

**TOWNSHIP OF EDGEWATER PARK
MINUTES-MAY 17, 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. Kercher, Mr. John McElwee, Mr. Joseph Pullion, Mayor Darrell Booker (Committee Members)

Also present: Mr. Robert Brian, Chief of Police (Closed and Public), 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):

Proclamation: Recognition of the Edgewater Park Police Department, National Police Week May 15-21, 2011

On behalf of the entire police department, Mayor Booker presented the proclamation for National Police Week and Certificates of Appreciations to Patrol Officer Michelle Ent, Lieutenant Gene DiFillipo, Sergeant Brett Evans and Chief Robert Brian.

NATIONAL POLICE WEEK 2011

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the law enforcement agency of the Township of Edgewater Park play an essential role in safeguarding the rights and freedoms of the Township of Edgewater Park; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Edgewater Park Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Mayor Darrell Booker, on behalf of Edgewater Park Township Committee, call upon all citizens of the Township of Edgewater Park and upon all patriotic, civic and educational organizations to observe the week of May 15, 2011, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all citizens of the Township of Edgewater Park to observe May 15, 2011, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

APPOINTMENTS/RESIGNATIONS: None

REPORTS

Report from Municipal Clerk/Administrator is appended hereto.

Municipal Building: Notice of Violation-Uniform Fire Code

Authorizing a resolution for the June 5, 2011 meeting to award the contract for the installation of a fire alarm system to All Systems Go in the amount of \$13,250 with clarification on the price of the central monitoring system.

Moved by: Mayor Booker Second: Mr. Kercher

Hearing no discussion:

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

Special Police Officers

Upon discussion, Township Committee will discuss hiring Class II special police officers and a possibly a full time officer at the next meeting.

Ivy Road/Fern Lane Reconstruction Project

Upon discussion of the grant funding, consensus of Township Committee was to discuss the situation further at the next meeting.

There Were No Other Reports

REPORT ACCEPTANCE

Moved by: Mrs. Belgard

Second: Mr. McElwee

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 vote will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.

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

Raffle Applications: none

Public Functions:

Magowan School – Betsy Miles - Use of Memorial Field for School Picnics from June 10, 2011-9:00 AM- 11:00 AM, June 14, 2011 9:00 AM – 12 PM, 12:00 PM – 3:00 PM, June 16, 2011 9:00 AM – 12 PM and June 17, 2011 9:00 AM – 12 PM.

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

Solicitor's Permit: None

Wade McDaniels III, Wade's Snowcone Express May 30, 2011- October 30, 2011; Icecream Sales. 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

Elliot Duritz, May 30, 2011- May 30, 2011; Pretzel Sales. 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

RESOLUTIONS

CONSENT AGENDA

Motion to Approve Resolution No. 2011-71 through 2011-75 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: Mrs. Pullion Second: Mr. Kercher

Discussion: Committee briefly discussed that revised salary resolution and new ratification package for the CWA Clerical Unit.

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

RESOLUTION NO. 2011-71

Resolution Authorizing Liquor License Submission to the Director of the Division of Alcoholic Beverage Control

WHEREAS, NJAC 13:2-4.1 states that no municipal issuing authority may issue, renew or transfer a license to or from any of its members, or issue, renew or transfer a license to or from any corporation, organization, or association in which any of its members is interested directly or indirectly; and

WHEREAS, NJAC 13:2-4.1 further states whenever the municipal issuing authority is prohibited from acting or is unable to reach a quorum due to individual conflicts of interest, application must be made to the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, NJAC 13:2-4.1 requires submission of a issuing authorities resolution setting forth that the issuing authority has no objection to the renewal of the club license and it is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the license; and

WHEREAS, three members of Township Committee are members of the Edgewater Park B.P.O. Elk's Lodge #2550.

BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey as the Issuing Authority has no objection to the renewal of the below mentioned club license and it is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the license.

#0312-31-004-002 Edgewater Park B.P.O. 315 Green Street
Elks #2550

1. There are no violations of any kind against the above referenced licensees.
2. That all appropriate fees have been collected.
3. Director of the Division of Alcoholic Beverage Control may sign, issue and deliver license certificates in accordance with the foregoing on behalf of the issuing authority.
4. That the Chief of Police has no objection to the renewal of the liquor licenses.

