

**TOWNSHIP OF EDGEWATER PARK
MINUTES-SEPTEMBER 4, 2012**

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

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, Mr. Joseph Pullion and Mayor John McElwee (Committee Members)

Also present: Mr. Robert Brian, Chief of Police (Public), Mr. William Kearns, Solicitor (Public and Closed) Linda M. Dougherty, Clerk/Administrator (Public and Closed), Mrs. Margaret Peak, Chief Financial Officer (Public), Mr. Rakesh Darji, Township Engineer (Public).

APPOINTMENTS/RESIGNATIONS: Appointment: Dominic Petito, Plumbing Sub-code Official, effective September 4, 2012

Moved by: Mayor McElwee Second: Mr. Pullion

Discussion: None

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

PRESENTATION/AUTHORIZATION/CONSIDERATION/DISCUSSION(S):

Weimann Sports Complex – Clubhouse Upgrades Consideration to approve purchase of three toilets, one urinal, two sinks and incidentals for upgrades at Weimann Field Clubhouse

Moved by: Mr. Pullion Second: Mr. Kercher

Discussion: Township Committee discussed the upgrades and thanked EPAA and further acknowledged Roshonda Edwards (Cheerleading Commissioner) for their assistance in the project. They further acknowledged the volunteer services of Bill Belgard for his assistance for the installation of the fixtures.

Mrs. Belgard discussed that her husband, Bill Belgard is the owner of Reliable

Renovations, and is volunteering his time to install the improvements at Weimann Field Clubhouse; he is in no way profiting from the work.

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

**Proposed Water Quality Management Plan (WQM), Plan Amendment Entitled:
Burlington County Future Service Area Map**

Mrs. Dougherty gave a presentation for the Proposed Water Quality Management Plan which included a map an explanation. Mrs. Dougherty further discussed the Sewer Authority will be having a meeting tomorrow to discuss the same. Upon discussion, consensus of the Township Committee authorized Mrs. Dougherty to send a letter to the state requesting the entire Township be included in the Sewer Service Area.

Storm Pipe Televising Quote

Mr. Darji, Township Engineer recommended the award of a contract for \$3,805 to Roots 24 for the base and two alternates with the hope of not using the two alternates.

Motion to approve the award of contract to Root 24 storm pipe televising for \$3,805.

Moved by: Mayor McElwee Second: Mrs. Belgard

Discussion: None

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

2012 Best Practice Checklist Discussion: Review and Presentation of 2012 Best Practice Checklist by Margaret Peak, CFO with Consideration to Adopt The Best Practices Checklist By Resolution at the September 18th Meeting.

Mrs. Peak provided an overview and presentation on the 2012 Best practices checklist.

Upon conclusion of questions and discussion Mr. Kercher moved to accept the best practices check list and to formalize by resolution at the September 18th meeting.

Second: Mrs. Belgard

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

REPORTS

Report from the Engineer is appended hereto.

Fern Lane - Stormwater Management Options

Mr. Darji explained there are two options.

The first option is to repave the gutter line of Fern Lane and a portion at Gatehouse Apartments and creating a swale on block 1202.01, lot 17 at Silver Park West to the stormwater inlet; access agreements and easements will be required from Gatehouse Apartments and the owner of lot 17. Cost of the improvement is approximately \$8,300 with additional legal and engineering costs. Gatehouse Apartments will also contribute toward the project.

The second option would be to construct a stormwater inlet with an approximate 15' infiltration pipe in the grassy area with the installation of a depressed curb on Fern Lane; estimated cost of \$8,000.00.

Mr. Darji discussed that prior to construction he and Mrs. Dougherty met with the manager at Gatehouse Apartments and discussed that project and further recommending upgrades to their portion of the parking lot which included the raised speed humps. Upon further discussion Mr. Darji recommended the first option.

Upon discussion Mrs. Belgard moved to approve the first option with the request to have further review of the project with Gatehouse Apartments and consideration of a higher contribution toward project cost.

Second: Mr. Pullion

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

Woodlake Park

Mr. Darji provided an update of the project; he discussed that the project has approximately \$12,000 of improvements that can be awarded. He further requested Committee's consideration of the removal of two existing benches and the installation of three new benches, three new trash cans and expand the landscaping. Upon consensus Township Committee agreed to move forward with the additional landscaping and benches at Woodlake Park.

