

**TOWNSHIP OF EDGEWATER PARK
MINUTES - DECEMBER 7, 2010**

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

FLAG SALUTE

Mayor Johnson further offered a moment of silence in memory of and recognition of veterans that served during Pearl Harbor.

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 6, 2010.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 6, 2010.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 6, 2010.

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

Also present: Mr. Aubrey Painter, Superintendent of Public Works (Public and closed), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public), Committeeman Elect Scott Kercher (Closed and Public)

DISCUSSION(S)/PRESENTATION(S): None

REPORTS - appended to the minutes

Report from the Solicitor No written report; discussion for closed session only

Report from the Engineer

Report from Municipal Clerk/Administrator

Report from the Superintendent of Public Works

Recycling Requirements; Mr. Painter reviewed and updated Committee of the Electronic Waste Manage Act implementation requirements. If residents dispose of electronics at Goodwill or the County Edgewater Park will still receive credit toward recycle grant funding.

Upon discussion consensus of Committee, due to personnel and budgetary constraints, was to have residents dispose of electronic waste at Goodwill and/or County locations.

Report from the Chief of Police

Any Other Reports: None

REPORT ACCEPTANCE

Moved by: Mr. Johnson

Second: Mrs. Belgard

Further Discussion: None

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

AUTHORIZATIONS/CONSIDERATIONS:

Donation for Boys and/or Girls State to American Legion Post #79, cost is \$210.00 for a boy and \$215.00 for a girl for a five-day program.

Upon discussion consensus of Committee was that due to budgetary constraints the donation could not be offered again this year. The discussion pursued that Mrs. Belgard would donate for Girls State. Mayor Johnson indicated that he will also donate and see if any other organizations would be able to donate.

APPOINTMENTS/RESIGNATIONS:

Seasonal Part-Time Public Works Employees, Alex D'Autrechy in the Public Works Department effective November 29, 2010, rate of \$10.00 per hour. Applicant has successfully passed the background screening check and drug prescreening test.

Moved by: Mr. Booker Second: Mr. Pullion

Further Discussion: None

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

Temporary Appointment of Lou Fest; as Electric Sub Code Official, from December 20, 2010 through December 24, 2010; Sub Code Official is on vacation.

Moved by: Mr. Pullion Second: Mr. McElwee

Further Discussion: None

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

FUNCTION APPLICATIONS:

Public Functions: None

Solicitor's Permit: None

PUBLIC HEARING – *Community Development Block Grant Program FY 2011*

Project: Ivy Road/Fern Lane Reconstruction Project

Mrs. Dougherty advised that the Township will be submitting an application for the Community Development Block Grant Application for fiscal year 2011. Grant funding will range from \$75,000 to \$85,000 depending on HUD's actual grant allocation to Burlington County. Application will be submitted by December 17, 2010 for the project which meets the criteria under Census Tract 701001 Block Group 2 at 59.0% Low/Moderate qualification.

The engineer cost estimates(Environmental Resolutions Inc.), prepared on July 20th, projected on recent construction activity was \$229,873.80 plus soft costs equates to approximately \$232,874 and required a \$11,644 down payment. The project did not include various components that the township preferred to have completed. The project received a \$150,000 DOT grant but the Township was not able to award the contract in 2010 due to budgetary constraints. With combining the two grant applications the township is hoping that the project can proceed.

The CBDG grant is for construction only. The DOT grant permits up to 15% for engineer's inspections (or maximum of \$22,500). Engineering design and contract admin are not covered by the grant and would have to be paid by the township.

As per discussions held by Township Committee at the November 9, 2010 Township Committee meeting, the Township Engineer provided a revised cost estimate. Estimate includes replacing all curbs and driveway apron, tree replacement, etc which will provide longevity to the project. Due to budgetary constraints the project will have to be proposed in phases or alternate work preferences depending on the actual bids received.