RESOLUTION NO. 2011-72

*Resolution Authorizing Refund Of Overpayment
State Tax Appeal*

WHEREAS, the Tax Collector certifies to the Mayor and the Township Committee of the Township of Edgewater Park, that the tax records reflect an overpayment for the following accounts due to a State Tax Appeal:

Block 501 Lot 2.01
Daniel G. Keough, Trustee

Ventura, Miesowitz, Keough & Warner
 783 Springfield Avenue
 Summit, NJ 07901
 \$9,284.00

Be it Resolved that copies of said resolution be forwarded to the Tax Collector, Township Auditor, and the Treasurer for their information and any appropriate action.

Resolution 2011-73
Resolution Establishing Salaries for Year 2011
Amending Resolution 2011-42

BE IT RESOLVED that the following shall constitute the annual rate of compensation, unless otherwise noted; to be paid to the Township employees hereinafter designated for the year 2011. Compensation shall be paid bi-weekly unless otherwise noted. This includes employees in collective bargaining units with negotiated contracts and employees with contract agreements. Due to the current economic conditions and unprecedented reduction in Township revenues for CY 2011 certain administrative positions have been reduce to a four day work week until December 31, 2011; the stated salaries reflect annual salaries for said period.

SECTION 1: Establishment of Positions and Salaries

<u>POSITION</u>	<u>SALARY</u> 1/1-4/30/11	<u>SALARY</u> 5/1-12/31/11
ADMINISTRATION		
Clerk-Typist		
Step 1	20,996.53	24,226.77
Step 2	22,516.20	25,980.23
Step 3	25,048.97	28,902.66
Step 4	27,581.76	31,825.10
Step 5	29,101.42	33,578.56
Senior Clerk Typist		
Step 1	30,114.53	34,747.53
Step 2	31,127.64	35,916.51
Principal Clerk Typist		
Step 1	32,140.75	37,085.58
Step 2	33,153.87	38,254.46
Part-time Clerk Typist		

<u>POSITION</u>	<u>SALARY</u> 1/1-6/30/11	<u>SALARY</u> 7/1/-12/31/11
ADMINISTRATION		
Secretary, Planning Board	100.00	150.00
	Per meeting	per meeting
Registrar, Vital Statistics	1,100.00	1,300.00
Deputy Registrar, Vital Statistics	600.00	800.00
Secretary, Board of Health	800.00	1,100.00

MUNICIPAL COURT

Court Administrator

Step 1	32,647.30	37,669.97
Step 2	34,166.98	39,423.43
Step 3	35,686.64	41,176.89
Step 4	37,206.31	42,930.36
Step 5	40,157.11	46,335.13

Deputy Court Administrator

Step 1	20,996.54	24,226.77
Step 2	22,516.20	25,980.23
Step 3	25,048.98	28,902.67
Step 4	27,581.76	31,825.10
Step 5	29,101.42	33,578.56

POLICE DEPARTMENT

Police Records Clerk

Step 1	20,996.54	24,226.77
Step 2	22,516.20	25,980.23
Step 3	25,048.98	28,902.66
Step 4	27,581.75	31,825.10
Step 5	29,101.42	33,578.56

Senior Police Records Clerk

Step 1	30,114.53	34,747.53
Step 2	31,127.64	35,916.51

Principal Police Records Clerk

Step 1	32,140.75	37,085.58
Step 2	33,153.87	38,254.46

RESOLUTION NO. 2011-74

Resolution Authorizing the Cancellation of Totally Disabled Veteran for Walter B. Platt, Jr. Located at Block 502.01 Lot 1 Qualifier C5H01 Tax Year 2011 and Thereafter and Refunding Taxes Paid

WHEREAS, the owner of real property located at Block 502.01 Lot 1 Qualifier C5H01 has made application for a Totally Disabled Veteran to the Edgewater Park Tax Assessor which has been accepted in accordance with N.J.S.A. 54:4-3.30 A and 54:4-3.32, and

WHEREAS, the Edgewater Park Tax Assessor has approved the cancellation of taxes for 2011 on real property located at Arbor Green 5H1, Edgewater Park, NJ 08010, Block 502.01 Lot 1 Qualifier C5H01; and

WHEREAS, the Edgewater Park Tax Assessor and Tax Collector have also approved the refunding of taxes already paid from January 1, 2011 the date of disability:

2011 property taxes
1st Quarter of 2011
\$652.20

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, hereby approves the real owner of real property, Walter D. Platt, Jr. located at Block 502.01 Lot 1 Qualifier C5H01, for Total Disabled Veteran status, for the cancellation of taxes for 2011 and thereafter, for the refunding of taxes paid in 2011 for \$652.20

BE IT FURTHER RESOLVED that copies of said resolution be forwarded to the Tax Collector, the Treasurer and the County Board of Taxation for their information and any appropriate action.

