

**TOWNSHIP OF EDGEWATER PARK
MINUTES-JUNE 19, 2012**

Mayor McElwee called the meeting to order at 7:34 PM

Open Public Meetings Act Statement

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

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 9, 2012.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 9, 2012.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 9, 2012.

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

Also present: Mr. Robert Brian-Chief of Police, Mr. William Kearns-Solicitor, Linda M. Dougherty-Clerk/Administrator, Ms. Tanyika Johns-Tax Collector/Deputy Clerk

APPOINTMENTS/RESIGNATIONS:

Oath of Office: Ryan Dubiel, Class II Special Officer, employment contingent upon successful completion of medical, psychological, drug and any other tests deemed necessary by the Township of Edgewater Park; appointment effective until December 31, 2012 or Township Committee re-organization meeting for year 2013; rate of pay: \$15.00 per hour.

Moved by: Mayor McElwee Second: Mr. Kercher

Discussion: None

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

Mayor McElwee administered the Oath of Office to Office Dubiel; Mr. Dubiel's family was present for the Oath.

PRESENTATION(S)/AUTHORIZATION(S)/CONSIDERATION(S):

Consideration of Appointment of Emergency Medical Services

Mayor McElwee moved to accept the contract with Lourdes Health System as the Emergency

Second: Mr. Pullion

Discussion:

Mayor McElwee discussed his Emergency Squad Decision

First, I want to say that this decision was a very difficult decision to make. I only made it after a lot of careful thought and listening to the concerns of the residents. My decision was made based on what is best for this community.

When the Beverly-Edgewater Park Squad first approached this town about going professional several years ago there was a different set of circumstances that prompted it. Mayor Judy Hall sat down with Mr. Stevenson and discussed options. The deal was settled with a handshake and

promises, that was all that was needed. This event not only marked a deal between the squad and the township but also ended the Squads status as a volunteer organization. They were now a not for profit organization with paid responders and billing. The billing was simple, bill the insurance company and take whatever they pay, and put no further burden on the residents. Until recently, that is what happened.

In October 2011, shortly after the passing of Mr. Stevenson, members found internal problems. They shut the squad down but maintained coverage with the assistance of another squad to do their due diligence. The Township was not aware of any problems until this sudden shutting down occurred. The Township spoke to the new members in charge but some questions were not fully answered and some things were left open due to an investigation that was occurring. The squad members reassured the Township nothing would change. Very simply, it did and it has. People are receiving bills (after being told they would not), there are reports of unprofessional behavior, and internet violations concerning potential Federal HEPA violations. These reasons gave the Township reason to review the way things are done and the Township realized that a contract was needed to protect the Township and its citizens.

It is these reports and broken promises and lack of communication that concerns me. At this point in time I cannot say that I have the confidence that I use to have in the squad. Through this ordeal, I have heard very little from the President of the squad, vice-president of the squad, the trustees or other active members of the squad. I have heard from a Treasurer, a training officer, a newly appointed administrator and a Deputy Chief (who it should be pointed out works at Lourdes Hospital as an EMT along with two other members of their command staff). It is the complete picture here that concerns me about things such as law suits, but mostly about the quality of care our residents will receive. The lack of leadership in my opinion and the absentee leaders concern me. It is with these things in mind I cannot in good faith award a contract to the Beverly-Edgewater Park Emergency Squad. My first duty is to put our residents first and to give them the best possible care. I believe at this time that is exactly what I am doing. I believe that Lourdes will provide the professional care and service that our residents need and deserve. I hope the Beverly Squad will continue to operate in a secondary role and take that opportunity to address their issues and become again what they once were. I wish the Beverly Squad well in their future endeavors and thank them for their past service. Thank you.

Mr. Kercher discussed that eight months ago our community was rocked by an abrupt decision from the leadership of the Beverly Edgewater Park Squad; everyone was surprised. The decision was made and we were not informed until late. Three months ago Senator Diane Allen urged us to delay to allow for investigations and more information and he also wanted to find out all that was going on and what was going to change. The decision rests between two different entities, Lourdes Health System and the Beverly Edgewater Park Emergency Squad. To Lourdes presentation they demonstrated strong professional leadership, on-site professional training, a commitment to growing service to our community and communities of Burlington County and more importantly oversight of both medical and fiscal. But questionable as to if they know the heart of this community and that is so very important to small towns such as Edgewater Park. They are less familiar to our residents, unknown occupation and newness although they have been tested in other places; anything new can be frightful. He continued that his heart was rooting from the very start for the Beverly Edgewater Squad particularly because of the importance to community spirit. He was able to sit down with volunteer members and take their testimony and take their feelings about what had happened and transpired is what an organization should be is that part of volunteer. It gave our young people, not only within our local community but surrounding areas opportunities to volunteer, get career training and mold service and mold young people. In sense of pride in the township and you see the green rigs go by with Edgewater Park is something that I think the community can always take pride in. Unfortunately it breaks his heart with the missed opportunity of the last 6

months. They have not met promises, they made questionable statements. I was looking for flower sales, they were not there. A public demonstration of mistrust from the leadership I think it at the heart of this. Unfortunately nothing has been proven to him that anything has really changed yet with the Squad. He hopes that there will be a change, but for considering he needs more to rebuild his confidence and trust in the squad. He feels worse for the volunteers who will miss out. Tonight his vote will be to recognize Lourdes.