Construction Cost Estimate:	\$ 262,895.00
DOT Grant:	-150,000.00
CDBG:	<u>- 75,000.00</u>
Balance:	\$ 37,895.00
20% Contingencies:	56,979.00
Material Testing:	3,500.00
Engineering Cost:	39,750.00
Total Estimated Project Cost:	\$363,124.00

Under the above proposal the project will require a 5% down payment of \$18,156.20 if all work is done as wished-for.

The Mayor opened this portion of the meeting to public comment on the Community Development Block Grant Application Only:

Mr. Noel Rainey, 7 Spring Lane: Mr. Rainey expressed concerns about stormwater management and if the proposed upgrade, at the intersection of Ivy and Fern Lane, includes water flowing to the Silver Park West Basin.

Mr. Painter advised that the upgrades are for trench expansion only due to flooding that occurs in this area, no additional lines will connect to the basin.

Mr. Darnel Moye, 103 Cardinale Road: Mr. Moye questioned the selection process for road reconstruction projects. He indicated that the area he lives in has not been given consideration. There is flooding in front of his property.

Township Committee discussed that Lafayette Road and the retention basin in his area have been done within the last few years. Cardinal Road is on the road improvement list but due to budgetary constraints the township has not been able to do projects. Many areas in town have not been reconstructed for over 50 plus years. Upon further discussion Committee requested that Mr. Painter look at the cul-de-sac on Cardinal Road to see if any temporary improvements can be made.

Hearing no other members of the public wishing to speak the Mayor closed this portion of the meeting to public comment.

RESOLUTIONS

Consent Agenda

Motion to Approve Resolution No. 2010-145 through 2010 -148 by consent agenda; if any items on the consent agenda require discussion, it shall be removed from the consent agenda to the regular agenda.

Moved by: Mr. Johnson

Second: Mr. Pullion

Discussion: None

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

Resolution No. 2010- 145
Authorizing Participation and Application Submission in the
Community Development Block Grant Program

WHEREAS, the Township Committee of the Township of Edgewater Park has determined, by public hearing on December 7, 2010, that it is the interest of the community to participate in the Burlington County Community Development Program: and

WHEREAS, certain areas within Edgewater Park Township have been determined to be eligible for Community Development funded projects; and

WHEREAS, the Township Committee of the Township of Edgewater Park has determined that improvements to Ivy Road and Fern Lane Block would address safety issues and benefit residents in Census Group 701001 Block Group 2; and

WHEREAS, the Census Block Group data specifies that 59.0% of the population is classified as Low/Moderate Income.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that approval shall be requested for 2011 Community Development Program funds for said improvements and that the Township Administrator and the Township Engineer are hereby authorized to prepare an application and submit same to the Community Development Program Office.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Edgewater Park that the Mayor and/or Clerk are hereby authorized to execute said Community Development Block Grant agreement upon receipt.

Resolution No. 2010-146
Resolution to Cancel Debits and Credits of \$10.00 or less

WHEREAS N.J.S.A. 54:5-20 provides the governing body of a municipality to designate a municipal employee to cancel without further action on the part of the governing body any debits or credits in the amount of \$10.00 or less.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, that Tanyika Johns, Tax Collector, for the Township of Edgewater Park be designated as the municipal employee for the cancellation of the debits and credits in the amounts of \$10.00 or less for the tax year of 2010.

Resolution No. 2010- 147
Resolution Authorizing the Transfer of Funds from Certain Budget Appropriation
Reserves of the Township of Edgewater Park

WHEREAS, there are certain 2010 Budget Appropriations that have unexpected balances; and

WHEREAS, there are certain 2010 Budget Appropriations that are insufficient to cover operating expenses for the year.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that the following transfers be and are hereby made between the following 2010 Budget Appropriations:

FROM:

Inspection of Buildings S/W (0-01- 22-195-011) \$ 650.00

TO:

Fire Protection Subcode S/W (0-01-22-195-014) \$ 350.00

Plumbing Subcode S/W (0-01-22-195-012) \$ 300.00

Resolution No. 2010-148
Authorizing the Release of Maintenance Guarantee for Bon Sue Enterprises
AKA APS Supply Company