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

Report from Municipal Clerk/Administrator is appended hereto

Silver Park West Basin

Mrs. Dougherty reported Silver Park West Condo/Homeowners Associations received bids for the construction of the new basin; Mr. McInerney is requesting a meeting, at the end of September, to review the project.

Report from the Chief of Police is appended hereto.

Purchase of two police vehicles

Mr. Brian requested two new Ford Interceptor Utility Police Package for a total of \$88,179.00; payment installments shall be for a three year period.

Upon discussion Mayor McElwee moved to approve the purchase of the two vehicles for the Police Department.

Second: Mr. Pullion

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

Any Other Reports

Delanco Township: Requesting Committees consideration to oppose the dumping of dredge spoils at the West Avenue Nature Trails (Dunes): Materials Appended

Mr. Mike Templeton, Delanco Township Committeeman requested Township Committees consideration to adopt a resolution in opposition to the dumping of dredge spoils by the Army Corps of Engineers in Delanco Township.

Mr. Templeton discussed that in August of 2010, officials from Delanco Township met with officials from NJDEP / Office of Dredging & Sediment Technology, NJDEP / Tidelands, NJDOT / Maritime Resources, New Jersey Attorney General's office, and the US Army Corps of Engineers /Philadelphia District to discuss maintenance dredging of the Delaware River, spoils deposit site selection, and ownership of specified sites.

The Army Corps of Engineers (ACOE) is responsible for maintaining the navigation channel to a depth of 40 feet along the lower reach of the Delaware River from the PA / NJ Turnpike Bridge to Allegheny Avenue in Philadelphia, approximately 18 river miles. The project is a recurring maintenance dredging of the channel that was completed in 1963. The subject site is approximately 35 acres of public access along the Delaware River; the site also houses the municipal composting area that serves Delanco, Edgewater Park, Beverly City and Willingboro Township.

The State of New Jersey through the NJDEP is responsible for providing sites to the ACOE to deposit dredge spoils. Third party, commercial contractors, would conduct the actual dredging and spoils deposit site preparation. The materials deposited on the site will be shipped by truck to other areas; truck activity will impact our communities.

In the state's DMMP plan, CDF's would not be allowed to be dormant and "go to the weeds" as was the historic practice. The site would remain a barren landscape, with intermittent dumping of river dredge spoils, followed by the mining and removal of those spoils by truck.

The ACOE estimates the need for three confined disposal facilities (CDF) along the lower reach of the river. The need for three sites, which are spaced along the project length of the channel, is due to equipment limitations of the dredging machinery.

NJDEP identified four CDF's selected from the list of seven surveyed in 2008:

- Burlington Island (CDF planned with 2 cells & dock for barge shipment of spoils to New York / north Jersey port projects)
- Delanco / Beverly "dunes" located at West Avenue
- Cinnaminson (discussed as a 4th, as needed, CDF)
- Palmyra Cove (spoils to be transshipped to Harrison Avenue, Camden fill site)

Former spoils deposit sites at Hawk Island / Delanco and Newbold Island (near Bordentown) identified in 2008 are not being considered due to endangered species & habitat issues. Mr. Templeton further discussed that clear title and property ownership is clouded in the case of Hawk Island.

The NJDEP filed a civil action suit against Delanco Township for the encroachment onto State owned tidelands along the Delaware River. Mr. Templeton discussed that the actual land ownership area is not clear; he has performed extensive research of maps dating back several decades.

The state's claim would also nearly eliminate the West Avenue Nature Trails that opened in spring 2012 and would destroy land the Township has listed for recreation and open space

preservation under the Green Acres program. Historical maps and charts of the area depict a very different river shoreline and do not support the state's extensive claim. Delanco Township presented documents from municipal and county archives that indicate the township was awarded the dunes tract in its entirety by a state court in 1944. Delanco's municipal composting area (approximately 3 acres) is NJDEP regulated; it lies partially within the area claimed by the state in 2010.

Upon discussion Mayor McElwee moved to adopt a resolution for the September 18th meeting in opposition to the deposition of dredge spoils by the Army Corp of Engineers.

