

**TOWNSHIP OF EDGEWATER PARK  
MINUTES-OCTOBER 18, 2011**

Mayor Booker called the meeting to order at 7:10 PM

**FLAG SALUTE**

**Open Public Meetings Act Statement**

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

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Township Committee in the following manner:

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 11, 2011.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 11 2011.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 11, 2011.

Present: Mrs. Aimee Belgard, Mr. Scott Kercher, Mr. John McElwee, Mr. Joseph Pullion arrived at 7:07 PM, Mayor Darrell Booker (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works (Public), Mr. William Kearns, Solicitor (Public and Closed) Linda M. Dougherty, Clerk/Administrator (Public and Closed), Mrs. Peak, CFO (Public) and Mr. Rakesh Darji, Township Engineer (Public and Closed)

**DISCUSSION(S)/PRESENTATION(S):**

**DECLARING OCTOBER AS “BREAST CANCER AWARENESS MONTH”**

**WHEREAS**, cancer is the second most common diagnosis leading to death in the United States, and breast cancer is the most commonly diagnosed cancer in women of every race/ethnic group in New Jersey; and

**WHEREAS**, New Jersey has the dubious distinction of consistently ranking in the top ten states in the nation for breast cancer incidence and mortality; and

**WHEREAS**, early detection, routine screening, regular mammograms can substantially reduce the chance of death from breast cancer; and

**WHEREAS**, since 1989, death rates have declined an average of 1.8% per year. This is primarily due to earlier detection through patient awareness and routine mammography screening allowing patients greater treatment options and improved chances for successful treatment. There is a 98% survival rate through early detection and treatment; and

**WHEREAS**, three types of breast examinations have proven to assist in early

detection: routine mammography, yearly clinical breast exams, and monthly breast self-examination; and

**NOW, THEREFORE, BE IT PROCLAIMED**, that the Township Committee of the Township of Edgewater Park does hereby recognize **October, 2011** as **BREAST CANCER AWARENESS MONTH** in the Township of Edgewater Park and the County of Burlington.

**BE IT FURTHER PROCLAIMED**, that the Edgewater Park Township Committee urges all Township residents to take advantage of the information available to learn all they can about this terrible disease and support programs and initiatives for early detection, treatment and research.

Moved by: Mrs. Belgard

Second: Mr. McElwee

Hearing no discussion:

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

#### **APPOINTMENTS/RESIGNATIONS:**

Appointment of Michael Stallone as permanent Electrical Inspector with the Edgewater Park Inspections Department effective September 27, 2011 (*certification # OL111123*)

Moved by: Mayor Booker

Second: Mr. Kercher

Hearing no discussion:

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

#### **REPORTS**

***Report from Municipal Clerk/Administrator is appended hereto.***

*Review Committee for Professional Services*

Mrs. Belgard requested a copy of the RFQ's be made available for all of Township Committee.

Mrs. Dougherty discussed that original proposals are in the office and will be available for Township Committee members.

*Fee Schedule Ordinance*

Township Committee reviewed the proposed fee scheduled ordinance; further review was required.

*Dog and Cat Ordinance*

Township Committee discussed various options including partnering with organizations concerning feral cat programs.

***Report from the Engineer is appended hereto.***

*Grant Applications*

Mr. Darji reviewed grant applications for the 2012 NJ Municipal Aid, Bikeways and Safe Streets to Transit; grants are due by September 23, 2011. Resolutions authorizing the applications are on the agenda.

*FEMA Mitigation Funding*

Bogg's Ditch: Mr. Darji reviewed that the majority of the storm easement is located in Delanco Township; Delanco has expressed that there is no clear ownership of the property. Upon further discussion consensus of Committee was to have Mrs. Dougherty reached out to Congressman Runyan's office for assistance.

*Emergency Management - Generator*

Upon discussion consensus of Committee was to have Mr. Painter evaluate what is needed to have a generator hook up at the municipal building and purchase of a unit.