Mrs. Belgard discussed that she does not want to belabor this and echo too many of the points but she will also say, like Scott, her gut inclination was to go with the Beverly Edgewater Park Squad because she does feel that the Squad has been a pillar of our community not just for years but for decades. She like Scott felt that there was a sense of community and fostering volunteerism that is important. As was noted early Senator Diane Allen asked us to take our time to coming to a decision and during that time we were able to do a little more fact finding and look at little deeper. It was during that time that some of the concerns that had been mentioned earlier had been brought to light and to her attention which has now caused her to sway her initial gut inclination, unfortunately. She continued that she does not believe that it was mentioned that fact there is the question of financial stability of the Beverly Edgewater Park Squad. I know Mr. Kercher mentioned that lack of flower sales and other fundraisers that we were told was going to help boost the funds for the squad. Looking at the audit, she believes the December 31, 2010 audit, there is a \$51,000 loss of revenue in the Squad and she does not see how that is going to be accounted for. Especially when we did not see the flower sales and the only fundraising effort she has seen over the last couple of months is the solicitation of Edgewater Park residents when the contract has not even been awarded yet. That really was really a question for her; why is the Squad soliciting the residents if really do not know if they have been awarded the contract yet. She had concerns about that as well. She also questioned, unfortunately, the level of professionalism and the operating practices based on some of the information that was brought to light. When it really comes down to it this decision is about the health and welfare of our residents. Our residences deserve a level of professionalism and quality that they can rely on in times of being sick, injured and unhealthy. She is sure that Lourdes will be able to provide that level of professionalism and care during the 24 months period of this contract award.

Mr. Booker discussed that in his opinion, had gone a different route, he stills supports the Beverly Edgewater Park Emergency Squad; it is a tough decision. It has come down to looking at basics of not just the contract but in the community of providing basic life support of emergency medical services. At this point in time, I do believe that it is not perfect there is room for improvement. Should not be any different to ask for that improvement and to strive for the perfection, they should still get that chance. Open the lines of communication a little more. He believes that it is a tough decision, but at the same time, he believes, at this point it time, they are providing and should continue to provide basic life support services that our communities needs, wants and should have.

Mr. Pullion discussed that this decision for him is one of overall safety of our town. The problem is when you are in a role such as ours, one of leadership you have to be able to remove the emotion that is tied to making this decision. What he tried to do, as much as possible, look on line at look at the survival of independent, privatized emergency squads. And what he found was that everybody is fighting for their survival. In light of the fact that the other members said looking at a shutdown of services out of the blue it is scary. Nobody in his position wants that to happen and the fear of that happening again comes into play. There is nothing more important to him as the safety of the residents of Edgewater Park. When you are a leader I think in this capacity that has to be your first and foremost. And the uncertainty that

it can be taken away, in his mind it is no more different than the Chief of Police stating that he is shutting down the police department tomorrow. If you take the emotion away, his choice for Lourdes is based strictly on economics. All the issues that we look at right now, the billing, the economic conditions of the United States, people hurting income wise, he just believes that an organization the size of Lourdes can absorb all of that much better than a smaller privatized organization. He does not want anyone to think that this is not the way he truly feels; that this is made up. Emotions do enter into things like this and it does break people up and you do feel bad. You have to remove all that emotion and just look at the facts. The facts are, that he from a leadership role, he cannot attend meetings of an organization that is so tantamount in his mind to the safety of the company. They basically do not have to provide any information to us. Whereas an organization such as a hospital, such as Lourdes, he believes he has much more access and communication than a smaller privatized organization. This is his decision as to why he chose Lourdes.

Further Discussion: None

Roll Call: Mrs. Belgard-yes, Mr. Booker -no, Mr. Kercher-yes, Mr. Pullion-yes, Mayor McElwee -yes. Motion carries 4 to 1.

REPORTS

Report from Municipal Clerk/Administrator is appended hereto.

Property Maintenance Inspector

Upon discussion, Township Committee authorized Mrs. Dougherty to move forward with hiring a part time inspector for 3-4 days per week 9-4 at \$17.50 per hour.

North Arthur Drive Stop Sign

Township Committee, as a follow up discussion from the resident at to the last meeting, that the stop sign at the corner of North Arthur and North Harrison Drive needs to be replaced asap. The further discussed that there are tree limbs obscuring the sign that need to be removed. and

There were no other reports.