Second by: Mrs. Belgard

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

Any Other Reports – None

REPORT ACCEPTANCE

Moved by: Mrs. Belgard Second: Mr. Pullion

Further 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- 11 William Sherwood for Boy Scout Troop 24, Weimann or Memorial Field, October 5, 2012 – October 7, 2012 9 AM to 5 PM Requesting waiver of fees (Certificate of Insurance on File) 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) Approval contingent upon coordination with EPAA.

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

RESOLUTIONS - CONSENT AGENDA

Motion to Approve Resolution No. 2012-120 through 2012-131 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. Booker

Discussion: None

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

RESOLUTION NO. 2012-120

*Stipulation of Settlement Owner-Edgewater Park Developers
Block 501.01/Lot 1 – 4225 Route 130 South*

WHEREAS, Edgewater Park Developers is the owner of certain property located at 4225 Route 130 South which is identified as Block 501.01, Lot 1 on the tax maps of Edgewater Park Township; and

WHEREAS, Joseph Liberman filed an appeal to the County Board of Tax for said premises for the 2011 tax year; and

WHEREAS, the parties have engaged in settlement negotiations;

WHEREAS, as a result of those settlement negotiations, the following 2012 reduced assessment has been proposed:

2012 Assessment	Original Assessment	Requested Tax Court Judgment
Land:	950,000.00	900,000.00
Total:	950,000.00	900,000.00

WHEREAS, both parties have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into said stipulation; and

WHEREAS, the Township Tax Assessor has been consulted by the Township Attorney with respect to said settlement and has concurred; and

WHEREAS, based upon the foregoing, both parties represent to the Court that the said settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law; and

WHEREAS, interest on the refund is waived by the taxpayer provided the refund is paid as described below; and

WHEREAS, all refunds as a result of said settlement set forth herein are to be applied to the fourth quarter in amount of \$1,161.50;

NOW, THEREFORE, BE IT RESOLVED this 4th day of September 2012 by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that the settlement in this matter as set forth herein above be and the same approved, and the Chief Financial Officer is hereby authorized and directed to refund prior year taxes in the amount of \$1,161.50 for 2012.

RESOLUTION NO. 2012-121
Stipulation of Settlement Owner- Hanold, Robert P Sr & Nan R
Block 404.07/Lot 3 – 1530 Village Court

WHEREAS, Hanold, Robert P Sr & Nan Ris the owner of certain property located at 1530 Village Court which is identified as Block 404.07 Lot 3 on the tax maps of Edgewater Park Township; and

WHEREAS, Hanold, Robert P Sr & Nan Ris filed an appeal to the County Board of Tax for said premises for the 2011 tax year; and

WHEREAS, the parties have engaged in settlement negotiations;

WHEREAS, as a result of those settlement negotiations, the following reduced 2012 assessment has been proposed:

2012 Assessment	Original Assessment	Requested Tax Court Judgment
Land:	163,400.00	163,400.00
Improvements:	536,600.00	386,600.00
Total:	700,000.00	550,000.00

WHEREAS, both parties have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into said stipulation; and

WHEREAS, the Township Tax Assessor has been consulted by the Township Attorney with respect to said settlement and has concurred; and

WHEREAS, based upon the foregoing, both parties represent to the Court that the said settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law; and

WHEREAS, interest on the refund is waived by the taxpayer provided the refund is paid as described below; and

WHEREAS, all refunds as a result of said settlement set forth herein are to be applied to the fourth quarter 2012 taxes in the amount of \$3,484.50;

NOW, THEREFORE, BE IT RESOLVED this 4th day of September 2012 by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that the settlement in this matter as set forth herein above be and the same approved, and the Chief Financial Officer is hereby authorized and directed to refund prior year taxes in the amount of \$3,484.50 for 2012.

RESOLUTION NO. 2012-122

*Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions
In Accordance with the Property Maintenance Code of the
Township of Edgewater Park*

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; and

WHEREAS, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

WHEREAS, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 4th day of September 2012, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**MIGUEL VILLA
BLOCK: 1811 LOT: 34**

ALSO KNOW AS: 203 CARDINAL ROAD
Clean up and law maintenance
Amount: \$275.96

are 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 Tax Collector, Township Auditor, and the Treasurer for their information and any appropriate action.