WHEREAS, Engineer, Environmental Resolutions, was asked to inspect and report on the required improvements by Bon Sue Enterprises, 711 Cooper Street, Edgewater Park, NJ, 08010, aka APS Supply Company, Inc for purposes of releasing the Maintenance Guarantee, Irrevocable Deposit Letter No. 2008-1 for Block 622, Lot 4; and

WHEREAS, Resolution No. 158-2007, established the original Maintenance Guarantee, Irrevocable Deposit Letter No. 2008-1 in the amount of \$3,613.35; and

WHEREAS, Resolution No. 134-2006, established the original Performance Surety Bond # B1026724 in the amount of \$28,906.80; and

WHEREAS, the Township Engineer was asked to inspect and report on the Maintenance Guarantee, Irrevocable Deposit Letter No. 2008-1 for APS Supply Company; and

WHEREAS, the Township Engineer, Environmental Resolutions Inc., inspected and recommended the release of the Maintenance Guarantee, Irrevocable Deposit Letter No. 2008-1 and release the guarantee amount of \$3,613.35 with letter date November 10, 2010 conditioned upon payment of any outstanding professional fees; and

WHEREAS, the Chief Financial Officer noted that all professional service fees submitted to date have been paid.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey that the Maintenance Guarantee, Irrevocable Deposit Letter No. 2008-1 be released effective December 7, 2010.

ORDINANCES:

Ordinance No. 2010-9: (Second Reading and Public Hearing)
An Ordinance of the Township of Edgewater Park Amending Chapter 8.52 of the
Township Code, Entitled “Recycling Program” for the Recycling of Designated
Recyclable Material and Modifying For Violation Thereof

Ordinance was endorsed by the Planning Board by Resolution No. 2010-P-8 at the November 18, 2010 meeting.

Ordinance is appended to the end of the minutes.

Moved by: Mr. McElwee Second: Mr. Pullion

Discussion: Mr. Painter and Mrs. Dougherty provided an overview of the ordinance.

The Mayor opened this portion of the meeting for public comment on Ordinance No. 2010-9 only:

Sarah Cannon-Moye, 103 Cardinal Road: Mrs. Cannon-Moye questioned the disposal process for regular household batteries.
Mr. Painter advised that they would be disposed of in the regular trash collection; they have not been a recyclable item for a number of years.

Hearing no other members of the public wishing to speak the Mayor closed this portion of the meeting to public comment.

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

Ordinance No. 2010-10: (Second Reading and Public Hearing)

An Ordinance of the Township of Edgewater Park, County Of Burlington, State of New Jersey Amending the Land Development Ordinances Pertaining to the Design of Containment Areas for Designated Recyclable Materials on Residential Sites

Ordinance was endorsed by the Planning Board by Resolution No. 2010-P-5 at the November 18, 2010 meeting.

Ordinance is appended to the end of the minutes.

Moved by: Mr. McElwee Second: Mrs. Belgard

Discussion: Mr. Painter and Mrs. Dougherty provided an overview of the ordinance.

The Mayor opened this portion of the meeting for public comment on Ordinance No. 2010-10 only:

Hearing no members of the public wishing to speak the Mayor closed this portion of the meeting to public comment.

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

Ordinance No. 2010-11: (Second Reading and Public Hearing)

An Ordinance of the Township of Edgewater Park, County Of Burlington, State of New Jersey Amending Chapter XVI of the Land Development Ordinance Section 16-3 Definitions and Section 16-88 B. Off-street parking requirements

Ordinance was endorsed by the Planning Board by Resolution No. 2010-P-7 at the November 18, 2010 meeting.

WHEREAS, Township Committee wishes to amend Ordinance No. 18-2006, Chapter XVI of the Land Development Ordinance Section 16-3 Definitions and Section 16-88 B. Off-street parking requirements.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that the Township Code of the Township of Edgewater Park be and is hereby amended as follows:

Section 16-3-Definitions

Revise Definitions:

OFFICE-

The Mayor opened this portion of the meeting for public comment on Ordinance No. 2010-11 only:

Hearing no members of the public wishing to speak the Mayor closed this portion of the meeting to public comment.

