

**TOWNSHIP OF EDGEWATER PARK
MINUTES-JUNE 4, 2013**

Mayor McElwee called the meeting to order at 7:30 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:

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 8, 2013.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 8, 2013.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 8, 2013.

Present: Mr. Scott Kercher, Mr. Joseph Pullion, Mr. Michael Trainor and Mayor John McElwee (Committee Members)

Absent: Mr. Darrell Booker

Also present: Mrs. Linda Dougherty, Municipal Clerk/Administrator (Public and Closed), Mr. William Kearns, Solicitor (Public and Closed), Mrs. Peak, CFO, Mr. Rakesh Darji, Township Engineer (Public and Closed)

DISCUSSION(S)/PRESENTATION(S)/AUTHORIZATION(S)/CONSIDERATION

**PROCLAMATION: CELEBRATING THE 150TH ANNIVERSARY OF THE
23RD REGIMENT ON JUNE 8, 2013**

WHEREAS, the 23RD New Jersey Volunteer Infantry was an American Civil War infantry regiment from New Jersey that served a nine-month enlistment in the Union Army consisting of Burlington and non-Burlington County men; and

WHEREAS, the 23RD Regiment was formed and mustered in at the camp in Beverly in September 1862, where the camp headed south, marching down Broad Street in Beverly to the wharf to board the riverboats "Washington" and "New York" amid the cheers of the townspeople of Beverly waving flags and handkerchiefs. The streets were lined with friends of the recruits and many had a teary eye to see their friends and family member set off to war; and

WHEREAS, some of their other names were the Quaker Regiment, the Burlington County Regiment and their more famous name "The Yahoos". They acquired the name of

the “Yahoos” after the rough appearance they gave off to a commanding officer. They were mostly country boys who didn't have the polish of their city dweller comrades and became proud of their new name which they had on one of their flags; and

WHEREAS, the regiment had companies that were made up of men from certain Burlington County towns. Specifically Edgewater Park was included in Company G with officers and enlisted men from the City of Beverly, the Township of Edgewater Park, the Township of Delanco and the Township of Willingboro; and

WHEREAS, after nine months of dedicated service four Officers were killed, thirty-one Enlisted men were killed or mortally wounded and one Officer and fifty-four Enlisted men died from disease, totaling ninety lost during the war.

NOW, THEREFORE, I, Mayor John McElwee, on behalf of Edgewater Park Township Committee, call upon all citizens of the Township of Edgewater Park and upon all patriotic and civic organizations to observe the 23RD Regiment Volunteers 150th Commemorative Anniversary on June 8, 2013 at the Beverly American Legion Post 115, Melbourne Avenue, Beverly, NJ from 1 PM – 3PM.

Moved by: Mr. Pullion Second: Mr. Kercher

Discussion:

Roll Call: Mr. Kercher- yes, Mr. Pullion -yes, Mr. Trainor-yes, Mayor McElwee –yes

Township Committee Meeting:

Consideration to cancel the June 18th meeting and reschedule the meeting for Wednesday, June 19th at 7:30PM; official action will be taken on matters on the agenda.

Moved by: Mr. Pullion Second: Mayor McElwee

Discussion:

Roll Call: Mr. Kercher- yes, Mr. Pullion -yes, Mr. Trainor-yes, Mayor McElwee –yes

2013 Municipal Budget:

2013 Municipal Budget was adopted on first reading on May 21, 2013. The Public Hearing and consideration of adoption will be held on June 19, 2013 at 7:30PM, 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 Budget. During the week prior to and up to and including the date of such meeting, copies of said budget will be made available at the Clerk's office to the members of the general public who shall request the same.

FUNCTION APPLICATION:

Public Functions:

Girl Scouts of South Jersey, Girl Scout Troop Meetings, June 18th, June 25th, July 2nd, and July 9th, 2013 1hr 2:00 pm -3:00 pm. Requesting waiver of fees (Certificate of Insurance on File) Pending approval from the Chief of Police.