RESOLUTION NO. 2011-75
CASH MANAGEMENT PLAN YEAR 2011

WHEREAS, N.J.S.A. 40A:5-14 requires that each local unit to annually adopt a cash management plan;

WHEREAS, it is desired by the Township Committee to comply with said statute;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Edgewater Park, County of Burlington, that the attached cash management plan for the year ending December 31, 2011 be approved and is hereafter effective until changed by subsequent resolution.

ORDINANCES:

Ordinance No. 2011-4: (Second Reading and Public Hearing)

A Bond Ordinance of the Township of Edgewater Park, County of Burlington, New Jersey, Authorizing the Construction of Roadway Improvements to Ivy Road and Fern Lane and the Construction of Improvements to Woodlake Park; Appropriating the Sum of \$705,000 Therefore; Authorizing the Issuance of \$669,750 Bond or Notes of the Township to Finance Said Improvements; and making Certain Determinations and Covenants and Authorizing Certain Related Actions in Connection with the foregoing.

BE IT ORDAINED BY THE COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members therefore affirmatively concurring) **PURSUANT TO THE PROVISIONS OF THE LOCAL BOND LAW, CHAPTER 169 OF THE LAWS OF 1960 OF THE STATE OF NEW JERSEY, AS AMENDED AND SUPPLEMENTED ("LOCAL BOND LAW"), AS FOLLOWS:**

Section 1. The improvements described in Section 3 of this Ordinance are hereby authorized to be undertaken by the Township of Edgewater Park (the "Township"), situate in the County of Burlington, New Jersey as general improvements. For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$705,000, including the sum of \$35,250 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the purposes or improvements and to meet the part of said \$705,000 appropriation not provided for by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$669,750

pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose; and the period of usefulness of each said purpose within the limitations of the Local Bond Law, all as more fully described in accordance with specifications on file in the office of the Township Clerk, are as follows:

<u>Purpose/ Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Construction of improvements to Ivy Road and Fern Lane consisting of roadway overlay work, as well as the reconstruction of sidewalks and curbs, including the acquisition of all related materials, equipment and performance of all work necessary therefore and incidental thereto.	\$375,000	\$18,750	\$356,250	10 years
B. Construction of various improvements to Woodlake Park consisting but not limited to new landscaping, as well as the construction of new trails, sidewalks, curbs and signage, including the acquisition of all related materials and performance of all work necessary therefore and incidental thereto.	\$330,000	\$16,500	\$313,500	15 years

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$669,750.

(c) The estimated cost of the improvement or purposes is \$705,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefore being the amount of \$35,250, the down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Township's financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the financial officer. The financial officer shall determine all

matters in connection with notes issued pursuant to this ordinance, and the financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8(a). The financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The financial officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser. The financial officer is authorized and directed to comply with all post-issuance requirements under the Internal Revenue Code of 1986, as amended, to insure that the interest on such bonds or notes remains exempt from gross income for federal income tax and New Jersey Gross Income Tax Act purposes, if so sold, and to make any and all determinations or elections necessary or desirable with regard to such tax status and may invest the proceeds of any such sale in accordance therewith.

Section 5. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution, in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this ordinance is not a current expense. They are improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property benefited thereby.

(b) The average period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, taking into consideration the respective amounts of bonds or notes, is not less than 12.34 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$669,750 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$58,500.00 for items of expense listed in and permitted under N.J.S.A. §40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The financial officer is authorized to designate such bonds or notes as "Qualified Tax Exempt Obligations" pursuant to I.R.C. Section 265 so long as the Township

has not issued other such obligations beyond the limitations set forth in the Internal Revenue Code of 1986, as amended.

