the regular meeting at 9:43 pm.

ADMINISTRATIVE REVIEW

Township Clerk Eckert announced that a revised bill list and revised Resolution #2017-352-9 was given to each member of the Committee. A complete Resolution #2017-352-17 was also given to them. There is an addendum to the Agenda adding Resolution #2017-352-20A. And as a result of Closed Session Resolution #2017-352-20B is being added.

CONSENT AGENDA

Resolution #2017-352-8 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2017-352-9 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2017-352-10 entitled RESOLUTION DIRECTING THE DISTRIBUTION OF THE 2017 DIVIDEND NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND.

Resolution #2017-352-11 entitled RESOLUTION APPROVING APPLICATION TO THE NEW JERSEY CLEAN ENERGY PROGRAM.

Resolution #2017-352-12 entitled REFUND OF ESCROW BALANCES FOR DEVELOPMENT APPLICATIONS.

Resolution #2017-352-13 entitled ESTABLISHING THE DATE AND TIME OF THE ANNUAL REORGANIZATION MEETING OF THE TOWNSHIP COMMITTEE FOR THE YEAR 2018.

Resolution #2017-352-14 entitled RESOLUTION AUTHORIZING PAYMENT TO BORDENTOWN TOWNSHIP EMPLOYEES FOR RABIES CLINIC.

Resolution #2017-352-15 entitled RESOLUTION AUTHORIZING EXTENSION OF AGRICULTURAL LEASE AGREEMENTS BETWEEN THE TOWNSHIP OF BORDENTOWN AND STEPHEN TURGYAN.

Resolution #2017-352-16 entitled AUTHORIZING DECEMBER 18, 2017, BUDGET TRANSFERS.

Resolution #2017-352-17 entitled CANCELLATION OF 2017 BUDGET APPROPRIATIONS.

Resolution #2017-352-18 entitled AUTHORIZING PURCHASE OF THREE (3) 2017 FORD INTERCEPTORS AND EQUIPMENT FOR THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT.

Resolution #2017-352-19 entitled RESOLUTION TO REFUND DEPOSIT FOR STREET OPENING PERMIT.

Resolution #2017-352-20 entitled AMEND VETERANS MEMORIAL PARK – CONCESSION/PAVILION IMPROVEMENTS WITH LANCE ELECTRIC – CHANGE ORDER NO. 1 AND 2.

Resolution #2017-352-20A entitled A RESOLUTION TO CANCEL TAXES.

Resolution #2017-352-20B entitled RESOLUTION ACCEPTING THE PROPOSAL FROM TUREK CONSULTING, LLC, FOR THE PUBLIC WORKS EXPANSION PROJECT – 262 CROSSWICKS ROAD PROJECT, FORWARD ACTIONS FOR COMPLETION OF REMEDIAL INVESTIGATION REPORT (RIR).

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Township Committee review and discussion of Consent Agenda Items Resolutions #2017-352-8 through #2017-352-20B. Committeeman Cann, Committeewoman Popko, Mayor Benowitz commented/asked questions on the Consent Agenda.

Resolution #2017-352-9. Committeewoman Popko and Mayor Benowitz stated revisions to the Regular Minutes of November 20, 2017. Township Clerk Eckert will amend the minutes.

At this time, Committeeman Cann made a motion to open to the public the consent agenda items; seconded by Committeeman Holliday.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

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

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

At this time, Committeeman Holliday made a motion to adopt the Consent Agenda with amendments to the November 20, 2017 Regular Minutes; seconded by Committeeman Cann.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2017-30 entitled AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR EMPLOYEES IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT AND AMENDING ORDINANCE #2013-21.

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2017-30; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Committeeman Holliday made a motion to close the public hearing on Ordinance #2017-30; seconded by Committeeman Cann.

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AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2017-30 entitled AN ORDINANCE TO ESTABLISH TITLES AND SALARY RANGES FOR EMPLOYEES IN THE BORDENTOWN TOWNSHIP POLICE DEPARTMENT AND AMENDING ORDINANCE #2013-21.

At this time, Committeeman Holliday made a motion to adopt Ordinance #2017-30; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ADMINISTRATOR AND STAFF REPORTS

Administrator Theokas said Township Hall will be closed on Monday, December 25, 2017 for the Christmas Holiday. The Re-organization Meeting is scheduled for Saturday, January 6, 2017 at 12:00 noon. He wished everyone happy holidays.

TOWNSHIP COMMITTEE REPORTS

COMMITTEEMAN CANN: On December 8, 2017, there was a meeting with P.W. Supervisor Dave Dietrich regarding the signage identifying the trees at Seth Hand Park. The descriptive information has been sent to Township Webmaster Jason Springer to finalize the QR codes. He recommended the Township have a grand opening after the New Year inviting the school's environmental committee.