Moved by: Mr. Trainor Second: Mr. Pullion

Discussion:

Roll Call: Mr. Kercher- yes, Mr. Pullion -yes, Mr. Trainor-yes, Mayor McElwee –yes

REPORTS

Report from the Engineer is appended hereto.

Cardinal/Jamestown Road Project

Upon discussion consensus of Committee was the prepare bid specifications in alternate phases.

NJ DOT Grant Awards

Mr. Darji discussed that the Township was not awarded the Bikeways or Safe Streets to Transit grants.

Safe Routes to School Project

The Township received the grant award in the amount of \$113,000. Additional meetings with the DOT are required to address Federal grant mandates; will bring mandates back to the table for further discussion. Upon discussion of the pathway improvements between Cherrix Avenue and East Franklin Avenue consensus was to prepare bid specifications for a summer 2014 project contingent upon State/Federal grant requirements.

Weimann Sports Complex

Township Committee discussed that proposed improvements to Weimann Sport Complex which included upgrades to the tennis and basketball courts, remove, relocated and upgrade the batting cage to include electric service, walking paths, bicycle racks, benches, etc. Upon discussion consensus of Committee was to submit application to the Burlington County Municipal Parks program requesting consideration of a \$250,000.00 grant.

The discussion pursued that hockey is a favorable sport in town and that future considerations should include a rink. Upon further discussion consensus of Committee was to establish a sub-committee to determine future expansion needs and locations,

Report from Municipal Clerk/Administrator is appended hereto.

Municipal Storage

Mrs. Dougherty reported the Township Storage Facilities is contaminated and we are looking into other alternatives for storage.

Report from the Chief of Police is appended hereto.

There were no other reports.

REPORT ACCEPTANCE

Moved by: Mayor McElwee Second: Mr. Pullion

Discussion:

Roll Call: Mr. Kercher- yes, Mr. Pullion -yes, Mr. Trainor-yes, Mayor McElwee –yes

RESOLUTIONS - CONSENT AGENDA

Motion to Approve Resolution No. 2013-72 through 2013-75 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: Mr. Pullion Second: Mr. Kercher

WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund (“Trust Fund”) and established a Municipal Park Development Program (“Program”) to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, the Township Committee of the Township of Edgewater Park desires to obtain County Municipal Park Development Program funds in an amount not to exceed \$250,000.00 to fund the Weimann Field Phase III Improvement Project, located at Weimann Field in the Township of Edgewater Park, intersection of Mount Holly Road, Delanco Road Lot 10, Block 502; and

WHEREAS, the Township of Edgewater Park is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, THAT:

1. The Mayor is authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;
2. The Township of Edgewater Park is committed to this project and will provide the balance of funding necessary to complete the project. In the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Mr. John McElwee, Mayor and/or Mrs. Linda Dougherty, RMC/Administrator are hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Burlington for the approved Funds; and
5. This resolution shall take effect immediately.

RESOLUTION NO. 2013-74

Authorizing Federal Aid Change Order #3 Net Increase Of Work for Curb Con Inc. in regards to the Cooper Street Revitalization Project (Federal Project No. STP-B00S(560) Con.

WHEREAS, the Township solicited bids for the Cooper Street Revitalization Project; and

WHEREAS, Curb Con, located at 514 Route 9, Barnegat, NJ 08005 was awarded a contract with a base bid price and alternated bids in the amount of \$321,204.00 on March 4, 2008 by Resolution No. 2008-57; and

WHEREAS, the State of New Jersey, Department of Transportation's Division of Local Aid, District 4, approved Federal Change Order #1 in the amount of \$5,000.00 net increase to said contract with Curb Con on August 21, 2008 for a new total contract price of \$326,204.00; and

WHEREAS, the State of New Jersey, Department of Transportation's Division of Local Aid, District 4, approved Federal Change Order #2 in the amount of \$18,694.51 net increase to said contract with Curb Con on February 13, 2012 for a new total contract price of \$344,898.51; and