Section 7. All grant monies from any source received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby declares its official intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Township prior to the issuance of such bonds or bond anticipation notes.

Section 10. In the event that any section or part of this ordinance shall be declared to be unconstitutional, invalid, or inoperative, in whole or in part, by a court of competent jurisdiction, such section or part shall, to the extent that it is not unconstitutional, invalid, or inoperative, remain in full force and effect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Moved by: Mayor Booker Second: Mr. Pullion

Hearing no discussion:

The Mayor opened the meeting to the Public for Comment on Ordinance No. 2011-4 Only Hearing no members of the public wishing to speak the Mayor closed this portion of the meeting to the public.

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

Ordinance No. 2011-5: (First Reading)

AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, REGULATING THE OPERATION OF AUTOCABS AND TAXICABS PURSUANT TO NJSA 48:16-1 ET SEQ AND CREATING CHAPTER 5.10 ENTITLED TAXICABS AND AUTOCABS LICENSING, REGULATION AND ENFORCEMENT

WHEREAS, the New Jersey State Legislature has granted local Municipalities the exclusive authority to regulate taxicabs under N.J.S.A. 48:16-1 et seq; and

WHEREAS, Edgewater Park Township is desirous of establishing a municipal license for the operation of a taxicabs and autocabs in Edgewater Park Township;

NOW, THEREFORE, BE IT ORDAINED BY THE Township COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

Chapter 5.10 Taxicabs and Autocabs Licensing, Regulation and Enforcement

The use and operation of taxicabs and auto cabs, as defined herein, shall be in accordance with N.J.S.A. 48:16–1 et seq.

Section 5.10.010 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PERSON

Any individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever.

STREET

Includes any street, road, avenue, park, parkway, highway or other public place.

TAXICAB

Includes any public vehicle propelled by mechanical power, commonly called "taxi," engaged in the business of carrying passengers for hire and which particularly accepts and discharges such passengers as may offer themselves for transportation from points or places within the township. It shall not include taxis that only discharge passengers within the township, but shall include taxis that only pick up passengers within the township.

AUTOCABS

Autocab means limousine or livery service.

LIMOUSINE

Limousine or livery service means and includes the business of carrying passengers for hire by limousines.

Any automobile or motor car used in the business of carrying passengers for hire to provide prearranged passenger transportation at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route and with a seating capacity in no event more than 14 passengers, not including the driver, provided, that such a vehicle shall not have a seating capacity in excess of four passengers, not including the driver, beyond the maximum passenger seating capacity of the vehicle, not including the driver, at the time of manufacture. Nothing in this definition contained shall be construed to include taxicabs, hotel buses, buses employed solely in transporting school children or teachers, vehicles owned and operated directly or indirectly by businesses engaged in the practice of mortuary science when those vehicles are used exclusively for providing transportation related to the provision of funeral services, autobuses which are subject to the jurisdiction of the Department of Transportation or interstate autobuses required by federal or State law or regulations of the Department of Transportation to carry insurance against loss from liability imposed by law on account of bodily injury or death.

Section 5.10.020 Licenses required.

A.

Municipal Approval. No person shall operate any taxicab and/or autocab upon any street within the Township of Edgewater Park until the owner satisfies the licensing requirements set forth hereinafter and receives consent of the Township Committee.

B.

No person shall operate any taxicab and/or autocab upon any street within the Township of Edgewater Park unless both the taxicab and the driver and autocab and driver thereof are licensed pursuant to the terms of this chapter and conform to all of the provisions hereof and such person shall have complied with the laws of the State of New Jersey relating to taxicabs and/or autocabs and/or limousine services.

Section 5.10.030 Application for taxicab and/or autocab owner's license.

A.

Every application for a taxicab and/or autocab license shall be made in writing to the Township Clerk and shall set forth the full name and address of the owner, lessee or bailee of the taxicab and/or autocab to be licensed, the make and character of taxicab and/or autocab, the length of time it has been in use, the number of persons said vehicle is suitable for carrying, the motor and serial number thereof and the place where it may be inspected by the Township Administrator, Chief of Police and/or the assigned designee. The applicant for a taxicab and/or autocab license shall present to the Township Clerk proof of registration for the vehicle, setting forth the name and address of the person to whom the vehicle is registered.

