

**TOWNSHIP OF EDGEWATER PARK
MINUTES
APRIL 19, 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 (Closed and Public), Mr. Aubrey Painter, Superintendent of Public Works (Public and Closed), Mrs. Linda Dougherty, Municipal Clerk/Administrator (Public and Closed), Mrs. Margaret Peak, CFO (Public), Mr. William Kearns, Township Solicitor (Public and Closed) and Tanyika Johns, Deputy Clerk (Public)

DISCUSSION(S)/PRESENTATION(S):

Sgt Mark Herkoperec introduced Officer Giuseppe Peron from Germany. Officer Peron presented the Township with a plaque and badge from Germany. Officer Peron will be accompanying Sergeant Herkoperec for ten days to learn about the operations of an American police department.

NATIONAL MILITARY APPRECIATION MONTH

WHEREAS, The freedom and security that citizens of the United States enjoy today are direct results of the bloodshed and continued vigilance given by the United States Armed Forces over the history of our great nation; and

WHEREAS, the sacrifices that such members of the United States Armed Forces and of the family members that support them, have preserved the liberties that have enriched this nation making it unique in the world community; and

WHEREAS, the United States Congress, in two thousand and four, passed a resolution proclaiming May as National Military Appreciation Month, calling all Americans to remember

those who gave their lives in defense of freedom and to honor the men and women of all of our Armed Services who have served and are now serving our Country, together with their families; and

WHEREAS, the months of May and June were selected for this display of patriotism because during these months, we celebrate Victory in Europe (VE) Day, Military Spouse Day, Loyalty Day, Armed Forces Day/Week, National Day of Prayer, Memorial Day, Navy Day, Army Day and Flag Day;

NOW, THEREFORE, I, Darrell Booker, Mayor of the Township of Edgewater Park do hereby proclaim the period May 1, through June 14, 2011 as a special time to show appreciation for our Military and proclaim it as

NATIONAL MILITARY APPRECIATION MONTH

in the State of New Jersey and encourage all citizens to join me in showing our gratitude by the appropriate display of flags and ribbons during the designated period.

GIVEN UNDER MY HAND AND SEAL THIS 19TH DAY OF APRIL, 2011.

Moved by: Mr. Pullion Second: Mayor Booker

Hearing no discussion:

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

APPOINTMENTS/RESIGNATIONS: NONE

REPORTS

Report from Municipal Clerk/Administrator is appended hereto.

Secure Our Schools

Mrs. Dougherty reported that she and Mr. Brian have been working with school officials, Mr. Streckenbein and Mr. Coxe, to possibly receive additional grant funding for the Weimann Sports Complex. Request for funding would include the installation of lighting and walking pathways around and to Ridgway Middle School, Weimann Field and the apartments. A fifty percent cash match is requested if the grant is awarded. The grant would be a joint application between the school and the township. The school will have to submit cost estimates for their portion of the project. The school would be responsible for maintaining any paths from the project would be on the schools property.

Upon discussion consensus of Committee was to move forward with the grant application and authorize grant writing assistance through the Burlington County Bridge Commission.

Long Range Road Program

Upon discussion, Township Committee approved the preparation of a resolution authorizing Environmental Resolutions to prepare a Long Range Road Program.

Report from Chief Financial Officer

Burlington County Bridge Commission Pooled Bond Financing

Mrs. Peak discussed the Burlington County Bridge Commission Pool Bond Financing; there is approximately \$3.2 million in Bond Anticipation Notes for consideration of long term financing.

Upon a discussion, Township Committee authorized Mrs. Peak to move forward with an application with Burlington County Bridge Commission Pooled Bonding Financing.

Chief of Police

Mr. Brian discussed that there will be a medicine drop-off this Saturday 10am -2 pm for any unwanted medication; drop will be held at the municipal building.

Other Reports None

REPORT ACCEPTANCE

Moved by: Mrs. Belgard Second: Mr. Kercher

Hearing no discussion:

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

AUTHORIZATIONS/CONSIDERATIONS: NONE

RAFFLE/FUNCTION APPLICATIONS:

All matters listed under items # 8 Raffle/Function Applications are considered to be routine and will be enacted with a single motion on a consent agenda. Any item requiring consideration by separate roll call the item will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.

Moved by: Mr. McElwee Second: Mr. Pullion

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

Raffle Applications: None

Public Functions: None

Solicitor's Permit:

Jessica Fitzgerald for Education Information & Resource Center's Sales, May 14, 2011 at Pathmark; Donations benefitting Willingboro High School Students. Request a waiver of all fees. A letter is on file from the Chief of Police advising that there is nothing in the Background check that would preclude Committee from considering the permit application.

