

TOWNSHIP COMMITTEE MINUTES
REGULAR MEETING
NOVEMBER 19, 2018

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 Eric Holliday
Committeeman James Kostoplis
Committeeman Ken Mason
Administrator Michael Theokas
Chief Financial Officer Jeffrey Elsasser
Deputy Township Clerk Cindy Dziura
Attorney Eileen Fahey
Sonia Walter, Piazza & Associates

ABSENT: Township Clerk Colleen Eckert

Mayor Benowitz called the meeting to order at approximately 7:00 p.m. and led a salute to the flag and a moment of silence. He dedicated the moment of silence to the people devastated by the fires in California. Prayers go out to the people who are unaccounted for, people who lost their lives, and those who lost their homes.

Deputy Township Clerk Dziura 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, 2018, 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:

- Personnel Matters
- Contract Matter / Tax Abatement

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 Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 7:03 pm and reconvened the regular meeting at approximately 7:30 pm.

Mayor's Proclamation honoring Eagle Scout Davin Eget as an outstanding citizen and recognizing his achievements. At this time, Mayor Benowitz presented the Proclamation to Davin Eget and read it into the record.

ADMINISTRATIVE REVIEW

Deputy Township Clerk Dziura announced that as a result of Closed Session, Resolution #2018-323-16A is being added to the Consent Agenda. Ordinance #2018-32 is also being added for Introduction.

Public Hearing on Ordinance #2018-28 entitled AN ORDINANCE TO AMEND CHAPTER 25, LAND DEVELOPMENT ORDINANCE, OF THE BORDENTOWN TOWNSHIP CODE, TO ESTABLISH A NEW ZONING DISTRICT, ENTITLED "AR-AH AGE-RESTRICTED AFFORDABLE HOUSING."

Mayor Benowitz announced that a representative, Ms. Sonja Walter, sent by our Affordable Housing Administrator, will make a presentation addressing this matter. He then read a statement into the record regarding this ordinance.

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2018-28; seconded by Committeeman Mason.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

SONIA WALTER, PIAZZA & ASSOCIATES, Township's Affordable Housing Professional: Ms. Walter explained the court decision and Township's affordable housing compliance.

The following persons from the public asked questions and made comments regarding Ordinance #2018-28 in regard to devaluation of their homes, the basin system, density, traffic, etc.

DAVID MORRELL, 329 Crescent Drive
DAVID PANTALEONE, 318 Crescent Drive
ANGELA PANTALEONE, 318 Crescent Drive
KEITH OWES, 338 Crescent Drive

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ASHLEY MURPHY, 319 Crescent Drive
KATHRYN SCHWARTZ, 347 Crescent Drive
TOM ARMITAGE, 325 Crescent Drive
MAURICE WHETSTONE, 332 Crescent Drive

Seeing no further public comment, Committeeman Mason made a motion to close the public hearing on Ordinance #2018-28; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-28 entitled AN ORDINANCE TO AMEND CHAPTER 25, LAND DEVELOPMENT ORDINANCE, OF THE BORDENTOWN TOWNSHIP CODE, TO ESTABLISH A NEW ZONING DISTRICT, ENTITLED “AR-AH AGE-RESTRICTED AFFORDABLE HOUSING.”.

At this time, Committeeman Holliday made a motion to adopt Ordinance #2018-28; seconded by Committeeman Mason.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

CONSENT AGENDA

Resolution #2018-323-10 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: PAYMENT OF BILLS.

Resolution #2018-323-11 entitled APPROVING THE TRANSACTION OF ITEMS OF ROUTINE BUSINESS: MINUTES OF MEETINGS AND FILING OF REPORTS.

Resolution #2018-323-12 entitled APPOINTING MEMBER TO THE VETERANS ADVISORY COMMITTEE.

Resolution #2018-323-13 entitled RESOLUTION AUTHORIZING APPOINTMENT OF POLICE SERGEANT JOSEPH CIABATTONI AS MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER PURSUANT TO N.J.S.A. 4:22-14.1 ET SEQ.