RESOLUTION NO. 2012-123

*Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions
In Accordance with the Property Maintenance Code of the
Township of Edgewater Park*

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; and

WHEREAS, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

WHEREAS, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 4th day of September 2012, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**YOUNG SOO LIM
BLOCK: 322 LOT: 2**

ALSO KNOW AS: 1333 MT. HOLLY ROAD

Clean up and law maintenance
Amount: \$275.96

are 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 Tax Collector, Township Auditor, and the Treasurer for their information and any appropriate action.

RESOLUTION NO. 2012-124

Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park

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; and

WHEREAS, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

WHEREAS, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 4th day of September 2012, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**FRED AND JOAN SNYDERMAN
BLOCK: 1102 LOT: 14**

ALSO KNOW AS: 120 N GARDEN BLVD
Clean up and law maintenance
Amount: \$275.96

are 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 Tax Collector, Township Auditor, and the Treasurer for their information and any appropriate action.

RESOLUTION NO. 2012-125

Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park

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; and

WHEREAS, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

WHEREAS, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 4th day of September 2012, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**CRAIG AND GWENDOLYN SILLS
BLOCK: 502 LOT: 1.07**

ALSO KNOW AS: 325 GREEN STREET
Clean up and law maintenance
Amount: \$275.96

are 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 Tax Collector, Township Auditor, and the Treasurer for their information and any appropriate action.

RESOLUTION NO. 2012-126

Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park

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; and

WHEREAS, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

WHEREAS, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 4th day of September 2012, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**CHARLES DENNIS
BLOCK: 1703 LOT: 20**

ALSO KNOW AS: 415 SUMMER AVE
Clean up and law maintenance
Amount: \$275.96

are 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 Tax Collector, Township Auditor, and the Treasurer for their information and any appropriate action.

RESOLUTION NO. 2012-127

Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park

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; and

WHEREAS, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

WHEREAS, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 4th day of September 2012, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**ERIC SCHNEIDER
BLOCK: 320 LOT: 1**

ALSO KNOW AS: 1107 BRIDGEBORO ROAD

Clean up and lawn maintenance
Amount: \$275.96

are 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 Tax Collector, Township Auditor, and the Treasurer for their information and any appropriate action.

RESOLUTION NO. 2012-128

Resolution of the Township of Edgewater Park, County of Burlington, State of New Jersey Establishing A Requirement For Members Of The Governing Body To Attend Basic Courses On Their Responsibilities And Obligations In Local Government

WHEREAS, the Legislature has implemented a Best Practices initiative which provides measures and incentives designed to support local governments in planning and managing local budgets more effectively without raising property taxes; and

WHEREAS, included in the Best Practices Checklist is a recommendation that elected officials attend basic courses regarding their responsibilities and obligations in local government; and

WHEREAS, Members of the Edgewater Park Township Committee have voluntarily attended basic educational government related courses and wish to officially mandate said requirements; and

WHEREAS, with before receiving its last state aid payment, the Township will need to certify compliance with the items included on the Best Practices Checklist; and

WHEREAS, these courses shall be coordinated through Rutgers University, the County and State League of Municipalities; Mayors Association; New Jersey Association of Counties; and Joint Insurance Funds.

NOW, THEREFORE, BE IT RESOLVED by the by the Mayor and Township Committee of the Township of Edgewater Pak, County of Burlington, State of New Jersey the Basic Course Requirements for Governing Body Members are as follows:

Each member of the Governing Body shall complete a basic course on their responsibilities and obligations in Local Government in the following subject matters:

- (a) Budgeting;
- (b) Policy Setting;
- (c) Local Government Contracting;
- (d) Risk Management; and
- (e) Open Public Records Act.

NOW, THEREFORE, BE IT FURTHER RESOLVED upon completion of these courses, members shall not be required to repeat these courses in any subsequent term as a member of the Governing Body.

RESOLUTION NO. 2012-129
Resolution Authorizing Refund Of Overpayment
Due to Double Payment of 2012 Taxes

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 903 Lot 36
Jeremias Villaronga
526 Otto Ave
Make Check Payable to:
Citimortgage
PO Box 23689
Rochester, NY 14629
\$58.18
Double Payment

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

RESOLUTION NO. 2012-130

Resolution Authorizing a Shared Services Agreement with the Burlington County Bridge Commission for Police Vehicle Graphics/Striping

WHEREAS, N.J.S.A. 40A: 65-9 authorizes any local unit that performs a service on behalf of one or more local units that are parties to an agreement that utilizes a private contractor to perform all or most of that service, then that local unit shall award the contract for the work to be performed by a private contractor under the agreement in accordance with the "Local Public Contracts Law" P.L. 1971, c. 198 et seq.; and

WHEREAS, the Burlington County Bridge Commission has launched a police vehicle graphics/striping shared service initiative; and

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous of entering into the shared service program and further authorizes the Chief of Police to provide vehicle information, emblems, decals, color/dye information to the Burlington County Bridge Commission.