Alyse Kaya for Kay Ice Cream For Icecream Sales, May 03, 2011-November 1, 2011; Required fees have been paid A letter is on file from the Chief of Police advising that there is nothing in the background check that would preclude Committee from considering the permit application.

O'Neil Myers, Suzy Q's Ice Cream Inc for Ice Cream Sales, April 19- November 1, 2011; Required fees have been paid A letter is on file from the Chief of Police advising that there is nothing in the background check that would preclude Committee from considering the permit application.

ORDINANCES:

ORDINANCE NO. 2011-3
(Second Reading and Public Hearing)

**AN ORDINANCE REGULATING SMOKING
IN AND UPON PUBLIC BUILDINGS AND PUBLIC PROPERTIES, AND CREATING
CHAPTER 12.50 OF THE EDGEWATER PARK TOWNSHIP MUNICIPAL CODE
ENTITLED "SMOKING"**

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey that the Code of the Township of Edgewater Park is hereby amended by adding the following:

§ 12.50 Smoking

§ 12.50-1 Findings.

The Township Committee of the Township of Edgewater Park hereby finds and determines that:

- A. The smoking of tobacco products is a major contributor to indoor air pollution and breathing second hand smoke is a cause of disease to non-smokers;
- B. The United State Department of Environmental Protection (EPA) has designated second hand smoke as a Class A carcinogen as well as a significant cause of respiratory problems in children;
- C. In 1986 the U.S. Surgeon General found that the active smoking of tobacco products and the passive inhalation of environmental tobacco smoke are the most prevalent causes of preventable death, disease and disability;
- D. The U.S. Surgeon General found that separating smokers from non-smokers within the same air space does not eliminate the exposure of non-smokers to environmental tobacco smoke;
- E. The State of New Jersey has acknowledged that careless smoking is the leading cause of death from fire;
- F. Smoking leads to the inevitable discard of tobacco products and a source of litter by those who fail to properly dispose of cigar, cigarette, pipe or other combustible tobacco product in any manner or in any form.
- G. The State of New Jersey has entered into litigation against various tobacco product manufacturers and others for the purpose of improving the public's health and adopting policies and programs to achieve a significant reduction in smoking by its citizens and, in particular, by youth;
- H. As part of a settlement, the State of New Jersey will receive significant funding for the advancement of public health, including the implementation of important tobacco-related public health measures and restrictions; and

- I. The Legislature has deemed the control of smoking to be a necessary and proper exercise of municipal authority pursuant to N.J.S.A. 40:48-1 et seq., 40:48-2 et seq., N.J.S.A. 26:3D-46 et seq. and N.J.S.A. 2C:33-13 for the preservation of public health, safety and welfare of the community.

§ 12.50-2. Definitions.

As used in this chapter only, the following words and terms shall be defined as set forth below. All other terms, words and phrases not defined herein shall be given their customary meaning.

PERSON - Any individual, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee or any other legal entity.

PUBLIC BUILDING - Any building, structure, facility or complex, including appurtenant parking areas; parks, playgrounds and recreation areas owned, leased, operated or under the ownership control of the Township of Edgewater Park to which the general public is invited.

SMOKING - The inhaling, exhaling, burning or possession of any lighted cigar, cigarette, pipe or other combustible tobacco product in any manner or in any form.

§ 12.50-3. Smoking Prohibited.

- A. Except as otherwise provided herein, smoking shall be prohibited in the following places:
 1. Every room, chamber, lobby, hallway and other common areas in and upon any public building.
 2. Any entrance or exit areas of any public buildings where smoke may enter the air people breathe through such entrances, exits, windows or ventilation systems.
 3. Any vehicles owned and/or leased, in part or entirely, by the Township of Edgewater Park.
 4. On any public property including parks, recreations areas and playgrounds. This prohibition on smoking shall not apply to individuals in privately owned vehicles, provided that all debris is retained within the vehicle.
- B. Smoking optional areas. Notwithstanding the prohibitions contained in the foregoing provisions, outdoor smoking areas may be designated upon application and approval by the Township Committee. Smoking areas, once approved, shall bear signs specifically designating that they are smoking areas. Smoking areas shall be clear of any public entrance or exit areas of any public buildings where smoke may enter the air people breath through such entrances, exits, windows or ventilation systems.