***Report from the Tax Collector is appended hereto.***

***Report from the Chief of Financial Officer is appended hereto.***

***There were no other reports.***

**REPORT ACCEPTANCE**

Moved by: Mayor Booker Second: Mrs. Belgard

Hearing no discussion:

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

**AUTHORIZATIONS/CONSIDERATIONS: NONE**

**RAFFLE APPLICATION: NONE**

**RESOLUTIONS**

**CONSENT AGENDA**

Motion to Approve Resolution No. 2011-132 through 2011-134 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

Discussion:

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

**RESOLUTION NO. 2011-132**

***Award of Contract to South Jersey Sanitation in the sum of \$111,480.96 for 'Historic Riverfront Neighborhood Solid Waste Collection Program'***

WHEREAS, the Township Committee of the Township of Edgewater Park requested, received, opened and read in public on Friday, October 8, 2009 at the Township of Edgewater Park, 400 Delanco Road, Edgewater Park, NJ bids for solid waste collection; and

WHEREAS, by letter dated October 19, 2009, AVR Resource Group, Inc. (AVR) as Contract Administrator submitted a recommendation to award said contract whose proposal was responsive and meets requirements under and N.J.S.A. 40A:11-23 et seq and PL 2004c57.; and

WHEREAS, said contract provided solid waste collection and disposal services for a period of one year with two (2) one (1) year options, which commenced on December 1, 2009 and end on November 30, 2012 in accordance with the terms of the Bid Specifications and N.J.A.C.7:26H-6 et seq; and

WHEREAS, the Township by Resolution No. 2009-151 on November 10, 2009, said contract was awarded to South Jersey Sanitation, located at 253 N. White Horse Pike, Bldg E., Hammonton, New Jersey, 08037, for solid waste collection and disposal services for one time per week, in the first year amount as follows:

Number of Units	Price Per Unit	Cost Per Month	Annual cost
1873	\$4.88	\$9,140.24	\$109,682.88

WHEREAS, the Township by Resolution No. 2010-139 on November 9, 2010 the Township exercised the second year option to South Jersey Sanitation, for solid waste collection and disposal services for one time per week, in the second year amount of \$111,480.96 as follows:

Number of Units	Price Per Unit	Cost Per Month	Annual cost
1873	\$4.96	\$ 9290.08	\$111,480.96

WHEREAS, it appears to be in the best interest of the Township exercise the third year option to South Jersey Sanitation, for solid waste collection and disposal services for one time per week, in the third year amount of \$113,279.04 as follows:

Number of Units	Price Per Unit	Cost Per Month	Annual cost
1873	\$5.04	\$ 9439.92	\$113,279.04

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 18<sup>th</sup> day of October, 2011, that the third year option of the solid waste contract be authorized to South Jersey Sanitation; and

BE IT FURTHER RESOLVED, this resolution will be on file and available for public inspection in the Office of the Clerk of the Township of Edgewater Park.

**RESOLUTION NO. 2011-133**

***Resolution Authorizing the Purchase of a Ford F-450 Dump Truck with Equipment and the Execution of an Application for the Lease Purchase of said Truck***

WHEREAS, the Township of Edgewater Park is desirous of purchasing a 2012 Ford F-450 Dump Truck with equipment for the Public Works Department; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11-12, any local contracting unit may without advertising for bids, purchase any goods or services under any contract or contracts for such goods or services entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will award said contract, for the total purchase price of \$62,815.00 to Winner Ford ; and

WHEREAS, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, further desires to enter into a contract with Ford Motor

Credit Company under a lease payment schedule for the years 2011, 2012, 2013, 2014 and 2015 for annual lease payment installments of \$ 13,930.42; and

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

**BE IT RESOLVED** that Linda M. Dougherty, Administrator/Municipal Clerk is hereby authorized to execute said contract.

**RESOLUTION NO. 2011-134**

***A Resolution Of The Township Committee Of The Township Of Edgewater Park, Burlington County, New Jersey, Authorizing A Bonfire To Be Held At 744 Cooper Street also known as Memorial Field in Edgewater Park, NJ on November 12, 2011  
Rain date of November 19, 2011.***

**WHEREAS**, the Township Committee of the Township of Edgewater Park received a request from the Edgewater Park Athletic Association to hold a Bonfire on Saturday, November 12, 2011 with a rain date of November 19, 2011 in conjunction with the end of season Soccer Party to be held on the grounds of 744 Cooper Street also known as Memorial Field in Edgewater Park, NJ; and

