

**TOWNSHIP OF EDGEWATER PARK
MINUTES-OCTOBER 4, 2011**

Mayor Booker called the meeting to order at 7:00 PM

FLAG SALUTE

Open Public Meetings Act Statement

IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231,
P.L. 1975 THE CLERK READ THE STATEMENT:

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Township Committee in the following manner:

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 11, 2011.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 11 2011.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 11, 2011.

Present: Mrs. Aimee Belgard, Mr. Scott Kercher, Mr. John McElwee, Mr. Joseph Pullion, Mayor Darrell Booker (Committee Members)

Also present: Mr. Robert Brian, Chief of Police, (Public), Mr. Aubrey Painter, Superintendent of Public Works (Public), Mr. William Kearns, Solicitor (Public and Closed) Linda M. Dougherty, Clerk/Administrator (Public and Closed) and Mr. Christopher Noll, Township Engineer (Public), Mrs. Margaret Peak, Chief Financial Officer (Public) and Ms. Tanyika Johns, Tax Collector/Deputy Clerk (Public).

DISCUSSION(S)/PRESENTATION(S): NONE

APPOINTMENTS/RESIGNATIONS:

Appointment of Margaret Peak, CFO as Acting Qualified Purchasing Agent; effective October 4, 2011.

Moved by: Mrs. Belgard Second: Mayor Booker

Discussion: Mrs. Dougherty explained Ms. Peak would be appointed to the position and has two opportunities to pass the test before the bid threshold will revert to amounts that are available without a Qualified Purchasing Agent

Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

REPORTS

Report from the Engineer is appended hereto.

Hurricane Irene and Tropical Storm Lee

Upon discussion, Township Committee agreed to move forward with Hazard Mitigation Assistance for Boggs Ditch and Adams Avenue.

Report from Municipal Clerk/Administrator is appended hereto.

EPPA Bonfire Permit

Upon discussion, Township Committee agreed to have a joint application with EPAA for their annual bonfire.

Public Works-Purchase of a 2012 Ford F450-appended hereto

Upon discussion consensus of Township Committee authorized Mrs. Dougherty to move forward with a resolution for the next meeting to purchase a 2012 Ford F450. Mrs. Peak is reaching out to Ford Credit for a better rate.

The Solicitor's report for discussion in closed session only.

Report from the Superintendent of Public Works is appended hereto.

Emergency Call In

Mrs. Dougherty requested Mr. Painter include the tree falling on September 24, 2011 from the corner of Woodlane and Cottage in the FEMA Report.

Report from the Chief of Police is appended hereto.

REPORT ACCEPTANCE

Moved by: Mr. Kercher Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

AUTHORIZATIONS/CONSIDERATIONS: NONE

RAFFLE APPLICATION: NONE

RESOLUTIONS

CONSENT AGENDA

Motion to Approve Resolution No. 2011-127 through 2011-130 by consent agenda; if any items on the consent agenda require consideration by separate roll call vote, it shall be removed from the consent agenda to the regular agenda.

Moved by: Mr. McElwee Second: Mr. Kercher

Hearing no discussion:

Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

RESOLUTION NO. 2011-127

Resolution Authorizing a Temporary Bid Threshold Increase to Contracting Units without a Qualified Purchasing Agent

WHEREAS, the New Jersey, Department of Community Affairs, Division of Local Government Services issued Local Finance Notice 2011-27 relating to contracting units without a Qualified Purchasing Agent that have a bid threshold of \$17,500; and

WHEREAS, the regulation allows contracting units to temporarily increase their bid threshold to not exceed \$26,000 if their acting purchasing agent is qualified to take the examination for the QPA certification when the test is offered; and

WHEREAS, the DLGS further advised that the first examination for QPA certification would not be immediately scheduled, as it is pending the creation of an examination and related rules; and

WHEREAS, in an effort to assist contracting units, the Division adopted a temporary rule that permits contracting units with individuals qualified to sit for the QPA examination to increase their bid threshold to \$26,000 (the bid threshold for contracting units without a QPA prior to January 1, 2011); and

WHEREAS, after the second examination is offered, the Director will notify the contracting unit if the individual has not taken or did not pass the examination. The contracting unit then has one month to appoint another QPA to the position, or the bid threshold automatically reduces to \$17,500. If the individual passed the examination or another QPA is appointed, the contracting unit's threshold shall remain at \$26,000 until the contracting unit acts to increase it to a maximum of \$36,000; and

WHEREAS, the new rule, N.J.A.C. 5:34-5.4 sets forth the criteria that an individual must meet to sit for the QPA examination. The criteria are:

1. Be a citizen of the United States, is of good moral character, and is a high school graduate or equivalent;
2. Successfully completed Principles of Public Purchasing I, II, III, and one of the Municipal Finance Administration courses, all as provided by the Rutgers Center for Government Services; or have been performing the duties of a purchasing agent (as defined at N.J.A.C. 5:34-1.2) for at least three consecutive years.
3. Possess two years of college education and two years of full-time governmental experience performing duties relative to public procurement. Additional years of experience may be substituted for the college education on a year-for-year basis.