§ 12.50-4. Signs.

"Smoking" or "No Smoking" signs, as appropriate, or the international, "No Smoking" symbol (a picture of a burning cigarette inside a red circle with a red bar across it) shall be clearly and conspicuously posted by the owner, operator, manager, employer or such other person in control of every public building where smoking is controlled by this chapter. The

color of such signs, when not of the international type, shall have letters that are distinct, contrasting to the background and easily read. Letters shall have a minimum height of three-quarters of an inch and should be posted in English and such other languages as the Township Committee approves. The "No Smoking" signs shall be posted, at a minimum, on every doorway which provides an entry to the building. The "Smoking" signs shall be posted only in those areas so designated by the Township Committee as provided by this chapter.

§ 12.50-5. Enforcement.

The provisions of this article shall be enforceable by a police officer, employee or elected official of the Township of Edgewater Park, as well as by any other individual. Any person seeking to enforce the provision of this ordinance shall be authorized to file a complaint in the Municipal Court of the Township of Edgewater Park.

§ 12.50-6. Violations and Penalties.

- A. It shall be unlawful for any person to smoke in any area where smoking is prohibited under this chapter.
- B. Unless a greater fine is permitted under N.J.S.A. 26:3D-56 et seq., for smoking in specific areas defined therein, in which case such higher level of fine shall be utilized, any person who smokes in an area in which smoking is prohibited shall be guilty of a disorderly persons offense and subject to a maximum fine of \$200 for each violation pursuant to N.J.S.A. 2C:33-13.
- C. Any person found guilty defacing, tampering with or removing "No Smoking" signs which are required by this chapter shall be guilty of a disorderly persons offense and subject to a maximum fine of \$200, plus the cost of replacing the sign.
- D. Any juvenile adjudicated to have violated the provisions of this article shall be subject to such penalties, fines or other discipline as may be imposed upon an adult pursuant to this chapter.

§ 12.50-7. Construal of Provisions.

No provision of this chapter shall be construed or interpreted to allow smoking where it is otherwise restricted or prohibited by other laws.

§ 12.50-6. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Moved by: Mrs. Belgard Second: Mr. Kercher

Hearing no discussion:

OPEN TO THE PUBLIC Ordinance 2011-3 Only: The Mayor opened this portion of the meeting to public comment.

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

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

RESOLUTIONS

Motion to Approve Resolution No. 2011-55 through 2011-62 by consent agenda; if any items on the consent agenda require discussion or consideration by separate roll call vote, it shall be removed from the consent agenda to the regular agenda. All Consent Agenda items will be reflected in full in the minutes.

Moved by: Mr. McElwee Second: Mayor Booker

Hearing no discussion:

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

RESOLUTION NO. 2011-55

*Resolution of the Township of Edgewater Park, County of Burlington, and State of New Jersey
Authorizing the Submission of the 2010 Tonnage Grant Application to the New Jersey
Department of Environmental Protection*

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund for which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2010 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Edgewater Park Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that the Township of Edgewater Park hereby endorses the

submission of the 2010 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Aubrey Painter, Edgewater Park Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the 2010 recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

RESOLUTION NO. 2011-56
Tax Identification Statement

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Township of Edgewater Park that the Township of Edgewater Park hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in calendar year 2010 in the amount of \$11,239.14. Documentation supporting this submission is available at 400 Delanco Road, Edgewater Park, NJ 08010 and shall be maintained for no less than five years from this date.

REA Tax certified by:

Name of official: Mr. Aubrey Painter
Title of official: Superintendent of Public Works/Recycling Coordinator
Date: April 19, 2011

RESOLUTION NO. 2011-57
Resolution Amending Resolution No. 2011-7 Establishing Depositories

WHEREAS, Revised Statute NJSA 40:3-25 provides that moneys held in any separate fund, i.e., General Account, Capital Fund, Trust Account and all Escrow Accounts, shall be treated as moneys held in trust and shall not be diverted to any other purpose;

WHEREAS, the Township Committee has determined that it would be beneficial to include Roma Bank as an approved banking institution.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that Roma Bank is an approved banking institution and that the custodian shall be Margaret Peak, Chief Financial Officer. All disbursements for these accounts shall be made by checks signed by:

Darrell Booker, Mayor or
John McElwee, Deputy Mayor, or
Margaret Peak, Chief Financial Officer, or
Linda M. Dougherty, Municipal Clerk/Administrator, Secretary to the CFO, or
Tanyika L. Johns, Tax Collector/Deputy Clerk

In the event that the Municipal Clerk signs said checks in the capacity of Secretary to the Chief Financial Officer, then the Deputy Clerk shall be required to sign on behalf of the Clerk.