REPORT ACCEPTANCE

Moved by: Mrs. Belgard Second: Mr. Kercher

Discussion: None

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

RAFFLE/FUNCTION APPLICATIONS:

PUBLIC FUNCTION:

2012-10 Roshanda Edwards for EPAA/GottaCheer, Weimann Field July 23, 2012 – Aug 3, 2012 7:30 AM – 5:30 PM 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. (Certificate of Insurance on file)

Moved by: Mrs. Belgard Second: Mr. Booker

Discussion: None

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

RESOLUTIONS –

Mr. Kearns discussed that Resolution No. 2012-91 should be voted on separately and not part of the consent agenda since there was one no vote concerning the appointment of Lourdes Health System for Emergency Medical Services.

RESOLUTION NO. 2012-91

***Resolution of the Township Committee of the Township of Edgewater Park
Authorizing the Execution of a Contract for Emergency Medical Services***

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous awarding a contract for Emergency Medical Services; and

WHEREAS, in order to make this determination it is was deemed necessary to receive proposals that would be evaluated and awarded on the basis of the determination of the Township Committee as to which proposal is in the best interest of the Township of Edgewater Park, considering qualifications, training, staff (including staff certifications), response time and financial support including any fuel costs required from the Township in order to ensure “soft billing”; and

WHEREAS, proposals were submitted on March 13, 2012 under the Competitive Contracting provisions of the Local Public Contracts Law which requires the award of the contract within sixty days of the receipt of the proposals; and

WHEREAS, Township Committee recognized that the above requirement was not met therefore requested quotes to be submitted by June 18, 2012 by Providers that submitted or showed an interest in providing the service; and

WHEREAS, funds, if required, are available for this purpose; and

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

NOW THEREFORE IT BE RESOLVED, that the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will award said contract to Lourdes Health System, Emergency Medical Services effective August 1, 2012, or such other date as mutually agreed upon for a period not to exceed 24 consecutive months.

BE IT FURTHER RESOLVED that the Mayor and/or Clerk/Administrator are hereby authorized to execute said contract.

Moved by: Mayor McElwee Second: Mr. Pullion

Discussion: None

Roll Call: Mrs. Belgard-yes, Mr. Booker -no, Mr. Kercher-yes, Mr. Pullion-yes, Mayor McElwee -yes

CONSENT AGENDA

Motion to Approve Resolution No. 2012-92 through 2012-94 by consent agenda; if any items on the consent agenda require consideration by separate roll call vote, it shall be removed from the consent agenda to the regular agenda.

Moved by: Mr. Kercher Second: Mr. Booker

Discussion: None

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

RESOLUTION NO. 2012-92

Resolution Concerning Interim Affordable Housing Spending Plan

WHEREAS, on September 28, 2011, the Honorable Ronald E. Bookbinder, A.J.S.C. entered a certain order entitled, "Order Dismissing Litigation Without Prejudice and Granting Extended Immunity and Repose" (hereinafter "Order") in a matter entitled *In the Matter of the Application of the Township of Edgewater Park*, Superior Court of New Jersey, Law Division, Burlington County, Docket No. BUR-L-3270-08 (hereinafter "Litigation");

WHEREAS, among other things, the Order (1) provided the Township of Edgewater Park (hereinafter "Township") with immunity from exclusionary zoning challenges and builder's remedy suits pending implementation of new third round fair share numbers, (2) noted that the Township has twenty-eight credits towards satisfaction of its third round affordable housing obligation when such obligation is established, (3) directed that Art Bernard, P.P. remain assigned as the Special Master in said Litigation, and (4) directed the Township to comply with certain recommendations of the Special Master;

WHEREAS, the litigation referenced in the Order, *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 416 N.J.Super. 462 (App.Div. 2010), *certif. granted* 205 N.J. 317 (2011) is still pending before the New Jersey Supreme Court, and, since entry of the Order, another recent judicial decision, *In re a Plan for the Abolition of the Council on Affordable Housing*, __ N.J.Super.__ (App. Div. 2012) invalidating Governor Chris Christie's June 29, 2011 Reorganization Plan dissolving the Council on Affordable Housing (hereinafter "COAH"), has further affected the underlying regulatory scheme for affordable housing, leaving municipalities without reliable guidelines on their third round obligations;

WHEREAS, P.L. 2008, c. 46 (codified at N.J.S.A. 52:27D-329.3 and also known as the "Roberts Bill" and "A-500") contained a provision, among others, that municipalities that fail to commit to expend development fees deposited in their affordable housing trust funds within four years from the date of their collection shall be required to transfer the unspent balance of those funds to COAH;

WHEREAS, the Township's affordable housing trust fund presently has a current balance of \$43,743.80, of which \$26,783 must be committed to expenditure by July 18, 2012 to avoid its transfer to COAH under the terms of the Roberts Bill;

WHEREAS, the Township desires to use the sums contained in its affordable housing trust fund to implement affordable housing opportunities within the Township, rather than transferring said sums to COAH;

WHEREAS, the Township desires to implement affordable housing projects within the Township notwithstanding the ongoing State-wide uncertainty over municipalities' third round obligations;

