

**TOWNSHIP OF EDGEWATER PARK
MINUTES
FEBRUARY 15, 2011**

Mayor Booker 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 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. Kercher, Mr. John McElwee, Mayor Darrell Booker
(Committee Members)

Absent: Mr. Joseph Pullion

Also present: Mr. Robert Brian, Chief of Police (Closed and Public), Mr. Aubrey Painter, Superintendent of Public Works (Public and Closed), Mr. William Kearns, Solicitor (Closed and Public), Margaret Peak, Chief Financial Officer and Tanyika Johns, Deputy Clerk (Closed and Public)

DISCUSSION(S)/PRESENTATION(S): NONE

PROCLAMATIONS

NEA'S Read Across America and Read Across America-NJ

WHEREAS, the citizens of Edgewater Park stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

WHEREAS, Edgewater Park Township has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's *Read Across America*, a national celebration of reading on March 2, which would have been the 107th Birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, *Read Across America –NJ* is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UAW, Staples, and their local affiliates across the state;

NOW, THEREFORE, BE IT RESOLVED that the Township of Edgewater Park calls on the citizens of Edgewater Park to assure that every child is in a safe place reading together with a caring adult on March 2, 2011;

AND BE IT FURTHER RESOLVED that this Township Committee enthusiastically endorses **NEA’S *Read Across America*** and ***Read Across America-NJ***, and recommitts our community to engage in programs and activities to make America’s children the best readers in the world.

Moved by: Mrs. Belgard

Second: Mr. Kercher

Discussion: Mayor Booker discussed this was a yearly event held across the country. Mayor Booker and Mrs. Belgard participated last year. Anyone who would like to read should contact Magowan.

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

"National Wear Red Day for Women"

WHEREAS, diseases of the heart are the nation's leading cause of death and stroke is the third leading cause of death;

WHEREAS, cardiovascular diseases (CVD) claim the lives of nearly 455,000 American females each year or about one death per minute;

WHEREAS, each year, 53 percent of all cardiovascular disease deaths occur in females, as compared to 47 percent in men, and nearly 30,400 more females than males die from a stroke;

WHEREAS, in 2010 the estimated direct and indirect cost of cardiovascular diseases and stroke in the U.S. is estimated at \$475 billion;

WHEREAS, more women die of cardiovascular disease than the next five leading causes of death combined, including all cancers;

WHEREAS, one in 2.7 women die from cardiovascular disease and 64 percent of women who die suddenly from coronary heart disease have no previous symptoms;

WHEREAS, February is designated as American Heart Month;

WHEREAS, Go Red For Women is the American Heart Association's national movement to make women aware of their risk for heart disease—the leading cause of death for women—and to empower women to make choices and take action to reduce that risk;

WHEREAS, all women should learn their own personal risk for heart disease, using tools such as the American Heart Association's Go Red For Women Heart CheckUp, Go Red BetterU and by talking to their healthcare provider;

NOW, THEREFORE, the Mayor and the Township Committee of the Township of Edgewater Park, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 4, 2011 to be

"National Wear Red Day for Women"

in the Township of Edgewater Park and urge all citizens to "go red" for the day and wear red on February 4, 2011 to call attention to the magnitude of cardiovascular disease in women, and as a show of support to fight it, as well as in recognition of family, friends and neighbors who have suffered from cardiovascular disease. By increasing awareness of the risk factors for this devastating disease and taking actions to reduce them, we can save thousands of lives each year.

Moved by: Mr. McElwee Second: Mrs. Belgard

Hearing no discussion:

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

REPORTS

Report from Municipal Clerk/Administrator is appended hereto.

Animal Control Services

Upon discussion, Township Committee requested Mr. Kearns to provide a cat license ordinance. Township Committee requested information on how many other towns in Burlington County currently have cat licensing.

Motion to approve Chief Robert Brian to negotiate a contract for Animal Control Services with Willingboro Township.

Moved by: Mayor Booker Second: Mr. Kercher

Hearing no discussion:

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

Municipal Recreation Grants

Motion to approve Environmental Resolutions as the Project Administrator for the Municipal Recreation Grant.

Moved by: Mr. McElwee Second: Mr. Kercher

Hearing no discussion:

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

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, Mayor Booker-yes

AUTHORIZATIONS/CONSIDERATIONS: NONE

APPOINTMENTS/RESIGNATIONS: NONE

FUNCTION APPLICATIONS:

Public Functions: NONE

Solicitor's Permit:

McKinley Faulcon – Authorization to Solicit donations on behalf of the American Heart Association (letter of permission from owner submitted) from May 1, 2011 through July 31,

2011 at Pathmark; request fee waiver. All appropriate documentation have been filed, Application fee has been collected 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 application

Moved by: Mayor Booker

Second: Mrs. Belgard

Hearing no discussion:

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

RESOLUTIONS

RESOLUTION NO. 2011-30

**Resolution Authorizing Execution of an Interlocal Services Agreement
Between
the Township of Edgewater Park and
the Edgewater Park Township Sewerage Authority for Motor Vehicle
Fuel**

WHEREAS, the Township of Edgewater Park, pursuant to the terms and provisions as set forth in an Interlocal Services Agreement, a copy of which is attached hereto and made a part hereof, desires to enter into an interlocal services agreement with the Edgewater Park Sewerage Authority pursuant to N.J.S.A. 40:8A-1, et. seq.; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that the Mayor and/or Clerk are hereby authorized to execute said agreement for the term of two (2) years commencing February 1, 2011, and terminating on January 31, 2013.