Resolution #2018-323-14 entitled RESOLUTION DIRECTING THE DISTRIBUTION OF THE \$13,933.00 NET RETURNED SURPLUS FUNDS HELD IN TRUST BY THE BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND.

Resolution #2018-323-15 entitled AUTHORIZING NOVEMBER 19, 2018 BUDGET TRANSFERS.

Resolution #2018-323-16 entitled RESOLUTION AUTHORIZING THE MAYOR TO SIGN A LETTER TO PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION SECRETARY PATRICK McDONNELL TO SUPPORT THE OPPOSITION OF THE CONSTRUCTION OF ELCON'S HAZARDOUS WASTE PLANT IN FALLS TOWNSHIP, PENNSYLVANIA.

Resolution #2018-323-16A entitled RESOLUTION APPROVING THE APPLICATION OF MATRIX BORDENTOWN 2 LLC FOR A FIVE-YEAR TAX EXEMPTION AND ABATEMENT FOR THE REAL PROPERTY LOCATED AT BLOCK 130, LOT 2.

Township Committee review and discussion of Consent Agenda Items Resolutions #2018-323-10 through #2018-323-16A. There were no questions/comments on the Consent Agenda.

The Township Committee of the Township of Bordentown recessed their regular meeting at approximately 8:50 pm and reconvened the regular meeting at approximately 8:56 pm.

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

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

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

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

At this time, Committeeman Holliday made a motion to adopt the Consent Agenda; seconded by Committeeman Mason.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2018-26 entitled ORDINANCE AMENDING CHAPTER 25 "LAND DEVELOPMENT ORDINANCE", Section 25:519 "LARGE-SCALE REMOVAL OF TOP SOIL".

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At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2018-26; seconded by Committeeman Kostoplis.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Committeeman Holliday made a motion to close the public hearing on Ordinance #2018-26; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-26 entitled ORDINANCE AMENDING CHAPTER 25 “LAND DEVELOPMENT ORDINANCE”, Section 25:519 “LARGE-SCALE REMOVAL OF TOP SOIL”.

At this time, Committeeman Holliday made a motion to adopt Ordinance #2018-26; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2018-27 entitled AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN INTEREST IN REAL PROPERTY LOCATED AT 24 BORDENTOWN-CHESTERFIELD ROAD, BLOCK 204, LOT 3.02.

At this time, Committeeman Holliday made a motion to open the public hearing on Ordinance #2018-27; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Deputy Mayor Fuzy made a motion to close the public hearing on Ordinance #2018-27; seconded by Committeeman Mason.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-27 entitled AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN INTEREST IN REAL PROPERTY LOCATED AT 24 BORDENTOWN-CHESTERFIELD ROAD, BLOCK 204, LOT 3.02.

At this time, Deputy Mayor Fuzy made a motion to adopt Ordinance #2018-27; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2018-29 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN REPEALING ORDINANCE 2018-19 AND TERMINATING A RESTRICTED PARKING ZONE FOR ACCESSIBLE PARKING AT 5 PLYMOUTH COURT.

At this time, Committeeman Mason made a motion to open the public hearing on Ordinance #2018-29; seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Deputy Mayor Fuzy made a motion to close the public hearing on Ordinance #2018-29; seconded by Committeeman Mason.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-29 entitled AN ORDINANCE OF THE TOWNSHIP OF BORDENTOWN REPEALING ORDINANCE 2018-19 AND TERMINATING A RESTRICTED PARKING ZONE FOR ACCESSIBLE PARKING AT 5 PLYMOUTH COURT.

At this time, Deputy Mayor Fuzy made a motion to adopt Ordinance #2018-29; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2018-30 entitled AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DRAINAGE EASEMENT THROUGH A PORTION OF BLOCK 98, LOT 9 (17 BENNINGTON ROAD) AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF BORDENTOWN.

At this time, Deputy Mayor Fuzy made a motion to open the public hearing on Ordinance #2018-30; seconded by Committeeman Mason.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Seeing no public comment, Committeeman Mason made a motion to close the public hearing on Ordinance #2018-30; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-30 entitled AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DRAINAGE EASEMENT THROUGH A PORTION OF BLOCK 98, LOT 9 (17 BENNINGTON ROAD) AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF BORDENTOWN.