BE IT RESOLVED, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, authorizes the shared service initiative.

RESOLUTION NO. 2012-131

Authorizing Change Order No.1 for Additional Work Performed at the Woodlake Park Project

WHEREAS, the Township of Edgewater Park solicited bids for the Woodlake Park Improvement Project; bids were opened on March 1, 2012; and

WHEREAS, Resolution 2012-49 adopted on March 6, 2012, authorized award of contract to F&P Contractors, Inc, 659 Washington Avenue, South Amboy, NJ 08879 in the amount of Two Hundred Eighteen Thousand, Ninety-Nine Dollars and Zero Cents (\$218,099.00); and

WHEREAS, there is a need to perform additional site improvements in the form increase surface course, debris removal and water fountain; and

WHEREAS, by change order dated August 30, 2012 the cost of \$14,682.00 was submitted for the additional work performed with a revised total contract price of \$232,781.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that Changed Order No. 1 is hereby approved for an additional \$14,682.00 relating to additional improvements for the project.

ORDINANCES:

ORDINANCE NO. 2012-7

A Bond Ordinance of the Township of Edgewater Park, in the County of Burlington, Authorizing the Construction of Improvements at Weimann Field; Appropriating the Sum of \$400,000 Therefore and Authorizing the Issuance of \$380,000 Bonds or Notes of the Township for Financing such Appropriations; And Making Certain Determinations and Covenants and Authoring Certain Related Actions in Connection with the Foregoing.

First Reading: The above stated ordinance will be consider for adoption of final reading and public hearing to be held on September 18, 2012 at 7:30 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

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

Section 1. The improvements described in Section 3 of this Ordinance are hereby authorized to be undertaken by the Township of Edgewater Park (the "Township"), situate in the County of Burlington, New Jersey as general improvements. For the improvements described in Section 3, there is hereby appropriated the sum of \$400,000 including the sum of \$20,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision purposes in the Township's dedicated open space trust fund account.

Section 2. In order to finance the cost of the purposes or improvements and to meet the part of said \$400,000 appropriation not provided for by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$380,000 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

<u>Purpose/ Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Construction of Lighting and Other Recreation Improvements at Weimann Field, Including the Acquisition of all Materials and Performance of all Work Necessary Therefore and Incidental Thereto.	\$400,000	\$20,000	\$380,000	15 years

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$380,000.

(c) The estimated cost of the improvement or purpose is \$400,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefore being the amount of \$20,000, the down payment and grant monies for said purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Township's financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the financial officer. The financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8(a). The financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The financial officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser. The financial officer is authorized and directed to comply with all post-issuance requirements under the Internal Revenue Code of 1986, as amended, to insure that the interest on such bonds or notes remains exempt from gross income for federal income tax and New Jersey Gross Income Tax Act purposes, if so sold, and to make any and all determinations or elections necessary or desirable with regard to such tax status and may invest the proceeds of any such sale in accordance therewith.

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

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

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

(b) The average period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, taking into consideration the respective amounts of bonds or notes, is not less than 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$380,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$29,000 for items of expense listed in and permitted under N.J.S.A. §40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The financial officer is authorized to designate such bonds or notes as "Qualified Tax Exempt Obligations" pursuant to I.R.C. Section 265 so long as the Township has not issued other such obligations beyond the limitations set forth in the Internal Revenue Code of 1986, as amended.

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

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

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

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

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

Moved by: Mayor McElwee Second: Mrs. Belgard

Discussion: Committee discussed that the capital ordinance project is for lighting and other improvements to Weimann Sports Complex; the Township received a \$250,000 grant through the Burlington Municipal Park Improvement Program.

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

REPORT OF OFFICIALS

Committeeman Booker: Liaison to the Recreation Committee

Mr. Booker reported he is researching a document from the Homeland Security which addresses family support planning for natural disasters. Mr. Booker further stated he will eventually forward the information to emergency management and the police department.