WHEREAS, the Township prepared an interim spending plan dated April 9, 2012 to enable the Township to make expenditures from its affordable housing trust fund in furtherance of creating opportunities for affordable housing with the Township;

WHEREAS, on April 17, 2012, pursuant to Resolution #2012-69, the Township Committee approved the interim spending plan;

WHEREAS, said interim spending plan includes affordable housing opportunities that exceed the requirements of the Order;

WHEREAS, said interim spending plan was recommended for court approval by the Special Master, Art Bernard, P.P. and, in fact, approved by the Honorable Ronald E. Bookbinder, A.J.S.C. on June 15, 2012;

WHEREAS, COAH elected not to participate in the aforesaid proceedings before Judge Bookbinder regarding the interim spending plan, but did request the Township to provide projected developer fee projections and related information through 2018;

WHEREAS, the Township updated the interim spending plan as of June 7, 2012 to include the information requested by COAH (but made no changes in the spending purposes contained in said plan);

WHEREAS, at such time as a new third round regulatory scheme is established, the Township intends to review said interim spending plan and update the same as appropriate, but, in the meantime, desires to proceed with implementation of the same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park as follows:

1. The interim spending plan, as updated through June 7, 2012, remains approved;
2. The Township Attorney, Administrator/Clerk, Special Affordable Housing Attorney, Affordable Housing Planner and such other officials and staff as may be appropriate are authorized to submit said interim spending plan to Judge Bookbinder, the Special Master and such other entities, if any, as may be appropriate, in order to secure approval of the interim spending plan, implementation of projects contained therein, and utilization of the Township's affordable housing trust fund to those ends.
3. The Township Attorney, Administrator/Clerk, Special Affordable Housing Attorney, Affordable Housing Planner and such other officials and staff as may be appropriate are authorized and directed to undertake, or cause to be undertaken, any and all further acts necessary to effectuate the terms of purposes hereof, including incorporation of additional information in the interim spending plan.

RESOLUTION NO. 2012-93

Resolution Providing Commitment to Fund Edgewater Park Township's "Market to Affordable" Housing Program and Authorizing a Contract with the Salt & Light Company, Inc. to Implement the Township's "Market to Affordable" Housing Program

WHEREAS, on December 18, 2010, the Township of Edgewater Park ("Township") adopted a Third Round Housing Element and Fair Share Plan ("Fair Share Plan") addressing its fair share of the regional affordable housing need in accordance with the "Mt. Laurel Doctrine," as established by Southern Burlington County NAACP v. Township of Mount Laurel, 92 N.J. 158 (1983) ("Mt. Laurel II") and Southern Burlington County NAACP v. Township of Mount Laurel, 67 N.J. 151, cert. denied, 423 U.S. 808 (1975) ("Mt. Laurel I"), and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA");

WHEREAS, among other things, the Fair Share Plan provides for the establishment of a “Market to Affordable” program consistent with the regulations of the New Jersey Council on Affordable Housing (“COAH”) (see, N.J.A.C. 5:97-6.9) which allow municipalities to purchase or subsidize the purchase of existing housing units and subsequently sell or rent them to low and moderate income households at affordable prices or rents. As used herein, COAH shall also be deemed to mean any successor agency;

WHEREAS, the Township filed a Complaint for Declaratory Judgment in the Superior Court of the State of New Jersey, Law Division, Burlington County, captioned as “In the Matter of the Application of The Township of Edgewater Park,” Docket No. BUR-L-3270-08 (the Litigation”) seeking, among other things, a declaration of repose against exclusionary zoning litigation;

WHEREAS, on September 28, 2011, the Honorable Ronald E. Bookbinder, A.J.S.C. entered a certain order entitled, “Order Dismissing Litigation Without Prejudice and Granting Extended Immunity and Repose” (hereinafter “Order”) in the Litigation;

WHEREAS, among other things, the Order (1) provided the Township of Edgewater Park with immunity from exclusionary zoning challenges and builder’s remedy suits pending implementation of new third round fair share numbers, (2) noted that the Township has twenty-eight credits towards satisfaction of its third round affordable housing obligation when such obligation is established, (3) directed that Art Bernard, P.P. remain assigned as the Special Master in said Litigation, and (4) directed the Township to comply with certain recommendations of the Special Master;

WHEREAS, certain litigation referenced in the Order challenging the validity of COAH’s third round rules, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 416 N.J.Super. 462 (App.Div. 2010), certif. granted 205 N.J. 317 (2011) is still pending before the New Jersey Supreme Court, and, since entry of the Order, another recent judicial decision, In re a Plan for the Abolition of the Council on Affordable Housing, __ N.J.Super. __ (App. Div. 2012) invalidating Governor Chris Christie’s June 29, 2011 Reorganization Plan dissolving COAH has further affected the underlying regulatory scheme for affordable housing, leaving municipalities without reliable guidelines or rules for calculating their third round obligations;

WHEREAS, notwithstanding the aforesaid decisions in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing and In re a Plan for the Abolition of the Council on Affordable Housing, the Township has continued to move forward with implementation of its third round plan and is actively working with local entities in order to create and foster the production of new affordable housing opportunities in the Township;

WHEREAS, in Holmdel Builder’s Ass’n v. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that municipalities are authorized under the FHA to assess and collect mandatory affordable housing development fees from developers, and pursuant to its power under the FHA, COAH adopted regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds;

WHEREAS, the Township maintains an affordable housing trust fund wherein affordable housing development fees are deposited, and as of June 1, 2012 the balance in the Township's affordable housing trust fund is \$43,743.80.

