

**TOWNSHIP OF EDGEWATER PARK  
MINUTES  
FEBRUARY 16, 2010**

Mayor Johnson 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 6, 2010.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 6, 2010.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 6, 2010.

Present: Mrs. Aimee Belgard, Mr. Darrell Booker, