

**TOWNSHIP OF EDGEWATER PARK
MINUTES AUGUST 16, 2016**

Mayor Trainor 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 5, 2016.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 5, 2016.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2016.

Present: Mr. William Belgard, Ms. Lauren Kremper, Mr. John McElwee, Mrs. Barbara Perkins, Mayor Michael Trainor (Committee Members)

Also Present: Mr. Gene DiFilippo, Chief of Police; Mr. James Bernard, Superintendent of Public Works; Mrs. Linda Dougherty, Municipal Clerk/Administrator; Mr. William Kearns, Township Solicitor; Mrs. Colleen Treusch, Deputy Clerk

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

1. Edgewater Park Fire District No. 1 – *report appended to the minutes*

John Augustino, Fire Official: 2016 Proposed Increase in Non-Life Hazard Inspection Fees

Adoption of the proposed fee increase must be done by Ordinance. A motion was made to do so.

Motion by: Mayor Trainor Second: Mr. Belgard

Roll Call: Mr. Belgard – yes, Ms. Kremper – yes, Mr. McElwee – yes, Mrs. Perkins – yes, Mayor Trainor - yes

2. Consolidation of Fire Districts – *request letter appended to the minutes*

Mrs. Dougherty discussed a letter received from Sendzik & Sendzik, attorneys for the Board of Fire Commissioners, Beverly Fire District No .1. They request representation by the township along with Beverly to discuss the possible consolidation of the Fire Districts. Mr. Belgard and Mayor Trainor volunteered and recommended including the Chief of Police/Public Safety Director for each town.

Personnel Appointment(s):

Maintenance Worker 1 Grounds/Maintenance Repairer: James Storz, rate of pay \$13.78 per hour, full time, effective 8/17/2016

Moved by: Mr. McElwee Second: Ms. Kremper

Discussion: None

Roll Call: Mr. Belgard – yes, Ms. Kremper – yes, Mr. McElwee – yes, Mr. Perkins – yes, Mayor Trainor - yes

FUNCTION APPLICATIONS:

Authorization to Approve Function Applications/Permits/Licenses/Raffles 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: Ms. Kremper Second: Mrs. Perkins

Discussion: Township Committee asked for clarification on the type of work that the company does. Clarification was given about the company going to homes of fire victims to board up their home in emergent situations.

Roll Call: Mr. Belgard – no, Ms. Kremper – no, Mr. McElwee – no, Mrs. Perkins – no, Mayor Trainor - no

Raffles:

Bingos: None

Public Functions: None

Charitable Clothing Bins Permit: None

Solicitors Permit:

Matthew J. Moore, Garden State Property Restoration, Solicitation of emergency services (Board Up) Edgewater Park Streets from August 17, 2016 through August 16, 2017; required fees have been paid. A letter is on file from the Chief of Police advising that there is nothing in the background check that would preclude Committee from considering the permit.

REPORTS

Report from the Municipal Clerk/Administrator – report appended to the minutes

Master Plan

Mrs. Dougherty advised that the professional planning assistance was requested from the Burlington County Bridge Commission regarding the Master Plan re-examination. Mr. Remsa Director of Economic Development and Regional Planning will be assisting. A subcommittee has been established and will meet on August 18th at 5:30 PM. The committee will consist of Marian Johnson – chairperson, Charles Robinson – vice chairperson, Ken Kauker – class IV member and Linda Dougherty, RMC/Administrator.

Roosevelt Pond Emergent Action

Mrs. Dougherty reported that Roosevelt Park is currently closed due to the collapse of the wall into the Pond. This is an emergent situation and will continue to erode with each rain. A Motion was made to move forward with the repair

Moved by: Ms. Kremper Second: Mrs. Perkins

Roll Call: Mr. Belgard – yes, Ms. Kremper – yes, Mr. McElwee – yes, Mr. Perkins – yes, Mayor Trainor - yes

Report from the Inspections Office - report appended to the minutes

Report from the Superintendent of Public Works – report appended to the minutes

Mr. Bernard advised Township Committee that the front end loader was used to remove the bamboo roots at Kite Field.

Report from the Chief of Police – report appended to the minutes

Chief DiFilippo advised that he will be getting additional quotes for security cameras.

Chief DiFilippo also advised that he will go in front of Accreditation Bureau after the Police Department assessment on September 19th and 20th.

Report Acceptance

Moved by: Mrs. Perkins Second: Mayor Trainor
Roll Call: Mr. Belgard – yes, Ms. Kremper – yes, Mr. McElwee – yes, Mr. Perkins – yes,
Mayor Trainor - yes

ORDINANCES: NONE

RESOLUTION(S)

Motion to Approve Resolution No. 2016-97 through 2016-102 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. McElwee Second: Ms. Kremper
Discussion: Mrs. Dougherty gave clarification on Resolution 2016-102.
Roll Call: Mr. Belgard – yes, Ms. Kremper – yes, Mr. McElwee – yes, Mr. Perkins – yes,
Mayor Trainor - yes

RESOLUTION NO. 2016-97

***Resolution Certifying A Lien Against For Costs Incurred By The
Township Of Edgewater Park In Accordance With The Property Maintenance Code for Block:
1501 Lot 36 (505 E. Franklin Ave.)***

WHEREAS, the New Jersey State Uniform Construction Code provides for fines to be imposed by the Construction Official; and

WHEREAS, Section 8.44.610 of the General Ordinance of the Township of Edgewater Park provides for abatement of certain conditions, and Section 8.44.620 provides that the cost of any abatement shall become a lien against real property by Resolution shall be collectible as provided by law; and

WHEREAS, the Property Maintenance Inspector has cited 505 E. Franklin Ave. and has recommended to imposed fines and expenses for repair, maintenance, etc., on said property in the amount of \$366.77; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park that the fines and expenses certified by the Property Maintenance Inspector for 505 E. Franklin Ave., Block 1501 Lot 36 in the amount of \$366.77 is hereby approved and certified to the Tax Collector of the Township of Edgewater Park as liens against the specific property listed and to draw interest as tax liens as provided by law; and

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

RESOLUTION NO. 2016-98

***Resolution Certifying A Lien Against For Costs Incurred By The
Township Of Edgewater Park In Accordance With The Property Maintenance Code for Block:
312 Lot 4 (717 Green Street)***

WHEREAS, the New Jersey State Uniform Construction Code provides for fines to be imposed by the Construction Official; and

WHEREAS, Section 8.44.610 of the General Ordinance of the Township of Edgewater Park provides for abatement of certain conditions, and Section 8.44.620 provides that the cost of any abatement shall become a lien against real property by Resolution shall be collectible as provided by law; and

WHEREAS, the Property Maintenance Inspector has cited 717 Green Street. and has recommended to imposed fines and expenses for repair, maintenance, etc., on said property in the amount of \$322.36; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park that the fines and expenses certified by the Property Maintenance Inspector for 717 Green Street., Block 312 Lot 4 in the amount of \$322.36 is hereby approved and certified to the Tax Collector of the Township of Edgewater Park as liens against the specific property listed and to draw interest as tax liens as provided by law; and

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

RESOLUTION NO. 2016-99

Refund of Construction Permit Fees - Block 404.05, Lot 2 (403 Apple Rd.)

WHEREAS, Vivant Solar Developer, LLC submitted an application for Construction for the property located at 403 Apple Road; and

WHEREAS, the homeowner decided not to move forward with the project; and

WHEREAS, there has been a request by the applicant for a refund of the Construction Permit Fees; and

WHEREAS, the Municipal Clerk has researched the request and has found that the refund is justified.

WHEREAS, the total Construction Permit fee was \$270.00; amount refunded shall be less the AltFee (DCA) of \$40.00 and less a five percent (5%) plan review fee of \$11.50.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that the following money be refunded to the following applicant:

Permit # 20160125
403 Apple Road
Make Check Payable to:
Viviant Solar Developer, LLC
20-B Roland Ave
Mt Laurel, NJ 08054
\$218.50

BE IT FURTHER RESOLVED by the Township Committee that the Chief Financial Officer is hereby directed to draw a check in the above stated amount for said refund.

RESOLUTION NO. 2016-100

Affirmation of Work Performed and Authorizing Payment Number 2 to RNM Construction LLC under the Construction of a Public Works Utility Building Contract

WHEREAS, the Township Committee of the Township of Edgewater Park solicited bids for the construction of a building located at 400 Delanco Road; and

WHEREAS, by letter dated April 26, 2016, Environmental Resolutions, Inc. recommended the award of contract to RNM Construction LLC for construction of a Wood Post Frame Building in the total bid amount of \$149,500.00 which was been determined to be the lowest, responsible bidder; and

WHEREAS, via Resolution No. 2016-66, Township Committee of the Township of Edgewater Park awarded the contract to RNM Construction LLC, located at 45 Hockamick Rd., Cookstown, NJ 08511 for construction of a Wood Post Frame Building at the Public Works Garage; and

WHEREAS, via Resolution No. 2016-90, Township Committee authorized payment No. 1 to RNM Construction LLC in the amount of \$64,447.25, with a retainage fee of \$1315.25 and further accepting said improvements recommended by Environmental Resolutions Inc. dated June 30, 2016; and

WHEREAS, Environmental Resolutions, Inc., by letter dated August 9, 2016, prepared a statement of said improvements, for work performed at 400 Delanco Road in the amount of \$107,000.00, less a retainer of \$2,140, less payment #1, leaving a payment of \$40,412.75 owed to contractor RNM Construction, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that payment No. 2 to RNM Construction LLC is hereby authorized in the amount of \$40,412.75 further accepting said improvements recommended by Environmental Resolutions Inc. dated August 9, 2016.