**WHEREAS**, the Edgewater Park Township Committee wishes to support and join the Edgewater Park Athletic Association in this event and have jointly submit an application for open fire permit to the Edgewater Park Fire District No. 1; and

**WHEREAS**, said permit was issued by the Edgewater Park Fire District No. 1 on October 12, 2011; and

**WHEREAS**, the Edgewater Park Athletic Association provided an insurance policy with the Township of Edgewater Park as an additional named insured.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Edgewater Park, in Burlington County, New Jersey, assembled in public session on this 18th day of October 2011, that the Township Committee authorizes the Bonfire on Saturday, November 12, 2011 rain date of November 19, 2011 in conjunction with the end of season Soccer Party on the grounds of 744 Cooper Street also know as Memorial Field, Edgewater Park, New Jersey, subject to the following conditions:

1. Edgewater Park Athletic Association shall comply with all requirements established by the Edgewater Park Fire Official and the Edgewater Park Township Police Chief.

**ORDINANCES:**

**ORDINANCE NO. 2011-7: (SECOND READING AND PUBLIC HEARING)**

**A Bond Ordinance of the Township of Edgewater Park, in the County of Burlington, New Jersey Authorizing the Acquisition of a 2012 Vehicle for Use by the Township's Police Department; Appropriating the Sum of \$50,000 therefore; Authorizing the Issuance of \$47,500 Bond or Notes of the Township to Finance said Acquisition; and Making Certain**

**Determinations and Covenants and Authorizing Certain Related Actions in Connection with the Foregoing.**

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

**Section 1.** The capital property described in Section 3 of this Ordinance is hereby authorized to be acquired by the Township of Edgewater Park (the "Township"), situate in the County of Burlington, New Jersey a general improvement. For the purpose described in Section 3, there is hereby appropriated the sum of \$50,000, including the sum of \$2,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the purpose and to meet the part of said \$50,000 appropriation not provided for by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$47,500 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 capital property hereby authorized and the purpose 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. Acquisition of a 2012 Chevrolet Tahoe vehicle for the use of the Township’s Police Department, including the acquisition of all related materials, equipment and performance of all work necessary therefore and incidental thereto.	\$50,000	\$2,500	\$47,500	5 years

(b) The estimated maximum amount of bonds or notes to be issued for the purpose is \$47,500.

(c) The estimated cost of the purpose is \$50,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefore being the amount of \$2,500, the down payment 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 purpose described in Section 3(a) of this ordinance is not a current expense. It is a purpose that the Township may lawfully undertake as a general improvement, 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 purpose 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 five (5) 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 \$47,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$3,000.00 for items of expense listed in and permitted under N.J.S.A. §40A:2-20 is included in the estimated cost indicated herein for the purpose.

(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 purpose or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The full faith and credit of the Township is 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.

**OPEN TO THE PUBLIC FOR ORDINANCE 2011-7 ONLY:** The Mayor opened this portion of the meeting to public comment:

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

Moved by: Mayor Booker

Second: Mrs. Belgard

Hearing no discussion:

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

#### **ORDINANCE NO. 2011-10: FIRST READING**

**An Ordinance to Amend Sections of Chapter XVI, Land Development Ordinance and Ordinance No. 2010-4, Township of Edgewater Park, Burlington County, New Jersey**

**WHEREAS**, the Township of Edgewater Park was engaged in litigation in the New Jersey Superior Court regarding zoning standards calling for a 6-acre minimum lot size, and it is evident that the 6-acre minimum is not appropriate and that revised zoning standards must be established, and;

**WHEREAS**, On August 3, 2011 a Fairness Hearing was held in Burlington County Superior Court for the case captioned In the Matter of the Application of the Township of Edgewater Park and the purpose of the Hearing was for the Court to determine whether Edgewater Park's third round declaratory judgment action should be dismissed with the Township being granted immunity and repose against exclusionary zoning challenges and builder's remedy suits until there are new third round rules established by regulation, statute or decision of a court with appropriate jurisdiction.

**WHEREAS**, On August 3, 2011 the case was dismissed without prejudice with the Township of Edgewater Park ordered to meet certain requirements.