WHEREAS, the individual named in this resolution must also attest that they will apply for either the first or second QPA certification exam, to be administered by the Division, and participate in such exam. They shall further agree that their test score shall be provided to the contracting unit; and

WHEREAS, Margaret Peak, CFO meets the statutory qualifications and criteria to sit for the QPA examination.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Committee of the Township of Edgewater Park, Margaret Peak, CFO and Acting Purchasing Agent is authorized to submit and that the Mayor and Clerk are hereby authorized to attest to the NJDLGS's Affidavit of QPA Qualification, Pursuant to N.J.A.C. 5:34-5.4

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Edgewater Park shall increase the bid threshold to \$26,000.00 and upon appointment of a Qualified Purchasing Agent authorize the maximum bid threshold increase to \$36,000.00.

RESOLUTION 2011-128
***A Resolution Of The Township Of Edgewater Park Adopting A
Redevelopment Plan Pursuant To The Provisions Of NJSA 40A:12A-6***

WHEREAS, the Department of Economic Development and Regional Planning of the Burlington County Bridge Commission has prepared a “Determination of Redevelopment Needs Study” for the Township of Edgewater Park dated November 2010, for properties along Southbound US Route 130 between Bridgeboro and Delanco Roads, known as 404, Lots 2, 2.01, 2.02, 2.03, 2.04, 2.05, 3 and 4; Block 405, Lot 1; and Block 501 lots 1, 2, 2.01, 3, 4, 4.01, 5, 6, 7, 8, and 9; and Block 501.01 Lot 1 in need of redevelopment and/or rehabilitation according to the criteria establishing by N.J.S.A. 40A:12A-5.”; and

WHEREAS, on September 21, 2010, the Township Committee adopted Resolution 2010-132 requesting the Edgewater Park Planning Board conduct a preliminary investigation to determine whether certain properties in the aforesaid area may be in need of rehabilitation or redevelopment, such that redevelopment may best serve the Township of Edgewater Park; and

WHEREAS, on December 16, 2010, the Township’s Planning Board held a hearing for public comment and input regarding the investigation; and

WHEREAS, on January 20, 2011 the Township’s Planning Board adopted Resolution 2010 P-9 recommending the establishment of a redevelopment area as delineated in the Study; and

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, the redevelopment area be hereby amended to include the area known as Block 404, Lots 2, 2.01, 2.02, 2.03, 2.04, 2.05, 3 and 4; Block 405, Lot 1; Block 501 lots 1, 2, 2.01, 3, 4, 4.01, 5, 6, 7, 8, and 9; and Block 501.01 Lot 1, in Edgewater Park Township is an area in need of rehabilitation and redevelopment, to the criterion in N.J.S.A.40A:12A-1 et seq.;

BE IT FURTHER RESOLVED, that copies of said resolution be forwarded to the Commissioner of Community Affairs and the Edgewater Park Township Planning for their information and any appropriate action.

RESOLUTION NO. 2011-129

Resolution Authorizing Participation in Local Government Energy Audit

WHEREAS, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program (Program), an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and,

WHEREAS, the Governing Body of the Township of Edgewater Park has decided to apply to participate in the Local Government Energy Audit Program; and,

WHEREAS, the facilities to be audited are in New Jersey, are owned by the Township of Edgewater, are served by a New Jersey regulated public utility, and that the Township of Edgewater Park has not already reserved \$100,000 in the Program this year as of this application; and,

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and,

WHEREAS, upon acceptance into the Program, the Township of Edgewater Park will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors, and submit the Part B application; and,

WHEREAS, the Township of Edgewater Park understands that energy audit work cannot proceed until an Application Approval Notice is received from the Program; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Edgewater Park, approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities; and,

RESOLUTION NO. 2011-130

***Resolution of the Township Committee of the Township of Edgewater Park
Authorizing a Lease Agreement with Heritage Business Systems for
Copier Equipment and Service***

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous awarding a 48 month lease agreement with Heritage Business Systems for lease and service of Kyocera Mita America Inc copiers; and

WHEREAS, in order to make this determination it is was deemed necessary to go out on competitive quote, and Heritage Business Systems, Inc was low quote as follows; below delineated by monthly lease amount:

Kyocera TA650i Digital System	\$279.69
Kyocera TA300i Digital System	113.55
Kyocera TA305i Digital System	<u>76.43</u>
Total Monthly Cost:	\$469.67

WHEREAS, service includes parts, labor, toner and staples; and

WHEREAS, funds are available for the prorated lease agreement in the 2011 municipal budget; and

WHEREAS, this resolution and the above-mentioned specifications will be on file and available for public inspection in the Office of the Clerk of the Township of Edgewater Park.