RESOLUTION NO. 2016-101

Affirmation of Work Performed and Authorizing Payment Number 2 to RNM Construction LLC under the Weimann Field House Improvements Contract

WHEREAS, the Township of Edgewater Park requested that bids be solicited for the Weimann Field House improvements located at 300-400 Delanco Road on both April 21, 2016 and May 12, 2016; and

WHEREAS, by letter dated May 23, 2016, Environmental Resolutions, Inc. recommended the rejection of the second high bid and award of a negotiated contract to RNM Construction LLC for Weimann Field House Improvements in the total amount of \$151,500.00 which was been determined to be the lowest, responsible bidder; and

WHEREAS, by Resolution No. 2016-74, Township Committee awarded the contract to RNM Construction LLC, located at 45 Hockamick Rd., Cookstown, NJ 08511 for the Weimann Field house Improvements located at 300-400 Delanco Road; and

WHEREAS, via Resolution No. 2016-91, Township Committee authorized payment No. 1 to RNM Construction LLC in the amount of \$24,178.00 less a retainer of \$483.56, leaving a payment of \$23,694.44 owed to contractor RNM Construction, LLC and further accepting said improvements recommended by Environmental Resolutions Inc. dated June 30, 2016; and

WHEREAS, Environmental Resolutions, Inc., by letter dated August 9, 2016, prepared a statement of said improvements, for work performed at 300-400 Delanco Road in the amount of \$107,900.00 less a retainer of \$2,158.00, less payment #1, leaving a payment of \$82,047.56 owed to the contractor, RNM Construction, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that payment No. 2 to RNM Construction LLC is hereby authorized in the amount of \$82,047.56 further accepting said improvements recommended by Environmental Resolutions Inc. dated August 9, 2016.

RESOLUTION NO. 2016-102

Resolution Authorizing the Release of a Performance Guarantee with Auto Direct Cars, LLC – Mid West Construction for Improvements to Block 1202, Lot 8 and Establishing a Maintenance Guarantee in the Amount of \$21,403.17

WHEREAS, Midwest Construction, Inc., located at 1752 Route 206, Southampton, NJ 08088 posted a Performance Surety Bond through Lexon Insurance Company, located at 12890 Lebanon Road, Mt. Juliet, TN 37122, Bond No. 1103031 in the amount \$184,968.96 and further posted the initial escrow deposit in the amount of \$7,707.04 for improvements at Auto Direct Cars, LLC located at 4319 Route 130, aka Block 1202, Lot 8; and

WHEREAS, Environmental Resolutions, Inc. was asked to inspect and report on the required improvements by Auto Direct Cars, LLC, located at 4319 S. Route 130, Edgewater Park, NJ 08010 for purposes of releasing the performance guarantee and establishing a two (2) year maintenance guarantee for Block 1202 Lot 8; and

WHEREAS, Resolution No. 2015-158, established the Performance Guarantee in the amount of \$184,968.96, Bond No. 110303 posted by Lexon Insurance Company; and

WHEREAS, Environmental Resolutions, Inc. by letter dated August 16, 2016 inspected, reported and recommended the release of the performance guarantee and the establishment of the maintenance bond in the amount of fifteen percent (15%) of the original construction costs or \$21,403.17 (see Bond Release Site Inspection Report); and

WHEREAS, the release of the performance guarantee, Bond No. 1103031 is contingent upon the establishment of the maintenance guarantee in the amount of \$21,403.17 and the submission of an updated lighting plan per the Bond Release Site Inspection Report dated August 16, 2017.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey that the Performance Surety, Bond Number 1103031 shall be released upon the posting and acceptance of the maintenance guarantee.

REPORTS FROM OFFICIALS

Mr. Belgard – Liaison to Planning Board & Redevelopment Advisory Committee

Mr. Belgard advised that he has nothing to report.

Ms. Kremper – Liaison to Recreation, Board of Education

Recreation

Ms. Kremper reported that the Recreation Committee is planning a Family Fun day for October 8th at the Red Dragon pending approval.