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

SECTION 1: § 16-82.9 R-LD Residential, Low-Density District is hereby modified as follows:

§ 16-82.9.1 R-7 RESIDENTIAL, LOW-DENSITY DISTRICT.

- (e) A minimum of 20 percent of all residential units approved on Block 404.06, Lot 1 and Block 203, Lots 3Q Farm and 3.02 shall be low and moderate income housing pursuant to the Council on Affordable Housing ("COAH" regulations at N.J.A.C. 5:97 *et seq.* and the Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 *et seq.*

Both Tracts should be developed together as one inclusionary development with 20% of the total permitted units (87 total units) to be provided as affordable, non-senior units (17 affordable units). The phasing requirements as set forth in the Township's fair share ordinance shall pertain to both tracts so that they are treated as one. Specifically, before 25% + 1 of the total number of approved market rate units on both tracts are constructed, the developer must have completed as least 10% of the total affordable units, etc."

SECTION 2: § 16-82.21 R-8 Single-Family Residential District.

(D) Council on Affordable Housing

- (1) A minimum of 20 percent of all residential units approved on Block 404.06, Lot 1 and Block 203, Lots 3Q Farm and 3.02 shall be low and moderate income housing pursuant to the Council on Affordable Housing ("COAH" regulations at N.J.A.C. 5:97 *et seq.* and the Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 *et seq.*

Both Tracts should be developed together as one inclusionary development with 20% of the total permitted units (87 total units) to be provided as affordable, non-senior units (17 affordable units). The phasing requirements

as set forth in the Township's fair share ordinance shall pertain to both tracts so that they are treated as one. Specifically, before 25% + 1 of the total number of approved market rate units on both tracts are constructed, the developer must have completed as least 10% of the total affordable units, etc."

This ordinance will be consider for adoption of final reading and public hearing to be held on December 6, 2011, at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Moved by: Mayor Booker

Second: Mrs. Belgard

Hearing no discussion:

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

### **ORDINANCE NO. 2011-11: FIRST READING**

#### **An Ordinance of the Township of Edgewater Park Adopting a Redevelopment Plan Pursuant to the Provisions of N.J.S.A. 40A:12A-7**

**WHEREAS**, the Planning Board of the Township of Edgewater Park has previously prepared a "Preliminary Investigation to make a determination regarding a redevelopment area which identified certain specified areas within the Township of Edgewater Park in need of redevelopment and/or rehabilitation according to the criteria establishing by N.J.S.A. 40A:12A-5."

**WHEREAS**, on May 4, 1998, the Township's Planning Board held a hearing for public comment and input regarding the investigation and adopted a resolution recommending the establishment of a redevelopment area as delineated in the Investigation;

**WHEREAS**, on May 4, 1998, the Township Committee adopted a resolution establishing the area delineated in the investigation to be the redevelopment area;

**WHEREAS**, the Township Committee, has prepared a redevelopment plan, in accordance with N.J.S.A. 40A:12A-7, which is consistent with the Master Plan of the Township of Edgewater Park.

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

1. The Redevelopment Plan (attached hereto) prepared in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7, et seq. is hereby approved and adopted and incorporated herein and made part hereof.
2. The Edgewater Park Township Zoning Map is hereby amended to coincide with the redevelopment plan adopted by virtue of this Ordinance.

3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a Court competent jurisdiction, such decision shall not effect the validity of this Ordinance as a whole or any part thereof.
4. All Ordinances or parts of ordinances of the Township of Edgewater Park heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
5. This Ordinance shall take effect immediately upon its final passage and notice of adoption shall be published as provided by law.

This ordinance will be consider for adoption of final reading and public hearing to be held on December 6, 2011, at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

Moved by: Mrs. Belgard

Second: Mr. Kercher

Hearing no discussion:

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

## **REPORT OF OFFICIALS**

### ***Committeeman Kercher:***

Liaison to the Environmental:

Mr. Kercher reported the Environmental Advisory Committee discussed that anyone who is interested in serving on the Green Team to attend their meetings, held on the second Tuesday of each month, 7:30PM or to just let him know.

Mr. Kercher also stated Public Works employee and member of the Environmental Committee will be attending the NJ Federation of Conference.