Motion to Table Resolution No. 2011 - 30 until the March 1, 2011.

Moved by: Mrs. Belgard

Second: Mayor Booker

Hearing no discussion: Mr. Kearns stated the resolution tabled until questions with the Sewer Authority solicitors

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

Motion to Approve Resolution No. 2011 - 31 through 2011-34 by consent agenda; if any items on the consent agenda require discussion, it shall be removed from the consent agenda to the regular agenda.

Moved by: Mrs. Belgard

Second: Mr. McElwee

Hearing no discussion:

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

Resolution No. 2011-31

*Authorizing the Burlington County Highway Department-
Division of Mosquito Control to Perform Aerial
Surveillance and Treatment*

WHEREAS, the Burlington County Highway Department-Division of Mosquito Control anticipates the resumption of its aerial surveillance and treatment program on or about April 1, 2011 and continuing through November 18, 2011; and,

WHEREAS, Aerial spraying is also a tool for controlling adult mosquitoes, found to be carrying the West Nile and other mosquito borne viruses; and,

WHEREAS, regulations of the Federal Aviation Administration require that this Division obtain written approval from the local governing body where operations are conducted,

WHEREAS, all insecticides and aircraft to be used are those approved for aerial application by both State and Federal governments.

WHEREAS, larvicide applications will be made by helicopter by licensed commercial applicator(s) contracted by the Division of Mosquito Control.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Edgewater Park, County of Burlington, State of New Jersey, that Burlington County Highway Department-Division of Mosquito Control is authorized to apply pesticides from aircraft to control mosquitoes over portions of the Township of Edgewater Park, found to have a significantly high mosquito population and may present either a public health, nuisance or disease factor.

BE IT FURTHER RESOLVED that Burlington County Highway Department-Division of Mosquito Control shall notify the Burlington County Central Communications prior to each and every aviation activity.

RESOLUTION NO. 2011-32

RESOLUTION AUTHORIZING APPROVAL OF IRREVOCABLE CASH DEPOSIT WITH FIBER TECHNOLOGIES NETWORKS LLC

WHEREAS, Fiber Technologies Networks LLC wishes to post an Irrevocable Cash Deposit Letter No. 2011-1 in favor of the Township of Edgewater Park to guarantee the satisfactory maintenance of the improvements to commence on or about January 17, 2011, and;

WHEREAS, Fiber Technologies Network, LLC wishes to place such deposit with the Township in cash in the amount of \$1,500.00 in lieu of a letter of credit or maintenance guarantee;

WHEREAS, Township code section 16.32.030(c) provides for deposits in the form of cash or letter of credit;

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

The Chief Financial Officer may accept a cash deposit from Fiber Technologies Network, LLC, pursuant to the terms and conditions as outlined in the attached Irrevocable Deposit Letter No. 2011-1.

RESOLUTION NO. 2011-33

Resolution Authorizing the Cancellation of Totally Disabled Veteran for Frank H Rigg, Jr and Barbara Horowitz-Rigg Located at Block 404.08 Lot 11 Qualifier CL006 Tax Year 2011 and Thereafter and Refunding Taxes Paid

WHEREAS, the owner of real property located at Block 404.08 Lot 11 Qualifier CL006 has made application for a Totally Disabled Veteran to the Edgewater Park Tax Assessor which has been accepted in accordance with N.J.S.A. 54:4-3.30 A and 54:4-3.32, and

WHEREAS, the Edgewater Park Tax Assessor has approved the cancellation of taxes for 2011 on real property located at Cooper Valley Village L6., Edgewater Park, NJ 08010, Block 404.08 Lot 11 Qualifier CL006; and

WHEREAS, the Edgewater Park Tax Assessor and Tax Collector have also approved the refunding of taxes already paid from January 25, 2011 the date of disability:

2011 property and county taxes for 65 days
\$555.22 divided 90 days times 65 days
Prorated 1st Quarter of 2011
\$400.99

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, hereby approves the real owner of real property, Frank H. Rigg, Jr and Barbara Horowitz-Rigg, located at Block 404.08 Lot 11 Qualifier CL006, for Total Disabled Veteran status, for the cancellation of taxes for 2011 and thereafter, for the refunding of taxes paid in 2011 for \$400.99.

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

RESOLUTION NO. 2011-34

RESOLUTION AUTHORIZING MAYOR TO EXECUTE THE SOLID WASTE AGREEMENT WITH THE COUNTY OF BURLINGTON, NEW JERSEY

WHEREAS, the Township of Edgewater Park is authorized to enter into agreements for Solid Waste Disposal effective January 2011; and

WHEREAS, Burlington County provides Solid Waste Disposal for the Municipalities in the County;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK that the Contract by and between the Township of Edgewater Park, a New Jersey municipal corporation, and Burlington County, a copy of which is attached hereto and made a part hereof, is hereby approved and the Mayor and the Township Clerk are hereby authorized to execute as many copies of the said Agreement as may be necessary.