RESOLUTION NO. 2011-58

*Resolution Authorizing the Mayor and/or Clerk Administrator to sign,
on behalf of the Township of Edgewater Park, an Application to the
New Jersey Department of Environmental Protection
for a Sewer Extension Permit for Block: 203 Lot: 4.02*

WHEREAS, the contract purchaser of Block 203, Lot 4.02, needs to submit an Application for a Sewer Extension Permit to the New Jersey Department of Environmental Protection, and

WHEREAS, AMCOR Industries is the record owner of the property,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, assembled in public session on April 19, 2011, the Mayor and/or Clerk Administer is hereby authorized to sign, on behalf of the Township of Edgewater Park, the Application to the New Jersey Department of Environmental Protection for a Sewer Extension Permit for Block: 203 Lot: 4.02,.

RESOLUTION NO. 2011-59

*A Resolution Authorizing the Police Department to Apply for Funding with the
U.S. Department of Justice, Bureau of Justice Assistance under the
Bulletproof Vest Partnership Program*

WHEREAS, the applicant finds it in the best interest of the Township to apply for funding under the U.S. Department of Justice, Bureau of Justice Assistance under the Bulletproof Vest Partnership Grant initiative designed to provide a critical resource to local law enforcement; and

WHEREAS, the program provides for funding for the purchase of NIJ-approved vests to each local jurisdiction that receives and accepts a federal grant under the program; and

WHEREAS, the program is considered a payment reimbursement program and provides funding for designated purposes;

BE IT RESOLVED BY THE TOWNSHIP OF EDGEWATER PARK;

Section 1. That the Township of Edgewater Park approves submission of an application under the Bulletproof Vest Partnership grant and hereby authorizes the Chief of Police and other appropriate officers of the Township to do all things necessary in furtherance thereof.

Section 3. That it is found and determined that all formal actions of this Committee concerning and relating to the approval of this resolution were approved in an open meeting of this Committee; and that all deliberations of this Committee that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

RESOLUTION 2011-60

Resolution Authorizing a Request to the Burlington County Bridge Commission for Grant Writing Assistance

WHEREAS, the Township Committee of the Township of Edgewater Park desires to obtain funding under the Federal Department of Justice's Secure Our Schools program; and

WHEREAS, the Township of Edgewater Park is the owner of Block 502, Lot 8.01 and the Edgewater Park Board of Education is the owner of Block: 502, Lot 10 who which control the project site; and

WHEREAS, the above stated parcels include Ridgway Middle School and Weimann Park Sports Complex which is an active recreation complex with various sport fields activities and walking trails; and

WHEREAS, local funds are not available to install the needed lighting improvements and secure walking pathways around and to Ridgway Middle School and appurtenant athletic facility because of severe budget constraints faced by both the School District and the municipality; and

WHEREAS, because of the limited budget, the municipality does not have the funds to pay professionals to complete the application, and does not have the staff resources and experience to develop an application that would be appealing to the Department of Justice; and

WHEREAS, the Township of Edgewater Park looks forward to once again partnering with the Burlington County Bridge Commission on this project.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that the Township of Edgewater Park hereby endorses the submission of the request for grant writing assistance to the Burlington County Bridge Commission.

RESOLUTION NO. 2011-61

Resolution to End State Diversion of Municipal Revenues and Demand Compliance with State Laws

WHEREAS, at the New Jersey State League of Municipalities Conference the Resolutions Committee, on November 16, 2010, approved Resolution No. 2010 – 22 titled: “*Resolution to End State Diversion of Municipal Revenues and Demand Compliance with State Laws*” and further approved the Resolution at the League Business Meeting, November 19, 2010; and

WHEREAS, there are two main formula-driven general municipal property tax relief programs currently on the books in our Garden State; and

WHEREAS, though often referred to as “State Aid” programs, these are actually revenue replacement programs, intended to replace property tax relief funding that was, formerly, generated through taxes assessed and collected locally; and

WHEREAS, the first is the Energy Tax Receipts Property Tax Relief program - the direct descendant of the Public Utility Gross Receipts and Franchise Tax, which was a tax on regulated public utilities originally assessed and collected at the municipal level; and