Mrs. Belgard discussed whether the Recreation Committee will have a Holiday light decoration contest in Town. Mr. Booker stated he has started researching rules and regulations for the competition. Mrs. Belgard further commented that Lorraine Hatcher of Riverside may have information.

Committeewoman Belgard: Liaison to the Senior Advisory Committee/Planning Board

Mrs. Belgard further discussed that the Senior Advisory Committee will meet next Wednesday, September 12th at 3PM at the municipal building.

Mrs. Belgard further discussed that the next Planning Board meeting will be held on September 20th at 7PM at the municipal building.

Committeeman Pullion: Liaison to Redevelopment Committee

Mr. Pullion discussed that he is researching the expansion of the Bass Pro Shop for Edgewater Park; the organization is expanding in New Jersey.

Committeeman Kercher: Liaison to the School Board:

Mr. Kercher reported that the meeting was held last week at Ridgway School; Schools reopen this week. Mr. Kercher further reported that Magowan School is having a courtyard rain garden fundraiser, interested parties can buy plants for the courtyard. He further that Mr. Darji, Environmental Resolutions Inc. (township engineers) for their donation and contributions to the project.

Mr. Kercher further discussed that on Friday, September 7, 2012 that the School is hosting a "Welcome Back" parade for Magowan School students on Cherrix, Otto and Washington Avenues; parade will commence at approximately 2PM.

Mayor McElwee: Liaison to Neighborhood Watch/ Liaison to EPAA

Mayor McElwee reported the next Neighborhood Watch meeting September 27th at 6:30 at Ridgway School; presentation will be on technology dependence and impact on families.

Mayor McElwee reported EPAA's next meeting is Tuesday, September 11th at 45th Street Pub at 8:30 PM.

Mayor McElwee also reported Soccer Opening Day is on September 22nd with a rain date on the 23rd rain date. EPAA's Fall Soccer Kickoff is on September 28th at the Elks from 7:00 PM – 11:00 PM.

APPROVAL OF BILLS

Approval of Bills from August 20, 2012 through September 4, 2012

Moved by: Mr. Booker Second: Mr. Kercher

Discussion: Township Committee questioned various items on the list; response by Mrs. Peak, CFO.

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

APPROVAL OF MINUTES

July 17, 2012 and August 21, 2012 Open Session

Moved by: Mayor McElwee Second: Mr. Pullion

Discussion: None

Roll Call: Mrs. Belgard-yes, Mr. Booker -yes, Mr. Kercher- abstain, Mr. Pullion-yes but abstain on 7-17-12, Mayor McElwee -yes

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

Ms. Joan Addiego, 128 Lafayette Road, stated that the upgrades at Woodlake Park are beautiful. Ms. Addiego further commented she does not like the trash can located behind her property because it is often overflowing with trash and may cause a haven for bees; she would like it removed.

Mr. Darji discussed the trash cans were posted strategically where people will be congregating. The receptacle is located approximately 85 feet from the fence line. Mr. Darji stated the contractors could relocate an evergreen tree to obstruct the view of the trash can.

Mrs. Dougherty will also inform Mr. Painter about the trash situation.

Mr. Noel Rainey, 7 Spring Lane, stated the Kings Property has not been maintained specifically the trees are overgrown and hitting homes; this problem also exists with the Public Storage facility maintaining their landscaping in their retention pond.

Mr. Rainey further discussed that regarding the fixture upgrades at Weimann Clubhouse the Flushmatic brand toilets have been recalled because they have been exploding and there is a kit that repair the problem.

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

THERE WAS NO OTHER BUSINESS

CLOSED SESSION RESOLUTION NO. 2012-132

Where it is necessary to discuss the Township's affordable housing obligation. Where it is necessary to discuss items falling under litigation and or attorney client privilege including but not limited to abandoned and/or property violations. 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: Mrs. Belgard Second: Mr. Kercher Time: 9:20 PM

Mayor McElwee reported that Committee does not anticipate conducting any other business at the conclusion of closed session.

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

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mrs. Belgard Second: Mr. Pullion Time: 10:30PM

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

John McElwee

John McElwee, Mayor

Linda M. Dougherty

Linda M. Dougherty, RMC/Administrator