WHEREAS, the Township desires to commit monies contained in its affordable housing trust fund to implement affordable housing opportunities within the Township, and to that end, has adopted an "Interim Spending Plan" that provides for the funding of a "Market to Affordable" Program. The Interim Spending Plan was approved by the Township Committee on April 17, 2012, recommended by the court-appointed Special Master for the Township, Art Bernard, P.P., and on June 15, 2012, the Honorable Ronald E. Bookbinder, A.J.S.C. entered an order approving said Interim Spending Plan;

WHEREAS, COAH elected not to participate in the aforesaid proceedings before Judge Bookbinder regarding the interim spending plan, but did request the Township to provide projected developer fee projections and related information through 2018;

WHEREAS, the Township updated the interim spending plan as of June 7, 2012 to include the information requested by COAH (but made no changes in the spending purposes contained in said plan);

WHEREAS, The Salt & Light Company, Inc. is a non-profit corporation that renovates properties in Burlington County and elsewhere throughout the State so that they may be sold or rented to low and moderate income households with thirty-year deed restrictions as COAH-qualified units;

WHEREAS, The Salt & Light Company, Inc. and Township have agreed that The Salt & Light Co., Inc. shall implement and administer the Township's "Market to Affordable" Program as established in the Fair Share Plan, and both parties now wish to enter into a contract providing for the implementation of the program and commitment of funds thereto; and

WHEREAS, the Township also wishes to commit funds from its affordable housing trust fund to implement its "Market to Affordable" Program, subsidize the creation of low and/or very low income units by The Salt & Light Company, Inc., and provide affordability assistance, which are appropriate and permissible uses of affordable housing trust fund monies under COAH's rules and consistent with the Township's Fair Share Plan and interim spending plan.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey as follows:

1. The Township hereby re-confirms its establishment of a "Market to Affordable" Program for the specific purpose of subsidizing the purchase of existing housing units and their subsequent rental to low and/or very low income households at affordable prices or rents. Additionally, the Township may provide affordability assistance in the creation of very low income units.

2. The Township approves and authorizes the execution of a certain contract entitled "Contract Between the Township of Edgewater Part and The Salt & Light Company, Inc., For Implementation of a Market to Affordable Housing Program;"

3. The Chief Financial Officer of the Township of Edgewater Park is hereby authorized and directed to withdraw from the Township's Affordable Housing Development Fee Account the minimum sum of \$26,783.00 and transfer said funds to the Township's Other Trust / Reserve Accounts and to establish the following specific account in a bank contained in the Township's Cash Management Plan, in order to meet the Township's commitment to fund its Market to Affordable Program and contract obligations with The Salt & Light Company, Inc.: Market to Affordable Housing Fund

4. The expenditure and disbursement of all program funds shall only be for implementation of the Market to Affordable Program and affordability assistance, and all disbursements of program funds shall be by prior authorization of the Township Committee via duly adopted resolution approving such expenditure.

5. The program shall remain active for such time as the funds committed to the initiatives shall be available or the programs are concluded by subsequent resolution of the Township Committee, in which case, any remaining balance shall be transferred to the Township's Affordable Housing Development Fee Account.

6. The Township staff and professional consultants are authorized and directed to undertake, or cause to be undertaken, any and all further acts necessary to effectuate the terms and purposes hereof, including incorporation of additional information in the Township's interim spending plan.

RESOLUTION NO. 2012-94

Resolution Authorizing the Submission of Grant Funding Through the NJ Department of Transportation Enhancement Program for Phase II of the Cooper Street Project

WHEREAS, the Township of Edgewater Park desires to apply for and obtain a grant from the New Jersey Department of Transportation through the Transportation Enhancement Program to provide funding for Cooper Street Revitalization Project Phase II from Franklin Avenue to US Route 130; and

WHEREAS, the project will greatly enhance the quality of life, safety and provide for increased usage of Cooper Street by pedestrians as access for public transportation and local businesses; and

WHEREAS, the Township of Edgewater Park is a Designated Centers of Place as a member community of the Route 130 Corridor and is part of the New Jersey State Development and Redevelopment Plan.