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

Ordinance No. 2010-12: (Second Reading and Public Hearing) Ordinance Amending Chapter 16.02 of the Edgewater Park Township Municipal Code Pertaining to “The Collection of Affordable Housing Development Fees” and Repealing Chapter 16.128 of the Edgewater Park Township Municipal Code Pertaining to “Uniform Affordable Housing Production Based Upon Growth Share”

Ordinance was endorsed by the Planning Board by Resolution No. 2010-P-6 at the November 18, 2010 meeting.

Ordinance is appended to the end of the minutes

Discussion: Mrs. Dougherty provided an overview of the ordinance.

Moved by: Mr. Johnson Second: Mr. McElwee

The Mayor opened this portion of the meeting for public comment on Ordinance No. 2010-12 only:

Hearing no members of the public wishing to speak the Mayor closed this portion of the meeting to public comment.

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

REPORT OF OFFICIALS

Re-organization Meeting 2011: Set date and time of 2011 re-organization meeting for January 8, 2011, 2010 at 4:30PM, at the Edgewater Park Municipal Bldg, 400 Delanco Road.

Moved by: Mr. Johnson Second: Mrs. Belgard

Discussion: None

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

Committeeman John McElwee

Liaison to Environmental Advisory Committee: Mr. McElwee advised that the next meeting will be held on December 20th; all are welcome to attend. The Committee is also looking for members.

Liaison to EPAA: Mr. McElwee advised that the next meeting will be held on December 14th at the 45th Street Pub. The year-end soccer celebration was a very nice successful event.

Mr. McElwee further discussed that Memorial Field Clubhouse needs electric service upgrades. A sink and counter top were donated for the concession area.

Committeeman Tom Pullion

Liaison to Economic Development: Mr. Pullion requested that Mrs. Dougherty provide an overview of the status of the medical/arts retail center on Route 130. He further added she has done a great job on overseeing this project.

Mrs. Dougherty discussed that Burlington County Economic Development Director, Mr. Remsa, submitted the application to NJ Economic Development Authority and they will be hearing the application for the Route 130 Corridor funding on December 14th; the Governor has 10 working days to approve the minutes but we have requested a waiver for consideration by

December 22nd. The Burlington County Bridge Commission and Board of Freeholders are both scheduled to hear the applications for the Federal Stimulus Recovery Bonds by December 22nd.

Committeewoman Aimee Belgard

Liaison to Senior Advisory Committee: Mrs. Belgard discussed that the November presentation on Medicare/Medicaid fraud was very informative; the committee plans to host more events next year. Their next meeting is December 8th at 3:30PM in the municipal building; meetings are the second Wednesday of each month.

Deputy Mayor Booker

Liaison to Recreation Committee: Mr. Booker announced that the tree lighting ceremony will be on December 8th from 6:30PM to 8:00PM; all are welcome to attend. Santa arrives at 6:30PM and the Ridgway School Band and Choir will be present to assist with the musical activities.

Mayor Kevin Johnson

Liaison to Neighborhood Watch: Mr. Johnson announced that the Holiday Social will be held on December 15th at the Weimann Building from 6:00PM to 9:00PM.

Mr. Johnson further discussed that he attended meetings with Westampton Township Neighborhood Watch. The group is very organized and they recently started patrolling areas in their town. Edgewater Park Neighborhood Watch plans to implement similar patrols in February 2011.

Neighborhood Watch also partnered with the Elk's Lodge and submitted grants in order to donate a lap top to the police department; grants were submitted to achieve this. A presentation will be made in January.

Mayor Johnson expressed that his time on Township Committee and as Mayor for Year 2010 has been a great learning experience. His personal professional needs kept him from re-running for Committee. He will continue to volunteer his time with Neighborhood Watch and has submitted his interest as a member of the Economic/Redevelopment Committee. He thanked Township Committee and staff for all of their assistance; Edgewater Park is a great community.

APPROVAL OF BILLS

Affirmation of Approval of Bills from November 6, 2010 through December 2, 2010

Moved by: Mr. Booker Second: Mr. McElwee

Discussion: Township Committee discussed various vendors submitted for payment.