WHEREAS, in the early 1980s, at the request and for the convenience of the tax paying utilities, the State became the collection agent for this assessment, and the law that effected this change promised that the proceeds would be distributed back to the municipalities, which provide services to utility facilities and from whence come utility profits; and

WHEREAS, the State of New Jersey never honored that commitment, immediately and annually diverting large and growing portions of the proceeds to its own general fund; and

WHEREAS, modernization and deregulation led to a major reform of utility taxes in the mid-nineties, which validated and, supposedly, capped the State’s annual portion of the tax proceeds; and

WHEREAS, that law also included a ‘poison pill,’ which required the State to annually increase the municipal distribution of Energy Tax proceeds and to cap its skim; and it, further, provided that failure to honor that pledge would result in the forfeiture of the State’s authority to collect the tax; and

WHEREAS, around the same time, for its own convenience, the State decided to ‘consolidate’ a number of previously discrete municipal property tax relief programs; and

WHEREAS, while some may see ‘no rhyme or reason’ to the distribution of Consolidated Municipal Property Tax Receipts Aid (CMPTRA), each of its component parts was distributed according to state established formulas, and many of those parts were, like Energy Taxes, the lineal descendants of taxes that had once been assessed and collected at the municipal level; and

WHEREAS, among its many components, CMPTRA includes the Financial Business Tax, the Business Personal Property Tax Replacement, the Railroad Class II Property Tax, the Insurance Franchise Tax, the Corporation Business Tax on Banking Corporations and State PILOT payments, that had been under-funded for many years, prior to being folded into CMPTRA; and

WHEREAS, these are, or were, all municipal revenue replacement programs - not, properly speaking, State aid, in that they were not meant to make things better for municipal property taxpayers; they were only intended to keep things from getting worse; and

WHEREAS, in the late-nineties, a law was passed that required both the Energy Tax and CMPTRA distributions to be annually increased by the rate of inflation; and

WHEREAS, that law posed a special problem for future State budget makers, but, as those budget makers viewed the matter, the problem was not how to comply with the requirement; the problem was how to avoid compliance without invoking the Energy Tax 'poison pill,' and

WHEREAS, State policy makers found a way to increase Energy Tax distributions by the rate of inflation for five straight years without providing municipalities with one new dollar in property tax relief, which was done by annually reducing the CPMTRA distribution by the same amount that it increased the Energy Tax distribution; and

WHEREAS, thereafter, the State strayed even farther from original legislative intent, when, in 2008 (SFY 2009), CMPTRA was reduced by about \$62 million more than the Energy Tax was increased, and in 2009 (SFY 2010), the net loss equaled about \$32 million; and

WHEREAS, the State's Fiscal Year 2011 budget, in which the total distribution of CMPTRA and ETR was reduced by approximately 17 percent, or \$272 million from \$1.565 billion to \$1.293 billion, honoring neither the letter nor the spirit of applicable State laws.

NOW, THEREFORE, BE IT RESOLVED, by the by the Township Committee of the Township of Edgewater Park that we support the New Jersey State League of Municipalities, in conference assembled, that we demand an immediate end to the State's reliance on the municipal property tax relief revenues to balance its budget and address other priorities; and

BE IT FURTHER RESOLVED, that we call on the Governor to introduce and the Legislature to adopt an FY 2012 State Budget that provides for the full statutory distribution of Energy Tax and CMPTRA revenue replacement funding, and to continue to honor the letter and spirit of the applicable State statutes, in all years, thereafter; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Lieutenant Governor and the Governor of State of New Jersey.

RESOLUTION NO. 2011-62

*Resolution Releasing Performance Cash Deposit for
Edgewater Park Real Estate in the Amount of \$25,560.00 plus interest due*

WHEREAS, the Edgewater Park Planning Board memorialized by Resolution No. P-17-2002, the site plan for Edgewater Park Real Estate aka Courtyards, Block 502 Lot 12.01, on August 15, 2002; and

WHEREAS, the Planning Board Engineer established the performance bond requirements in the amount of \$25,560.00 (see Improvement Bond Estimate, dated July 31, 2002, attached) which includes a twenty percent (20%) contingency in accordance with the New Jersey Municipal Land Use Law; and

WHEREAS, Edgewater Park Real Estate aka Courtyards has posted a Performance Cash Deposit with the Township of Edgewater Park on August 28, 2002; and

WHEREAS, the Township Engineer, Environmental Resolutions Inc., inspected and recommended the release of the Performance Cash Deposit in the amount of \$25,560.00 plus interest due with letter dated , March 14, 2011 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.