Liaison to the School Board:

Mr. Kercher reported that the next Edgewater Park Board of Education meeting will be held on October 25<sup>th</sup>, Jacque School at 7PM.

### ***Committeewoman Belgard:***

Liaison to Senior Advisory:

Mrs. Belgard reported Senior Advisory Committee resumed their meetings last Wednesday; Computer classes began on the 11<sup>th</sup> and are going to continue through November at Ridgway 3:30 -430.

Mrs. Belgard further stated their will be a joint meeting with Neighborhood Watch on November 21 at 6:30 PM to discuss Elder Law.

Mrs. Belgard further stated there will be a notice in the Beverly Bee discussing Medicare open enrollment next month October 15 –December 7<sup>th</sup>.

Mrs. Belgard also stated the next meeting is on November 9, 2011 at 3 PM.

Liaison to Planning Board:

Mrs. Belgard reported Planning Board will meet on Thursday, October 20 at 7 PM.

***Committeeman McElwee:***

Liaison to Neighborhood Watch:

Mr. McElwee reported Neighborhood Watch will have a Bake Sale/Car Wash on October 22, 2001 at 45<sup>th</sup> Street Pub from 9 am -2 pm.

Mr. McElwee reported the next meeting is on October 27 the meeting will include a presentation on Halloween safety and costume party.

Liaison to EPAA:

Mr. McElwee deferred to Mr. Steve Bruneau, President of the EPAA; Mr. Bruneau submitted a report which is appended hereto.

Mr. Bruneau further discussed Burlington City Soccer donated nets for the program.

The next meeting will on November 15<sup>th</sup> at 8:30 at the 45<sup>th</sup> Street Pub.

***Mayor Booker***

Mayor Booker reported with regret the resignation of Mrs. Judith Hall from the Planning Board; she will continue to be involved with Senior Advisory Committee and Redevelopment Committee.

Mayor Booker discussed that the EPAA social was a great event and well attended by Edgewater Park residents.

Mr. Booker further requested Mr. Kercher reach out to Mrs. Stellwag from Ridgway to provide music for the Tree Lighting on December 8<sup>th</sup> at the Municipal Building.

**APPROVAL OF BILLS**

*Approval of Bills* from October 4, 2011 through October 14, 2011.

Moved by: Mr. McElwee Second: Mr. Kercher

Hearing no discussion:

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

**APPROVAL OF MINUTES**

August 16, 2011 closed session, September 6, 2011 open

Moved by: Mr. Kercher Second: Mr. McElwee

Hearing no discussion:

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

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

*Mr. Dennis Robbins, 9 Crystal Drive*, questioned whether the recycling buckets that are being purchased would apply to rental units recycling.

Mr. Painter discussed that recycling is a requirement for all residential and non-residential properties.

*Mr. Robbins* further questioned whether the public works truck is a purchase lease agreement. *Mrs. Dougherty* discussed that it is a lease purchase agreement.

*Mr. Robbins* also question how much the assessed value dropped from the 2011 appeals. *Mrs. Dougherty* discussed that there is still one more appeal; estimated loss tax revenue for 2011 is \$60,000; the township is obligated to cover all appeal revenue losses including the school, county, fire district, etc.

*Mr. Robbins* further reported about a parked car on Forrestal Drive. Upon discussion, Township Committee requested Environmental Resolutions to make a recommendation if the area can become a no-parking zone.

*Mr. Noel Rainey, 7 Spring Lane*, requested signs for no parking during the storm to address the vehicle parking on Forrestal Drive.

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

## **THERE WAS NO OTHER BUSINESS**

### ***Resolution No. 2011-135 Closed Session***

*Where it is necessary to discuss sale of public property; Block: 1202 Lot 4.01. Where it is necessary discuss personnel contractual matters. 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: Mrs. Belgard Second: Mr. Kercher Time: 8:27PM

Hearing no discussion:

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

**THERE WAS NO OTHER BUSINESS**

**ADJOURN**

Moved by: Mr. Kercher Second: Mr. Pullion Time: 09:30 PM

Hearing no discussion:

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

*Darrell Booker*

Darrell Booker, Mayor

*Linda M. Dougherty*

Linda M. Dougherty, RMC/Administrator