On December 15, 2017, a municipal building sub-committee meeting was held. Emergency Management Coordinator Andy Law attended to give detail on the Department of Agriculture's Rural Development Program. Committeeman Cann briefly reviewed the Community Facilities Loan Program. Since a new building would not be realized for 4-5 years, he said there are many upgrades to the existing building that need to be budgeted for.

A meeting is tentatively scheduled for Wednesday, December 27, 2017 with Chesterfield Township to discuss the scope of monitoring for the compressor station. Deputy Mayor Fuzy will be attending this meeting, since Committeeman Cann will be leaving the Township Committee.

At this time, Committeeman Holliday made a motion to authorize Administrator Theokas to process a preliminary application to the Department of Agriculture's Rural Development Communities Facility Program for the municipal building project; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

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COMMITTEEMAN HOLLIDAY: Committeeman Holliday said that he attended the District #1 Mission Fire Company meeting on Thursday, December 7, 2017. There will be a public budget meeting on Wednesday, January 3, 2017 at 8:00 pm. Deputy Mayor Fuzy and he also attended the District #2 Derby Fire Company meeting held on Tuesday, December 5, 2017.

He attended the Veteran's Advisory Committee meeting held on Tuesday, December 5, 2017.

In regard to the Office of Emergency Management, on December 6, 2017 a meeting was held with Transco representatives to make sure emergency operating procedure plans were in place.

Committeeman Holliday cited some community and training events the Police Department participated in. The 3 new Police Officers will graduate from the Camden County Police Academy on December 21, 2017.

COMMITTEEWOMAN POPKO: Committeewoman Popko said the Public Works Department is performing necessary general maintenance.

The Board of Education met on December 15, 2017. They made a decision that they are going with a campus program for re-districting. Some Township students will be sent to Clara Barton School.

Committeewoman Popko read into the record a "good-by letter" that included her last thoughts and thanked all the residents. She cited accomplishments that she made. (This was her last Township Committee Meeting.)

DEPUTY MAYOR FUZY: Deputy Mayor Fuzy said he attended the meeting at District #2 Derby Fire Company, the Bordentown City Environmental Commission Meeting, and the Veteran's Advisory Committee Meeting all held on Tuesday, December 5, 2017.

MAYOR BENOWITZ: On December 6, 2017, Administrator Theokas, Bordentown City Mayor James Lynch, and he met with Michael Walker, Public Information Officer and Aid to Mayor Jackson of Trenton regarding issues surrounding moving forward and Town Hall meeting regarding the incident that occurred in September 2016 with reference to former Police Chief Nucera. Logistics for a Town Hall Meeting and future events to be held with Trenton, Bordentown City, and Bordentown Township were also discussed. The Town Hall Meeting/Forum has been scheduled for January 17, 2017 at 7:00 pm at the Performing Arts Theatre Auditorium at Bordentown Regional High School. Postcards will be sent to all residents inviting them to this meeting. The meeting is about moving forward, make all residents feel safe, and try to heal.

Today, he attended the Social Meeting for the Bordentown Township Senior Club.

On December 14, 2017, he attended the Planning Board Meeting. Team Campus Phase II, LLC was granted preliminary and final site plan approval. CCBP II was granted a minor subdivision with variances. And the condition of former approval for the Cook/Kruty property on Hogback Road requiring sidewalk construction was removed. Recommendation for approval of Ordinance #2017-29 was made and sent to the Township Committee. The resolution to authorize the Planning Board Chairman to sign the ROSI was approved.

Mayor Benowitz said, "good-by" to Committeewoman Popko who has served 6 ½ years and Committeeman Cann who served over 7 years. He thanked them both for all their accomplishments.

COMMITTEEMAN CANN: Committeeman Cann said it was a pleasure and honor to serve the community as an elected official. It is a very gratifying position to hold with a lot of responsibility. He cited the projects and events that were completed, as well as keeping taxes down.

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

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz said there is another broken fire hydrant in Williamsburg Village. She said she and the property manager contacted the Bordentown Water Department but has received no response. Mayor Benowitz responded that Administrator Theokas will follow-up on this matter.

ROGER SCHNEIDER, 93 Charles Bossert Drive: Mr. Schneider spoke about the continued traffic (excessive speed) on Route 528/Crosswicks Road. He is particularly concerned about the area near the bike path crossing. Administrator Theokas responded that Acting Chief Pesce is working with the County, but he will also follow-up.

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

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ADDITIONAL MATTERS:

DEPUTY MAYOR FUZY: Deputy Mayor Fuzy thanked Committeewoman Popko and Committeeman Cann for their help, time, devotion and their sacrifice for the Township.

At this time, Committeeman Holliday 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 Cann.

AYE: Committeeman Cann, Committeeman Holliday, Committeewoman Popko, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

The Regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 10:39 p.m.

STEPHEN BENOWITZ, MAYOR

COLLEEN M. ECKERT, TOWNSHIP CLERK