BE IT RESOLVED, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will award said contract to Heritage Business Systems, 1263 Glen Avenue, Moorestown, NJ 08057.

ORDINANCES:

Ordinance No. 2011-7: (First Reading)

A Bond Ordinance of the Township of Edgewater Park, in the County of Burlington, New Jersey Authorizing the Acquisition of a 2012 Vehicle for Use by the Township's Police Department; Appropriating the Sum of \$50,000 therefore; Authorizing the Issuance of \$47,500 Bond or Notes of the Township to Finance said Acquisition; and Making Certain Determinations and Covenants and Authorizing Certain Related Actions in Connection with the Foregoing. The foregoing bond ordinance will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at the Township

Municipal Building, in the Township of Edgewater Park on October 18, 2011 at 7:00 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Moved by: Mayor Booker Second: Mr. McElwee

Discussion: Township Committee confirmed the lease was for five year period. The discussion pursued regarding whether the vehicle damage would qualify for submission to FEMA.

Mrs. Dougherty discussed that the insurance company paid approximately \$12,000 after the deductible and the Township will be applying for subsequent funding from FEMA.

Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

Ordinance No. 2011-8: (First Reading)

An Ordinance of the Township of Edgewater Park, in the County of Burlington, New Jersey, Authorizing the Township to Sell Certain Real Property in the Township; Authoring the Preparation and Execution of a Development Agreement Between the Township and K-2 Management, LLC; further Authorizing the Preparation of an Amended Redevelopment Plan for Block 1202, Lot 4.01. The foregoing ordinance will be consider for adoption of final reading and public hearing to be held on November 1, 2011 at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Moved by: Mayor Booker Second: Mr. McElwee

Hearing no discussion:

Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

Ordinance No. 2011-9: (First Reading)

An Ordinance of the Township of Edgewater Park, Burlington County, to Address the Requirements of the Council on Affordable Housing (COAH) Regarding Compliance with the Municipality's Fair Share Affordable Housing Obligations. The foregoing ordinance will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at the Township Municipal Building, in the Township of Edgewater Park on November 1, 2011 at 7:00 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Moved by: Mrs. Belgard Second: Mr. Kercher

Discussion: Committee questioned if our ordinances are posted and updated on the web site. Mrs. Dougherty reported that they are posted.

Committee further questioned whether the Township will be called back before Judge Bookbinder for the third round obligation.

Mr. Kearns discussed that the order extends immunity to the Township against any builders remedy suits. The Township will have to amend the ordinance in the future to adhere to requirements once the legislation defines what they are.

Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

REPORT OF OFFICIALS

Committeeman Kercher:

Liaison to the Environmental:

Mr. Kercher reported the next meeting for the Environmental Committee is October 11th at 7:30 PM. Mr. Kercher further requested if anyone wanted to participate in the Green Team to let him know or come to the next Environmental meeting.

Liaison to the School Board:

Mr. Kercher reported the PTO is having a fundraiser at the Deli and Pizza Shop tomorrow; portion of the proceeds will benefit the PTO. Mr. Kercher further reported that at the last school board meeting he extended an invitation to be part of the Green Team Initiative. He further thanked and acknowledged the Board and staffs' assistance during Hurricane Irene.

Committeewoman Belgard:

Liaison to Senior Advisory:

Mrs. Belgard reported Senior Advisory will be holding their meeting on October 12th at 3:00 PM at the Municipal Building; all are invited to attend. The Committee is holding senior computer classes in conjunction with the school.

Liaison to Planning Board:

Mrs. Belgard reported Planning Board will meet Thursday October 20th at 7:00 PM.

Committeeman McElwee:

Liaison to EPAA:

Mr. McElwee advised that the next meeting for EPAA is Tuesday, October 11th at the 45th Street Pub at 8:30PM. Mr. McElwee further reported upcoming events are Oktoberfest on October 15th at 45th Street Pub 7-11 \$20 a ticket and a Soccer Celebration event and Bonfire on November 12th 6-10 pm at Memorial Field.

Liaison to Neighborhood Watch:

Mr. McElwee reported that the next meeting will be on October 27th at 6:30 PM. Safety tips for upcoming Halloween for children and parents; a custom party will also be held.