NOW THEREFORE, BE IT RESOLVED that the Township of Edgewater Park Committee, formally approves the grant application for the above stated project and further certifies that the Township of Edgewater Park will make adequate provisions for the operation and maintenance of the project for the useful life of the improvements.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Township of Edgewater Park for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Edgewater Park and that their signature

constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ORDINANCES: NONE

REPORT OF OFFICIALS

Committeeman Booker:

Liaison to the Recreation Committee

Mr. Booker discussed that there is an excessive heat wave and requested that resident be aware and check on their neighbors especially the elderly; stay hydrated.

Committeewoman Belgard:

Liaison to Senior Advisory:

Mrs. Belgard reported Senior Advisory will not meet again until September..

Liaison to Planning Board:

Mrs. Belgard reported Planning Board will meet this Thursday, June 21st at 7:00 PM.

Committeeman Kercher:

Liaison to the School Board:

Mr. Kercher discussed that school is out; please everyone drive safely. The next meeting of the Board is Tuesday, June 26th at 7:00 PM at Jacques School.

Committeeman Pullion:

Liaison to Redevelopment

Mr. Pullion discussed Bottom Dollars grand opening is June 29, 2012 at 8:00AM. This is a nice addition to the community.

Mayor McElwee:

Liaison to EPAA

Mr. McElwee discussed that there will be a softball tournament this Saturday and Sunday at Memorial Field. Games will be held starting at 6:00AM to 8:00PM. The next meeting for EPAA is scheduled for July 10th at 8:30PM at the 45th Street Pub.

EPAA will also be hosting a Summer Social on June 29th at the Elk's Lodge in Edgewater Park. This is an annual fundraiser; tickets can be purchased for \$20.00.

Liaison to Neighborhood Watch

Mr. McElwee discussed that the next Neighborhood Watch Meeting will be held on June 28th at the municipal building, 6:30PM. There will be a presentation from the Family Y on Swimming and Summer safety/

APPROVAL OF BILLS

June 7, 2012 through June 14, 2012

Moved by: Mrs. Belgard Second: Mr. Kercher

Discussion: None

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

Authorization to pay bills from June 15, 2012 through July 8, 2012.

Moved by: Mayor McElwee Second: Mr. Booker

Discussion: None

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

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

John Fine, 414 Jefferson Avenue, the lovely Township of Edgewater Park, NJ and also the Treasurer of Beverly-Edgewater Park Emergency Squad . There are a few things that he would like to touch upon so that the public understands completely what the Mayor was talking about and couple of things.

The Mayor stated, not to interrupt, asked Mr. Fine to address the Committee and not the public.

Mr. Fine discussed that he just wanted to go on line that we are all on the same basis pertaining to the decision made tonight. First of all and foremost, Mayor spoke of a HIPPA violation and that kind of stuff in his speech tonight. Mr. Fine just wants to make sure that everybody knows that was thoroughly investigated and it was dealt with. Unfortunately and obviously, it continued to be in the public spot light although this was an internal investigation that was handled properly by their administrator. Bills, and that kind of stuff, they use the same company that Lourdes uses. So if there is an issue that comes up with the bills it is the same company that Lourdes is going to use. He understands the concerns however, this is going to happen with any third party billing company. Pertaining to communications and if someone has to call a small corporation like them, they would be able to get their chief directly. There might be some issues with Lourdes, again, he has never had a problem with Lourdes, and he does not have any further information pertaining to Lourdes and he does not want to speak on their behalf. Pertaining to absentee leaders, this is another big thing, the Squad's President and Vice President, Mr. Mayor, if you are reading a book I am reading now by Colin Powel and what he said is your leaders don't always want to be in the front. Your leaders always want to have the big picture; your leaders always want to look at the big picture in the battle field. Just because you do not see them in the front does not mean that they are not there. They are putting people in the places that they need to be in order to move the place forward. So just because that President and Vice President aren't in your face doesn't mean that they are not there. And the volunteers that Mrs. Belgard and Mr. Kercher were saying he does respect what they are saying pertaining to the Township and volunteers. In order to make good volunteers and good strong volunteers and good strong EMT's you need to have good strong leadership. If you make good strong volunteers then they had to have good strong leadership in order to mold them and project them into what they are doing. We are going to try to do the same thing; he wants to thank them for that. Pertaining to the financial stability and that kind of stuff, like you said we did take a minus and he'll explain that in a minute, pertaining to not having a contract yet and the solicitations, they have to. In order to maintain our track of income and make sure that they can survive in expectations of getting the contract, they have to continue to go on pace as to what they did before with the previous administration and they want to make sure that they did it now so that they would be better in the future. Mr. Fine discussed that he will talk about the audit in a minute. Mr. Pullion you talked about overall safety and emotions being tied, I do agree with you, friendships should also be put aside. While they want to make sure that they make the right decisions for the right reasons; they want to make sure that everyone on this board does this as well. Out of the blue again, he does not want to beat a dead horse, they had written approval from Edgewater Park Township. It is a mute point anymore and again fear of again, again and again they were trying to eliminate those fears with communication. They did not speak to them directly but there were daily e-mails, daily meetings between their administrator and the township's administrator. Mrs. Dougherty, if I am wrong please correct me if I am wrong. But I do recall daily e-mails, daily reports, daily