ORDINANCES:

Ordinance No. 2011-1: (Second Reading and Public Hearing) An Ordinance Of The Township Of Edgewater Park Providing For And Determining The Rates Of Compensation For Employees Year 2011

Moved by: Mayor Booker

Second: Mrs. Belgard

Open to the Public for Ordinance 2011-1 Only:

Closed:

Moved by: Mayor Booker

Second: Mrs. Belgard

Hearing no discussion:

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

REPORT OF OFFICIALS

Committeeman Kercher:

Liaison to the Environmental:

Mr. Kercher reported the Environmental Commission will meet the second Tuesday of every month. The next meeting is March 8, 2011 at 7:30 PM.

Liaison to the School Board:

Mr. Kercher stated the school meets next week, February 22, 2011. Mr. Kercher has been in contact with the superintendent about grants and the budget.

Committeeman McElwee:

Liaison to Neighborhood Watch:

Mr. McElwee reported the next meeting for Neighborhood Watch is next Thursday on Medicare and Medicaid fraud co hosted by Senior Advisory. The March meeting of Neighborhood Watch is with guest speaker County Sheriff Jean Stanfield and Neighborhood Watch on Patrol. Mr. McElwee further discussed there will be a Wing Fling on March 19 at the Elks to support Neighborhood Watch.

Liaison to EPAA:

Report is appended hereto.

Mr. McElwee reported EPAA has several fundraisers in progress such as discount cards, a Beef and Beer on March 11 at the Elks and Sixer's Game on March 27 where the cheerleaders will be able to perform before the game.

Committeewoman Belgard:

Liaison to Senior Advisory:

Mrs. Belgard reported Senior Advisory committee met last week and will be holding a joint meeting with Neighborhood Watch on Medicare Fraud. Mrs. Belgard further reported Senior computer classes began on February 8 and was well attended. Mrs. Belgard further discussed Senior Advisory is discussing working with the PTO to hold a forum for individuals who wish to become a part of the School Board.

Liaison to Planning Board:

Mrs. Belgard reported the planning board reorganized and will not hold a meeting for February.

Mayor Booker:

Mayor Booker reported on grant opportunities for women's health and a grant for the school to expose children to oral professions.

Mayor Booker further reported the Breakfast with Bunny will tentatively be scheduled for April 9, 2011. Mayor Booker further requested the seniors to stuff eggs for the event.

Liaison to the Memorial Day Parade:

Mayor Booker stated discussions are ongoing with Beverly on ideas for the parade.

APPROVAL OF BILLS

Approval of Bills from February 2, 2011 through February 11, 2011

Moved by: Mayor Booker

Second: Mrs. Belgard

Hearing no discussion:

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

APPROVAL OF MINUTES: NONE

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

Mr. Robbins questioned whether the township has accepted the revaluation. Mr. Kearns stated the township does not approve the revaluation.

Mr. Robbins further commented the new valuations are on the Burlington County website.

Mr. David Lender, 211 Colonial Road, questioned the procedures for snow removal. Mr. Painter stated snow removal is done in zones and this previous snow was difficult because of the weight and mechanical problems with the plows.

Mr. Lender further questioned who is responsible for the pot holes on the jug handle at Route 130. Mr. Painter stated the New Jersey Department of Transportation is responsible for the jug handle.

Mr. Lender also questioned why the Township did not receive a Department of Education grant like other surrounding Townships.

Mr. Ron Stows, 7 Danbury Court, questioned why does the snow plow point towards the house. Mr. Painter stated the snow is distributed amongst all the properties.

Noel Rainey, 7 spring lane, questioned the progress with light rail and the quiet zone. Mr. Booker stated there is a new congressman and the light rail is not a priority with him. Mr. Rainey further agreed to write a letter to the congressman in reference to the light rail quiet zone.

Mr. Robbins commended the public works for assisting a resident to dig out, during an emergency.

Mr. Lender, 211 Colonial Road asked if there is a project to put reflectors on storm drains to mark them during a snow storm. Mr. Painter stated there was not because the reflectors are often removed.

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. 2011-35
Closed Session

Where it is necessary to ascertain legal advice and discuss matters concerning professional contractual obligations. Where it is necessary to ascertain legal advice and discuss matters

concerning Township of Edgewater Park vs. SPW, LLC. Where it is necessary to discuss sale of public property. Where it is necessary to discuss items falling under litigation and or attorney client privilege. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentially, then the matter will be made public.

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

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

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

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

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

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

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

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

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

Moved by: Mayor Booker

Second: Mrs. Belgard

Hearing no discussion:

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

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

THERE WAS NO OTHER BUSINESS.

ADJOURN

Moved by: Mayor Booker

Second: Mrs. Belgard

Hearing no discussion:

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

Darrell Booker

Darrell Booker, Mayor

Tanyika L. Johns

Tanyika I. Johns, Deputy Clerk