WHEREAS, there is a need to adjust the final contract price and approve an extension of time for the construction period and close out the accounting record with the Federal Highway Administration according to the Township of Edgewater Park's agreement for Federal Aid and as administered by the State of New Jersey's Department of Transportation; and

WHEREAS, the Township Engineer prepared the final Federal Aid Change Order #3 to document final as-built quantities and amounts for items constructed under the contract and request the extension of contract time; and

WHEREAS, the Township Engineer recommended approval of Federal Aid Change Order #3, dated April 29, 2013, a net increase of \$5,569.60 from the previous contract amount of \$344,898.51, adjusting the final contract price to \$350,468.11.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, that the request for net increase of \$5,569.60 is approved.

RESOLUTION NO. 2013-75
Resolution Authorizing Refund of Tax Overpayment
Totally Disabled Vet

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 the following reasons:

Block 313 Lot 1
Lynn Barrett
Make Check Payable to:
BAC Tax Services Corporation
Mail Stop, CA6-913-LB-01
Totally Disabled Vet
\$2,450.77

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.

ORDINANCES

ORDINANCE 2013-3

(SECOND READING AND PUBLIC HEARING)

Amending Chapter 8.16 Governing Uniform Fire Safety Act Enforcement, Section 8.16.120 Permit and Inspection fees of the Edgewater Park Township Code and Subsequently Amending Ordinance No. 8-2003, Ordinance No. 21-2005, Ordinance No. 2008-5 and Ordinance No. 2012-1.

WHEREAS, the Edgewater Park Fire District No. 1 recommended to the Township Committee of the Township of Edgewater Park that certain fees be increased to support fire protection; and

WHEREAS, the Township Committee of the Township of Edgewater Park has determined that there is a need to increase fees as recommended by the Edgewater Park Fire District No. 1 in an effort to continue to maintain fire safety throughout the Township of Edgewater Park.

NOW, THEREFORE, BE IT ORDAINED BY the Township Committee of the Township Of Edgewater Park, County Of Burlington, State of New Jersey this Ordinance shall amend Chapter 20 of the Edgewater Park Township Code, by deleting the language in Section 20.530 and by adding the following language in Section 20.530 "Permit and inspection fees" as follows:

20.530 Permit and Inspection Fees.

The permit fees shall be as follows:

Type 1	\$42.00
Type 2	\$166.00
Type 3	\$331.00
Type 4	\$497.00
Type 5	Reserved

All other businesses in the non-life hazard use shall be charged an annual fee based upon the square footage ("SF") of the buildings according to the SF rate schedule, as follows:

INSPECTION FEES:

Life Hazard Fee's (LHU) – per Uniform Fire Code

Non-Life Hazard Fee's –

1. Under 500	Square feet	\$ 51.00
2. 501 –800	“ “	\$ 66.00
3. 801 – 1500	“ “	\$ 76.00
4. 1501 – 2000	“ “	\$ 85.00
5. 2001 – 5000	“ “	\$120.00
6. 5001 – 8000	“ “	\$145.00
7. 8001 – 11,999	“ “	\$200.00
8. 12,000 – 14,000	“ “	\$215.00
9. 14,001 or more	“ “	\$275.00

Church Site, Flat Fee	\$ 35.00
Apartment Complexes, Per Building	\$ 51.00
Self Storage Facility, Flat Fee	\$ 75.00

SECTION TWO. Implementation

This Ordinance shall take effect September 1, 2013 and shall be effective on that date upon passage and publication according to law.

SECTION THREE. All other provisions of Section 8.16 of the Edgewater Park Township Code, Ordinance No. 8-2003, Ordinance No. 21-2005, Ordinance 2008-5 and Ordinance No. 2012-1 are ratified and affirmed. All ordinances or part of ordinances inconsistent herewith are repealed to the extent of their inconsistency.