meetings between your administrator and our administrator. If there were questions they were opening available to their deputy chief, their administrator. They thought it would be best in Committee's interest and their interest to have one main source of contact, one resource of communication for anything Committee needed. They did their best to try to do that and he believes that they did meet that standard. Economic and billing, again the Township is going to have the same issue across the board. And again with a large corporation, he has dealt with smaller companies, the mom and pop store. If you go to a mom and pop store and a big corporation, it is much easier to go to mom and pop store and talk directly to the owner then go to a big corporation and have all the red tape. So that argument he does not agree with. However the bottom line is and no one up here explained it; they were victims of a criminal act. Mrs. Belgard related to a \$51,000 loss in their last audit, she is absolutely correct. Part of it was because of criminal activity going on by a former Township Mayor from Edgewater Park. Mrs. Belgard stated that the \$51,000 is the income the Squad would have received from the municipalities; this is all she was referring too.

Mayor McElwee asked Mr. Fine to back that up, that is alleged allocations, he believes.

Mr. Fine stated that you are speaking to a victim. Tell a rape victim that she is an alleged victim; they are victims.

Mayor McElwee stated you are a police officer a police officer right?

Mr. Fine stated absolutely sir and you were too.

Mayor McElwee stated that every man is considered innocent until proven guilty and has his day in court. Until that comes down nobody knows anything until it comes out. We do not know what is happening to your court, in your department and we don't know what happened with him. We did not consider that, OK. That is a separate matter, we are not here to discuss.

Mrs. Belgard stated in all honesty that has been kept from us. When Committee had discussions with the Squad, that was part of your personnel discussion that we were not privy to which was fine. Obviously, they are still not privy to it.

Mr. Fine stated that Mayor McElwee said he is a police officer, correct? If he is ordered by the Burlington County Prosecutor's Office to not say a word because a former Mayor and you better not say anything to Edgewater Park because we are investigating.

Mayor McElwee stated that he respected that.

Mr. Fine stated, if you guys asked him questions as a police officer, how can he answer that question. When he is ordered, by his governing body, not to say a word. He is a volunteer, he does not get paid a dime for this and never want a dime for this. As a police officer you are telling me that I am order by the Burlington County Prosecutor's Office, not to say something, and now, the agency that he is representing you are now punishing us because they were ordered by a larger governing body not to say anything.

Mayor McElwee, said no; he understands that and respects that.

Mrs. Belgard stated no, you are stating that you had information and you never gave us that information, so obviously they do not have that information.

Mr. Fine stated that they are not allowed too.

Mrs. Belgard stated that she knows and she appreciates that and that is what she is saying; you (Mr. Fine) were not allowed to give it to us (Committee); they do not have it and that's not what they based, and least she did not, she does not know about other folks, but it is not what she based her decision on. She does not have that information.

Mr. Fine discussed that the bottom line is this, this is all a mute point. He is here he'll be dancing behind them it is a mute point. Lourdes is coming in, We have to understand it but not respect it, but understand it. The bottom line is this, someone mentioned Mr. Stevenson. They are very close and they are a family down in Beverly Edgewater Park Emergency Squad. Mr. Stevenson got sick in May, passed away sadly in September. Their heads are high. They are not upset; he is not mad, he is not upset. My head is high. You know why, two things they did in September. They wanted to make sure that one, Mr. Stevenson rest in peace and his name would never be questioned when this all came out. No matter what this was coming out one way or the other. It was going to come out because of us or it was going to come out because when we did this thing and Lourdes hadn't come in because we did not have a fighting chance, then people could question Mr. Stevenson's name. They are proud to say that Mr. Stevenson can rest in peace because the actions that they took to make sure the criminal element that happened and took it to advantage of us and him when he was sick, they removed. Alleged, alleged. They lived this, he lived this. He works a full time job and he did this in his spare time. He doesn't want a dime, he doesn't want a thank you, he wants nothing. He wants that man to rest in peace. Me, everybody back here, our heads are high. Because one of our family members that passed away and was taken advantage of and the money that was stolen, allegedly, we can say that that man can rest in peace and his name will never be questioned. Mr. Mayor I want to thank you for saying for the next two years and being second and that kind of stuff, he understands that. They are not mad. The said their peace, they are happy; Mr. Stevenson can rest in peace. Thank you.