Mayor Booker:

Mayor Booker attended the PTO meeting which was very well attended. PTO is working with Ms. Miles, Principal of Magowan, for the potential purchase of an Elmo projector for class rooms.

Mayor Booker further discussed and thanked Silver Park West Phase I; he attended a meet and greet event with the residents.

In recognition of National Community Planning Month Mayor Booker will present the following proclamation at the next Planner Board meeting.

COMMUNITY PLANNING MONTH

WHEREAS, New Jersey municipalities, counties, and regional planning entities continually face changes in their communities and natural environment, and

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

WHEREAS, the American Planning Association has designated the month of October as National Community Planning Month throughout the United States of America and its territories to highlight the contributions of sound planning and plan implementation, and

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning and zoning boards and other citizen planners who have contributed their time and expertise to the improvement of the Township of Edgewater Park, County of Burlington, New Jersey; and

WHEREAS, we recognize the many valuable contributions made by professionals in the Township of Edgewater Park, County of Burlington, New Jersey and extend our heartfelt thanks for the continued commitment to public service by these professionals.

NOW, THEREFORE, BE IT RESOLVED THAT, the month of October 2011 is hereby designated as **Community Planning Month** in the Township of Edgewater Park, County of Burlington, New Jersey in conjunction with the celebration of National Community Planning Month.

Moved by: Mrs. Belgard Second: Mayor Booker

Hearing no discussion:

Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

Mayor Booker requested a proclamation for National Breast Cancer Awareness Month for the October 18th meeting.

APPROVAL OF BILLS

Approval of Bills from September 16, 2011 through October 3, 2011.

Moved by: Mayor Booker Second: Mr. McElwee

Discussion: Committee questioned a couple of items on the bill list.

Mrs. Peak stated Belford was for the pump at Silver Park West and Delaware Valley Hydro seeding is for maintenance of the fields.

Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

OPEN TO THE PUBLIC: The Mayor opened this portion of the meeting to public comment.

Mr. Dennis Robbins 9 Crystal Drive requested the on street parking on Spring and Forrestal Drive be reviewed.

Mel Anderson, 725 Perkins Lane, discussed the crack on Perkins Lane. He discussed that he thinks the road was paved in the late 1980's; the life expectancy of the road may be extended if it is tarred.

Mr. Anderson further discussed that the heavy freight rail trucks are blocking the intersection of Perkins Lane at approximately 4:00AM. He advised that he would call police dispatch when it happens again.

Mr. Anderson further asked for an update on Bogg's Ditch.

Mrs. Dougherty discussed that a FEMA Mitigation letter of intent was submitted funding.

Peggy Marter, 4 Edison Street, questioned the cat ordinance.

Committee advised that it is not on the agenda this evening; the matter is still under review.

CLOSE: Hearing no one else wishing to speak the Mayor closed this portion of the meeting to public comment.

THERE WAS NO OTHER BUSINESS

***Resolution No. 2011-131
Closed Session***

Where it is necessary to discuss sale of public property; Block: 1202 Lot 4.01. Where it is necessary to discuss matters concerning the Township's Fair Share obligation regarding COAH. Where it is necessary to discuss items falling under litigation and or attorney client privilege specifically legal advice pertaining to the township's affordable housing obligation. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentially, then the matter will be made public.

WHEREAS, it is necessary to discuss personnel possible litigation involving the Township of Edgewater Park which is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, questions dealing with personnel matters is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, questions dealing with the purchase lease or acquisition of real property with public funds is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, questions dealing with any collective bargaining agreement or the terms or conditions of that agreement is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, the disclosure of any material which constitutes an unwarranted invasion of individual privacy is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, the release of any information would impair a right to receive funds from the Government of the United States; is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility is a proper subject of exemption under the Open Public Meetings Act;

WHEREAS, the Township Committee desires to close this portion of the meeting to consider the aforementioned titled matters.

NOW THEREFORE, BE IT RESOLVED that the portion of the meeting dealing with the aforementioned matters shall be closed to the public and the results of the discussions held under the closed sessions shall be made available to the public at such early a time as possible.

Moved by: Mayor Booker Second: Mrs. Belgard Time: 8:25PM
Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

THERE WAS NO ANY OTHER BUSINESS

ADJOURN

Moved by: Mrs. Belgard Second: Mayor Booker Time: 9:15PM
Roll Call: Mrs. Belgard-yes, Mr. Kercher-yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Booker-yes

Darrell Booker

Darrell Booker, Mayor

Linda M. Dougherty

Linda M. Dougherty, RMC/Administrator