(1)

If the applicant is an individual or co partnership, said application shall state also whether or not the applicant or applicants have ever been convicted of a crime, and if so, the crime of which he or she has been convicted, the place of conviction, the date thereof and the punishment therefore.

(2)

If the applicant is a corporation, said application shall set forth the names and addresses of its officers, directors or stockholders and shall also state whether or not said officers, directors or stockholders have been convicted of a crime, and if so, the crime of which he or she has been convicted, the place of the conviction, the date thereof and the punishment therefore.

B.

Each owner's license application shall be accompanied by a nonrefundable license fee of \$50 and a license fee of \$50.00 for each taxicab and/or autocab to be licensed.

C.

There shall be submitted with each application a schedule of the rates, fees or charges proposed to be made for the use within the Township of Edgewater Park of such taxicabs and/or autocabs to be licensed.

Section 5.10.040 Eligibility for license.

No taxicab and/or autocab owner's license or taxicab and/or autocab driver's license shall be issued to an individual who has been convicted of a crime involving moral turpitude, or to a copartnership unless none of whom has been convicted of a crime involving moral turpitude, or to a corporation unless each of said officers none of whom has been convicted of a crime involving moral turpitude.

Section 5.10.050 Required insurance.

Prior to the issuance of a taxicab license to an applicant under the above-entitled ordinance, each applicant shall file with the Township Clerk an insurance policy of a company duly licensed to transact business under the insurance laws of this State to satisfy all claims pursuant to N.J.S.A 48:16-3.

Prior to the issuance of a autocab license to an applicant under the above-entitled ordinance, each applicant shall file with the Township Clerk an insurance policy of a company duly licensed to transact business under the insurance laws of this State to satisfy all claims pursuant to N.J.S.A 48:16-14.

Section 5.10.060 Power of Attorney

The owner of the taxicab shall execute and deliver to the Township Clerk concurrently with the filing of a insurance policy or bond, as per sections N.J.S.A 48:16-3 and 48:16-4, a power of attorney, wherein and whereby the owner shall appoint the Chief Financial Officer as his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy or bond filed.

The owner of a limousine shall execute and deliver to the Division of Motor Vehicles, concurrently with the filing of a insurance policy as per N.J.S.A, R.S.48:16-14, a power of attorney, wherein and whereby the owner shall appoint the Director of the Division of Motor Vehicles his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed. Proof of filing shall be submitted concurrently with the Township Clerk.

Section 5.10.070 Issuance of license card to taxicab and/or autocab licensees; transfer of license; posting of fares.

Upon the granting of a taxicab and/or autocab license, there shall be issued to the applicant a card setting forth the name and address of the licensee, the number of the license, the make and character of the vehicle licensed, together with the maximum number of passengers to be carried therein at any one time. Said license card shall be signed by the Chief of Police and shall at all times be prominently displayed in the interior of the vehicle so licensed. There shall also be displayed in the interior of said vehicle a statement or schedule of the charges for the use thereof. Any taxicab and/or autocab license issued pursuant to this chapter may be transferred to another vehicle owned or in the custody of the same licensee, upon approval of

the Township Clerk after proper application is made therefore and payment of a transfer fee of \$20.

Section 5.10.080 Application for taxicab and/or autocab driver's license; investigation.

Every application for a taxicab and/or autocab driver's license shall be made to the Township Clerk and shall set forth the full name and address of the applicant, date of birth, social security number, whether or not he or she has ever been convicted of a crime, and if so, the crime of which he or she has been convicted, the place of conviction, the date thereof and the punishment therefore. Such applicant shall also furnish his or her driver's license number and satisfactory evidence that said license is not now or has been previously revoked. Each applicant for the taxicab and/or autocab driver's license shall, at the time of filing his application, consent to a criminal history investigation by the New Jersey State Police in order to secure reports from any agency it may deem desirable or necessary with respect to said application. Each applicant for a taxicab and/or autocab driver's license shall file with his or her application three photographs, approximately 1 1/2 inches by 1 1/2 inches, clearly depicting the facial features of the applicant, each of which photographs shall thereupon become the property of the township and be retained with the application form unless the application shall be granted and the license issued, in which event one of such photographs shall be permanently affixed to the license card issued to said taxicab and/or autocab driver, one shall be retained by the Township Clerk and one shall be delivered to the New Jersey State Police. Each of said photographs shall be signed on the back thereof by the applicant and shall bear the date upon which they were taken, which shall be not more than 30 days prior to the date of the application. A nonrefundable license fee of \$50 shall accompany each application for a taxicab and/or autocab driver's license.