At this time, Deputy Mayor Fuzy made a motion to adopt Ordinance #2018-30; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Public Hearing on Ordinance #2018-31 entitled AN ORDINANCE AMENDING CHAPTER 25, SECTION 900 OF THE TOWNSHIP CODE REGARDING PERFORMANCE, MAINTENANCE AND RELATED GUARANTEES.

At this time, Deputy Mayor Fuzy made a motion to open the public hearing on Ordinance #2018-31; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

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NAY: None

Seeing no public comment, Deputy Mayor Fuzy made a motion to close the public hearing on Ordinance #2018-31; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Adoption of Ordinance #2018-31 entitled AN ORDINANCE AMENDING CHAPTER 25, SECTION 900 OF THE TOWNSHIP CODE REGARDING PERFORMANCE, MAINTENANCE AND RELATED GUARANTEES.

At this time, Deputy Mayor Fuzy made a motion to adopt Ordinance #2018-31; seconded by Committeeman Holliday.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

Consideration of Introduction of Ordinance #2018-32 entitled AN ORDINANCE GRANTING A FIVE YEAR TAX EXEMPTION AND ABATEMENT OF LOCAL REAL ESTATE TAXES PURSUANT TO N.J.S.A. 40A:21-1 ET SEQ. TO MATRIX BORDENTOWN LOT 2, LLC FOR THE REAL PROPERTY LOCATED AT BLOCK 130, LOT 2 AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH MATRIX BORDENTOWN LOT 2, LLC FOR BLOCK 130, LOT 2.

At this time, Committeeman Holliday made a motion to introduce Ordinance #2018-32: seconded by Deputy Mayor Fuzy.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

DEPUTY TOWNSHIP CLERK DZIURA: The public hearing will be December 3rd.

Township Discussion on Applying for 2019 CDBG Grant.

Mayor Benowitz stated that this is for installation of ADA handicap concrete ramps. Administrator Theokas stated that they are looking to install them on Williamsburg Drive and Holloway in conjunction with some of the bike path striping and to accommodate pedestrian crosswalks and access on those roads.

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At this time, Committeeman Holliday made a motion to apply for the 2019 CDBG Grant as stipulated by Administrator Theokas: seconded by Committeeman Kostoplis.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

ADMINISTRATOR & STAFF REPORTS

Administrator Theokas stated that offices will be closed on Thursday and Friday in observance of the Thanksgiving holiday.

The next Committee meeting is December 3, 2018; the final meeting for the year is December 17, 2018.

There were some budget transfers included in tonight's Agenda. These may be the last ones for the year.

He congratulated Mayor Benowitz and Committeeman Holliday for winning the recent election.

Mayor Benowitz congratulated CFO Elsasser for the job he did on the budget transfers and said he has never seen so few.

TOWNSHIP COMMITTEE & STAFF REPORTS

Committeeman Kostoplis, Committeeman Holliday, Committeeman Mason, Deputy Mayor Fuzy, and Mayor Benowitz each gave their report.

PUBLIC PARTICIPATION: At this time, Committeeman Mason made a motion to open the meeting for public participation; seconded by Committeeman Kostoplis.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

DIANE HEINZ, 3 Hattaras Court: Ms. Heinz complimented the Derby Firehouse. A firetruck was in her neighborhood and helped her turn off her smoke alarm.

Seeing no further comments, Committeeman Holliday made a motion to close the meeting to the public; seconded by Committeeman Mason.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

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NAY: None

ADDITIONAL MATTERS: None

At this time, Deputy Mayor Fuzy 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 Kostoplis.

AYE: Committeeman Holliday, Committeeman Kostoplis, Committeeman Mason, Deputy Mayor Fuzy, Mayor Benowitz

NAY: None

The Regular meeting of the Township Committee of the Township of Bordentown was adjourned at approximately 9:30 p.m.

Respectfully Submitted,

CYNTHIA DZIURA, RMC, DEPUTY TWP. CLERK