Mrs. Dougherty provided the response.

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

Authorization to Pay Bills from December 3, 2010 through December 31, 2010

Moved by: Mr. Johnson Second: Mr. Pullion

Discussion: None

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

APPROVAL OF MINUTES

Public Session: October 5, 2010, October 19, 2010 and November 9, 2010.

Closed Session: March 2, 2010, March 16, 2010, April 6, 2010, April 20, 2010, May 4, 2010, May 18, 2010

Moved by: Mr. McElwee

Second: Mr. Booker

Discussion: None

Roll Call: Mrs. Belgard-yes abstain on 11/9/2010, Mr. Booker – yes, Mr. McElwee-yes, Mr. Pullion-yes abstain on 4/20/2010, Mayor Johnson –yes.

OPEN TO THE PUBLIC:

The Mayor opened this portion of the meeting to public comment.

Mr. Jay Jones, 111 Cardinal Rd. expressed his concerns regarding the condition of Cardinal Road and requesting Committee assistance on upgrading the road conditions.

Mr. Darnell Moye, 103 Cardinal Road: Mr. Moye expressed that the Township repaved North Garden Blvd two times and Cardinal Road has not been done. He further requested the Township ‘s assistance with tree removal.

Committee explained that N Garden Blvd was done several years ago; prior to final payment the township engineer advised that some of the area had to be redone but work was performed under the same project. An aggressive road reconstruction program was instituted a few years ago but do to budgetary constraints, loss in State revenue funding, and tax increases the Township has not been able to continue infrastructure improvements.

Mr. Mark Sauter, 102 Washington Ave: Mr. Sauter questioned the leave pick up schedule in his area and the impact with the layoffs.

Mr. Painter advised that his area (area 2) was done once and the department will be coming back again on December 16th. The department is on the same schedule as years past.

Ms. Connie Lender, 211 Colonial Road discussed that she received a notice of violation to repair her sidewalk and questioned the timing of the notice due to the status of the economy.

Committee advised that residents were given notices with 6 months to comply; if additional time is needed please contact the office to speak with the inspector.

Noel Rainey, 7 Spring Lane thanked Mrs. Dougherty for the grant monies received by the Township. He further discussed that the street map needs to be updated.

Mr. Dave Linder, 211 Colonial Road asked what type of shared services the township utilizes and further requested that the yellow lines on Woodlane Rd be repainted.

Mr. Painter advised that he is obtaining quotes for restriping of 4 roads in town; Woodlane Rd is on the list.

Mrs. Dougherty and Committee discussed numerous shared services such as residential trash collection with Edgewater Park, Beverly and Delanco; condominium and apartment collection under the MACC’s program (approximately 16 municipalities); animal control with Willingboro Township, leave and chipping recycling with Delanco Township; member of the BurlCo JIF insurance, mutual aid agreement with the County for the police department and emergency management.; police department assistance and programs with the school ,etc.

Hearing no other members of the public wishing to speak the Mayor closed this portion of the meeting to the public.

ANY OTHER BUSINESS - None

COMMITTEEPERSON ELECT

Authorizing Committeeperson Elect Scott Kercher to attend the closed session meeting of 12/72010:

Moved by: Mr. Booker Second: Mr. McElwee

Discussion: None

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

Resolution No. 2010-149

Closed Session

Where it is necessary to ascertain legal advice and discuss matters concerning personnel and contractual obligations. Where it is necessary to discuss sale of public property.

Where it is necessary to discuss items falling under litigation and or attorney client privilege. 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: Mr. Johnson Second: Mr. Pullion Time: 8:45PM

Discussion: None

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

Re-Call Roll: Mrs. Belgard-yes, Mr. Booker – yes, Mr. McElwee-yes, Mr. Pullion-yes, Mayor Johnson –yes.

ANY OTHER BUSINESS - None

ADJOURN

Moved by: Mr. McElwee Second: Mr. Johnson Time: 10:15PM

Discussion: None

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