Moved by: Mr. Pullion Second: Mr. Kercher

Discussion:

Open to the Public for Comment on Ordinance No. 2013-3 Only:

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

Roll Call: Mr. Kercher- yes, Mr. Pullion -yes, Mr. Trainor-yes, Mayor McElwee –yes

REPORT OF OFFICIALS

Committeeman Kercher:

Liaison to the School Board:

Mr. Kercher reported that the School Board's next meeting is on June 25th at 7:00; meeting will be held at Ridgway Middle School. This will be the last meeting official meeting for Cheryl Smith, interim Superintendent of Schools. Upon further discussion consensus of Committee was to recognize Mrs. Smith for her contribution to the community and school district.

Mighty Max birthday celebration was held last week. The event provided the opportunity for the students and community to connect with school activities; upgrades to the school courtyard were open for resident review.

Mr. Kercher further announced and congratulated Steve Bruneau for his appointment to the School Board.

Committeeman Trainor:

Liaison to Senior Advisory Committee:

Senior Advisory Committee is on a break for the summer; next meeting will be held in September.

Environmental Advisory Committee:

Next meeting of the Environmental Advisory Committee will be held next Wednesday, here at the Municipal Building at 7:30PM.

The Fishing Derby is scheduled for Saturday, June 15th at Roosevelt Pond from 9AM to Noon. Holy Cross students will be on hand to assist with the event. June 15th is the state wide free fishing day; no license is required.

June 15th also marks flag football events and summer sizzler for softball.

Committeeman Pullion:

Liaison to Redevelopment:

Mr. Pullion reported that the second meeting for community day was held; business sponsorships and involvement is going very well. The PTO has also joined in planning the event. Community Day is planned for Saturday, September 21st with a rain date of September 22nd. Anyone wishing to volunteer with the activities or planning is welcomed.

Mayor McElwee:

Liaison to EPAA:

Mayor McElwee reported the next meeting for EPAA is June 11th at 8:30 PM at the 45th Street Pub.

Liaison to Neighborhood Watch:

Mayor McElwee discussed that the next meeting for Neighborhood Watch will be on June 27th at the municipal building at 6:30PM; program will also include a presentation for "Summer Safety Programs".

Memorial Day Parade:

Mayor McElwee thanked everyone who volunteered and participated in the Memorial Day Parade; volunteers included but not limited to the Elk's Lodge, Neighborhood Watch and military representation. Upon discussion consensus of Committee was to recognize Lieutenant Colonel Emmett Wingfield for his service and contribution to the parade.

Mayor McElwee also expressed his congratulations to Mr. Bruneau for his appointment to the School Board.

APPROVAL OF BILLS

Approval of bills from May 17, 2013 through June 3, 2013

Moved by: Mr. Kercher Second: Mayor McElwee

Discussion: None

Roll Call: Mr. Kercher -yes, Mr. Pullion -yes, Mr. Trainor-yes, Mayor McElwee –yes

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

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

ANY OTHER BUSINESS

Township Committee further discussed the Long Range Road Program that was developed in July 2011. Residents have expressed concerns regarding Taft Place. The discussion pursued that road reconstruction projects now include any cul-de-sacs that abut the project. Future consideration shall include Jamestown-Cardinal Roads, Mt. Holly Road and Cherrix Avenue.

RESOLUTION NO. 2013-76

Closed Session

Where it is necessary to ascertain legal advice and discuss matters concerning Sale of Public Property, Block 1202, Lot 4.01. Where it is necessary to discuss a potential redevelopment agreement Block 502, Lot 12. Where it is necessary to discuss litigation regarding emergency medical services. 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 McElwee Second: Mr. Trainor Time: 8:30PM

Discussion: Mayor McElwee announced that Committee does not anticipate conducting additional business after closed session.

Roll Call: Mr. Kercher -yes, Mr. Pullion -yes, Mr. Trainor-yes, Mayor McElwee –yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mr. Pullion Second: Mr. Trainor Time: 9:15PM

Roll Call: Mr. Kercher, Mr. Pullion -yes, Mr. Trainor-yes, Mayor McElwee –yes

Joseph T. Pullion, Mayor

Linda M. Dougherty, RMC/Administrator

Approval Date: February 4, 2014