Section 5.10.090 Issuance of license card to taxicab and/or autocab drivers; display.

If the application for a taxicab and/or autocab driver's license shall be granted, there shall be issued to the applicant a license card setting forth the number of the license, the name and address of the licensee and his or her age. Said license card shall be signed by the Chief of Police and shall at all times be permanently displayed and adequately protected in the interior of any taxicab operated by the licensee so that the face thereof shall at all times be in full view of and plainly legible to any person seated on the rear seat of such taxicab and/or autocab.

Section 5.10.100 Denial of license; appeal.

Any applicant who is denied a license under this chapter may appeal to the Township Committee within 10 days of his notification of denial at which time the Township Committee will hold a hearing for the aggrieved party to determine the validity of the denial of the application, at which time the Township Committee may affirm or reverse the actions. No application shall be accepted from an applicant who was denied a license and no license shall be issued to said applicant unless the condition or conditions have changed sufficient to warrant a new license. The application shall set forth whether the applicant has previously filed an application for a license and whether said license was denied.

Section 5.10.110 Verification of application.

Every application for a taxicab and/or autocab owner's license or taxicab and/or autocab driver's license shall be verified by the oath of the applicant or of an officer thereof if the applicant is a corporation.

Section 5.10.120 Expiration of license; renewal.

Every license issued pursuant to the terms of this chapter shall expire at 12:00 midnight on the 30th day of June of each year, unless sooner surrendered, suspended or revoked; provided, however, that if an application for a renewal shall have been filed on or before June 30, said taxicab and/or autocab may be operated and said taxicab and/or autocab driver may operate a taxicab, pending the issuance of a new license or licenses, until the 15th day of July next succeeding. No license fee payable under this chapter shall be prorated nor shall any part thereof be refunded for any reason. Applications for a renewal of any license shall be processed as if an application for a new license.

Section 5.10.130 Vehicle markings.

Every taxicab so licensed shall have printed or marked on both sides thereof or shall have affixed to the top thereof a sign, light or device bearing the word "taxi" or "cab" or the name of the operating owner along with the word "taxi" or "cab" or "taxicab."

Section 5.10.140 Revocation of license.

The Township Committee, after notice and hearing, may revoke or suspend any license issued pursuant to this chapter if the licensee has been once convicted of a crime in this or any other jurisdiction or has been convicted of being a disorderly person or of a violation of Title 39, Motor Vehicles and Traffic Regulations, of the Revised Statutes of New Jersey, or if the licensee violates any provision of this chapter or has any judgment unsatisfied against him, her or it arising out of any automobile accident for the space of 30 days, or if the licensee has made false answers in his, her or its application for such license or any renewal thereof, or if the licensee has failed or fails to render reasonably safe, proper or adequate taxicab service, or if the licensee has not complied fully with all the requirements of this chapter with respect to such license. Any taxicab driver's license may be revoked or suspended by the Township Committee, after notice and hearing, if the licensee has in any degree contributed to any injury to person or damage to property arising out of the negligent operation of a motor vehicle, or if said taxicab driver shall have any communicable or contagious disease. Any taxicab license may be revoked or suspended by the Township Committee, after notice and hearing, if the taxicab licensed is dangerous to the safety or health of occupants or others by reason of unsafe or unsanitary conditions, or if the financial responsibility of the owner, lessee or bailee has fallen below the requirements hereinbefore set forth, or if said licensed taxicab shall be used for any improper, immoral or illegal business or purpose.

Section 5.10.150 Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punished either by imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners for a term not exceeding 90 days or by a fine not exceeding

\$1,000, or both, in the discretion of the court. In default of the payment of any fine imposed under this chapter, any person convicted of a violation hereof may, in the discretion of the court by whom said person was convicted, be imprisoned in the county jail or place of detention provided by the municipality for any term not exceeding 90 days.

Section 5.10.160 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.