Mrs. Dougherty advised the Committee to be mindful of timing if they intend to have any inflatables as they take much longer to approve.

Board of Education

Ms. Kremper advised that the Board of Education meeting is taking place simultaneous to the Township Committee meeting so there is nothing to report. She also informed Committee that the school construction is underway.

Mr. McElwee – Liaison to Senior Advisory Committee and Sewerage Authority

Senior Advisory

Mr. McElwee reported that Senior Advisory was on summer hiatus until September but want to advise of the senior Social that will be held on October 13th at Ridgway School.

Sewerage Authority

Mr. McElwee reported that the Sewerage Authority is pending approval from the Township to move forward with the Mt. Holly Road project.

Mrs. Dougherty advised that the bid opening for the project will be next Wednesday at 10 AM and the Township will have 60 days to award or reject the bids.

Mrs. Perkins – Liaison to Recreation and Environmental Advisory Committees

Environmental Advisory Committee

Mrs. Perkins discussed that the Environmental Committee will be on hiatus until September.

Recreation

Mrs. Perkins advised that there is discussion to hold a Health Fair in November. She said she will have more information next month.

Mayor Trainor, Liaison to EPAA

EPAA

Mayor Trainor reported that EPAA has closed the registration for fall soccer and that practices have already started.

Redevelopment Committee

Mayor Trainor stated that they will be on hiatus for the summer unless there is any pressing business.

OPEN TO THE PUBLIC

Steve Malecki, 411 S. Arthur

Mr. Malecki advised he spoke with Tim K. (ERI) today regarding the Environmental Shade Tree Committee tree inventory. He advised Township Committee of the potential fees that will be incurred with doing the inventory.

Noel Rainey, 7 Spring Lane

Mr. Rainey asked Township Committee about the change in signage for Woodlane Crossing now Orchard Park and if the Township collects fees every time this changes. Township Committee advised that the Township requires construction fees and inspections for change of ownership or if the sign changes in size or type but not for a name change only.

Dennis Robbins, 9 Crystal Dr.

Mr. Robbins questioned the need to reappoint representatives to the Fire District Consolidation Committee. He thought it was done 2 months ago. Mr. Kearns advised that at the time, the subject needed further review before committing to participation.

APPROVAL OF BILLS

Affirmation of Bills from July 14, 2016 to August 3, 2016

Approval of Bills from August 4, 2016 to August 11, 2016

Receipt of Appropriation and Revenue Summary Reports to 07/31/2016

Moved by: Mrs. Perkins Second: Mayor Trainor

Discussion: None

Roll Call: Mr. Belgard – yes, Ms. Kremper – yes except abstain on all police matters,

Mr. McElwee – yes, Mr. Perkins – yes, Mayor Trainor - yes

ANY OTHER BUSINESS

**RESOLUTION NO. 2016-103
CLOSED SESSION**

Where it is necessary to discuss personnel and personnel contracts. Where it is necessary to discuss the Township's Affordable Housing obligation. Where it is necessary to discuss professional contracts. Where it is necessary to discuss items falling under litigation and/or attorney client privilege. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentially, then the matter will be made public

WHEREAS, it is necessary to discuss personnel possible litigation involving the Township of Edgewater Park which is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, questions dealing with personnel matters is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, questions dealing with the purchase lease or acquisition of real property with public funds is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, questions dealing with any collective bargaining agreement or the terms or conditions of that agreement is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, the disclosure of any material which constitutes an unwarranted invasion of individual privacy is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, the release of any information would impair a right to receive funds from the Government of the United States; is a proper subject of exemption under the Open Public Meetings Act; and

WHEREAS, any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility is a proper subject of exemption under the Open Public Meetings Act;

WHEREAS, the Township Committee desires to close this portion of the meeting to consider the aforementioned titled matters.

NOW THEREFORE, BE IT RESOLVED that the portion of the meeting dealing with the aforementioned matters shall be closed to the public and the results of the discussions held under the closed sessions shall be made available to the public at such early a time as possible.

Moved by: Mr. McElwee Second: Mayor Trainor Time: 7:53 PM

Discussion: The Mayor advised that he does not expect to come out of closed session.

Roll Call: Mr. Belgard – yes, Ms. Kremper – yes, Mr. McElwee – yes, Mr. Perkins – yes, Mayor Trainor - yes

ADJOURN

Moved by: Mayor Trainor Second: John McElwee Time: 10:15 PM

Discussion: None

Roll Call: Mr. Belgard – yes, Ms. Kremper – yes, Mr. McElwee – yes, Mr. Perkins – yes, Mayor Trainor - yes

Lauren Kremper, Mayor

Linda Dougherty, RMC/Administrator