REPORT OF OFFICIALS

Committeeman Kercher:

Liaison to the Environmental:

Mr. Kercher reported the next meeting is on May 10 at 7:30 PM. Mr. Kercher invited everyone to come out.

Liaison to the School Board:

Mr. Kercher reported the school board meeting is on Tuesday the 26th of April at Jacques School. Mr. Kercher also reported the School Board Elections will be held on April 27th at Magowan School from 3 pm -9 pm.

Committeewoman Belgard:

Liaison to Senior Advisory:

Mrs. Belgard reported Senior Advisory met last Wednesday and the next meeting will be held on May 11th at 3 PM. There will be no meetings during the months of June, July and August; meetings will resume in September. The Committee offers a lot of information for residents and periodically has guest speakers.

Edgewater Park Senior Advisory Committee, Edgewater Park Neighborhood Watch and Edgewater Park PTO co-sponsored a very successful “meet and greet the school board candidates on April 6 at Ridgway School Library

On May 25th, Burlington County will hold a wellness day for seniors. Burlington County will have a continental breakfast and a box lunch with very informative information on health and wellness.

Liaison to Planning Board:

Mrs. Belgard reported Planning Board will meet this Thursday at 7 PM.

Committeeman McElwee:

Liaison to EPAA:

Mr. McElwee reported EPAA had to reschedule opening day festivities due to inclement weather; rescheduled date has been tentatively set for May 21st. The next meeting will be held on May 10th at 8:30PM at the 45th Street Pub.

Liaison to Neighborhood Watch:

Mr. McElwee reported the next meeting is April 28th at 6:30 PM. Animal Control will be the presentation.

Committeeman Pullion:

Liaison to the Redevelopment

Mr. Pullion reported that both developments are moving along located on Route 130 are moving forward. He further acknowledged the County Engineers Department and the Sewer Authority for their assistance is working out details for the developments.

Mayor Booker:

Mr. Booker reported that on April 9th the Breakfast with the Bunny was held; the event very successful with many families enjoying the activities.

APPROVAL OF BILLS

Approval of Bills from April 4, 2011 through April 15, 2011

Moved by: Mayor Booker Second: Mrs. Belgard

Hearing no discussion:

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, questioned whether florescent tubes will be collected through the trash.

Mr. Painter stated they need to be taken to the County facility.

Mr. Robbins also questioned whether the Township will have to abide by the governors new rule that you cannot use pesticides March 15 – November 1.

Mrs. Dougherty discussed that this is a new requirement and we are waiting on the details but to what has been given preliminarily it will be shore towns only that are affected.

Julianne Fenner-Craig, 131 E Warren Street asked if there was a resident who would like to represent Edgewater Park as liaison to the Beverly Free Library. She explained that the liaison would be a non-voting member and meetings are held first Thursday of month at 7 PM. The Board is also looking for new trustees. Mrs. Craig continued her discussion explaining what the library has to offer to the communities.

John Loftus, 420 Jefferson Avenue, representing the Riverfront Senior Citizen, requesting the Townships consideration to give money to the Riverfront Senior Citizens. Mr. Loftus discussed that once a month they have a luncheon and twice a year have a dinner.

Township Committee discussed that budgetary constraints prohibit the contribution. Edgewater Park has a senior advisory Committee and recommended that Mr. Loftus contact Mrs. Belgard, liaison, to coordinate activities with senior advisory.

Mr. Darrell Moyer, 103 Cardinal Road, questioned whether a there is a record of when the tree was planted on his property.

Mr. Loftus, stated the Mainhiem Auto Auction is hiring and he would bring applications to the Beverly Free Library.

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. 2011-63
Closed Session***

Where it is necessary to discuss matters concerning personal and contractual obligations with CWA Clerical Union and Blue Collar. Where it is necessary to discuss sale of public property; Block: 1202 Lot 4.01 and Block 402, Lot 5. Where it is necessary to discuss legal matters R Miller vs Edgewater Park Township and Mickle v Township of Edgewater Park, et al. 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: Mayor Booker

Second: Mr. Kercher

Time: 8:27 PM

Hearing no discussion:

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

ANY OTHER BUSINESS

ADJOURN

Moved by: Mayor Booker Second: Mr. Kercher Time:

Hearing no discussion:

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

Darrell M Booker

Darrell Booker, Mayor

Linda M. Dougherty

Linda M. Dougherty, RMC/Administrator