The foregoing will be consider for adoption of final reading and public hearing to be held on June 7, 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: Mr. Pullion

Second: Mr. McElwee

Hearing no discussion:

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

REPORT OF OFFICIALS

Committeewoman Belgard:

Liaison to Senior Advisory:

Mrs. Belgard reported Senior Advisory met on May 10th at 3 PM. The Senior Advisory discussed Neighborhood Watch meeting and the Burlington County Health Fair on May 25th. Senior Advisory will not be meeting in June, July and August; meetings will resume in September.

Liaison to Planning Board:

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

Committeeman Kercher:

Liaison to the Environmental:

Mr. Kercher reported that the committee met on May 10th; Mr. Darji, ERI attended the meeting for the review of park improvements plans at Wood Lake Park.

Township Committee further discussed the alternate running path surface; the matter was reviewed by our engineer and the soft surface was cost prohibitive.

Liaison to the School Board:

Mr. Kercher reported the school board is meeting tonight.

Committeeman Pullion:

Liaison to the Redevelopment

Mr. Pullion reported the meeting will be the last Wednesday of every month at 7:00 PM. the committee will be working on business sponsored "Welcome to Edgewater Park" signs. They will also be reaching out to the business community and various organizations to established meeting in an effort to broaden economic awareness.

Committeeman McElwee:

Liaison to EPAA:

Mr. McElwee reported the EPAA social held at the 45th Street Pub went very well. Their next meeting is June 14th at 45th Street Pub at 8:30 PM.

Liaison to Neighborhood Watch:

Mr. McElwee reported the next meeting is May 26th at 6:30PM at the municipal building. The Edgewater Park School Administration will be the guest speakers; topic of discussion will be bullying.

Liaison to Memorial Day Parade:

Mr. McElwee reported the next meeting is April 28th at 6:30 PM at the Beverly City municipal building. This year's festivities will include an event at Dunks Ferry May 29th at 10AM and on May 30th the Memorial Day Parade will commence at 1PM starting on Green Street and Cooper Street and ending at the cemetery.

APPROVAL OF BILLS

Approval of Bills from May3, 2011 through May 13, 2011

Moved by: Mrs. Belgard Second: Mr. McElwee

Hearing no discussion:

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

APPROVAL OF MINUTES:

February 1, 2011 (closed), February 15, 2011 (closed), March 1, 2011 (closed) and April 5, 2011 (open and closed)

Moved by: Mayor Booker Second: Mr. Kercher

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.

Mrs. Lisa Morrell, 107 N. Garden Blvd., questioned the phone bills in the bill list. Mrs. Peak, CFO stated the phone bills cover an entire month not a week.

Mrs. Morrell further questioned if the dead trees on North Garden Blvd.

Mrs. Dougherty discussed that anyone wishing to remove a tree may send a letter to the Township requesting the removal and Mr. Painter will inspect and recommend further action.

Mrs. Morrell further questioned if the Township can have a duck crossing sign placed on Adams Avenue to protect the ducks.

Township Committee discussed they would look into the situation.

Mrs. Morrell discussed she would forward information about the cost of a sign she researched to the township.

Mr. Ted Speers, 517 Delanco Road, discussed ongoing tree problems with his neighbors at Cooper Valley Village and the trees expanding into his yard. He further discussed that he has had items stolen from his property and other vandalism.

Mrs. Fran Wilkins, 96 N Garden Blvd., complimented the public works crew and reported the retention basins near her house look beautiful.

Mrs. Wilkins further discussed there are potholes in the jughandle.

Township Committee informed Mrs. Wilkins, Mr. Painter has called 1-800-pothole repeatedly to report the information.

Mr. Lester Holley, 313 Colonial Road, reported the corner of Woodlane and York is in disrepair. The grass is high and bushes are overgrown.

Mr. Dennis Robbins, 9 Crystal Drive, questioned the pile of wood and trash on North Garden Blvd.

Mr. Robbins questioned the township's approval process for solar panels at Silver Park West. Mr. Kearns advised that the Township must adhere to State requirements. The homeowner's association must address issues through their bi-laws.

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

ANY OTHER BUSINESS

CLOSED SESSION:

Resolution No. 2011-76

Closed Session

Where it is necessary to discuss sale of public property; Block: 1202 Lot 4.01. Where it is necessary to discuss affordable housing requirements. 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

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mayor Booker Second: Mr. Kercher Time: 8:50 PM

Hearing no discussion:

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