Cindy Borden, 70 Pine Street , Beverly, NJ, Deputy Chief of the Beverly Edgewater Park Emergency Squad. First she would like to thank Darrell Booker for his support. Ms. Borden discussed that the volunteers that are here tonight that support this squad from November to present day gave 110% of their time to turn this squad around and they have. Mr. Kercher and Mrs. Belgard you both came to her squad as a guest. You sat down and spoke; their members and dug into their hearts, you wanted to know why they were still there. What things were different and how things changed. She thinks that she got nothing but positive feedback from them and honesty. They were very excited to speak to you and explain to you the things they felt they had been through. It is very sad and she is very disappointed in the four of you, in the way that this has been handled. It has been no secret from the beginning that they were well aware that their chances of getting this contract were pretty much over. And they have been preparing for that all this time. The sad part is the people that have put out for this squad; you have now squashed. I hope you can live with that. The other is the night that Committee did the presentation and it was questioned to Lourdes whether or not she worked for them; she no longer works for them. And when she was working for them, she was a tech in the ER; she removed herself at a request to come off the ambulance because of their driving. She just wants us to know that when, not if, the first person is killed on Rt 130, from crossing Rt 130 from Willingboro to Edgewater Park, because she does not know how Robert Sposato can figure out how to get across Rt 130 without crossing it. Someone is going to get killed and that is on your hand. Their Squad has policy set in play as to crossing Rt 130, lights and sirens and they don't. She can tell that because she was a former employee. As well as Josh Becker, whose name was brought up at the meeting that night is no longer an employee of Lourdes. It

is very sad, right now as she stands here in front of you and have to tell you what (unintelligible) these people are holding because of you. The busted their rear ends in that squad and just this month they had seven new volunteers that are EMT certified in this area. Delanco residents, two more Edgewater Park residents, Beverly residents that came out of the wood work because they wanted to be a part of this squad. And to be honest they will be very proud to serve Beverly.

Joshua Becker, 1115 Lincoln Avenue, Burlington stated Lourdes was just in an accident. As one of their former employees he can tell you that their care is no better than ours. He is thoroughly upset by this decision. He was one of the people that you talked to and he poured his heart out to you guys.

Julia Wrath, 26 Harvest Lane, Burlington discussed and expressed her support for the Beverly-Edgewater Park Emergency Squad; they are responsible and professional. She lives in Burlington and if she needs to call 911, Beverly Squad responded to Burlington. She has run with the Beverly Squad for the past five years and that are always professional.

Charlene Rogers, 510 Melbourne Avenue, Beverly discussed that she is not a member of the Squad she is here to call you a bunch of liars. She disagrees with the comment of the absentee leadership. The Vice President of the squad, Kenny Rogers is her father. He has been at meetings and the only reason he is not here tonight is because he is meeting with the fire company tonight on the feasibility study. She further discussed the squad did not miss a call. They are a non-profit; non-profits can have paid employees. She further discussed that Committee was not upset that they shut down, it was that they did not inform you ahead of time so that you could tell your friend. Committee could give them \$32,000 two years ago when your friend had a job there, now no job there, you did not want to talk about any charges and now that he does not have a job you don't want them.

Matt Hemple, Evesham and currently serving as Captain at the Beverly Edgewater Park Squad, discussed that he wants to address inaccurate statements. He commented that Lourdes has one supervisor for EMS operations; the squad has many. Mr. Hemple discussed his background and training. Deputy Chief Borden was in the officers program and she just passed it; he is the lead instructor. There was no flower sale; decision was made in part on this. Time is spent on training and preparedness. The Memorial Day Parade, Lourdes was not there. The Squad was and they handled calls during the parade. They train every month. Paid members that are not prepared are removed; volunteers are retrained. The Beverly Squad is here, where is Lourdes; they are getting a contract and they are not here tonight.

Darnell Moye, 103 Cardinal Road, Edgewater Park questioned since Committee is entering into this contract with Lourdes tonight does he have to go to Lourdes Hospital.? In an emergency does he call Beverly or Lourdes? Does Lourdes have the same credentials that the Squad has? If he calls 911 he wants the Beverly Edgewater Squad to respond.

Committee discussed that the emergency response is the same; you call 911. Residents as long as it is not a life threatening situation, Lourdes will take you to any hospital that you want within reason. Lourdes personnel have their certifications and credentials.

Mr. Noel Rainey, 7 Spring Lane, Edgewater Park, stated the decision was bad because they missed the spirit of volunteerism.

Mr. Rainey also questioned Resolution No. 2012-93 and what the \$26,000 represents.

Mrs. Dougherty discussed the money is committed to the market to affordable housing program with Salt and Light.

Fran Wilkins, 96 N Garden Blvd, Edgewater Park, questioned whether Public Works Department can trim the retention basin near her house.

Craig McLaughlin, 75 Clifford Road, Burlington, his mother lives in Edgewater Park. He was a 1st Lt. years ago when he was a member of the Squad. They corresponded with the communities. He further discussed that Lourdes EMT's work in the emergency room and he believes that they will have a problem with their response times. He does not believe that Lourdes will provide the quality of care as the Squad.

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

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mrs. Belgard Second: Mr. Pullion Time: 8:45PM
Roll Call: Mrs. Belgard-yes, Mr. Booker -yes, Mr. Pullion-yes, Mayor McElwee -yes

Linda M. Dougherty
Linda M. Dougherty, RMC/Administrator

John McElwee

John McElwee, Mayor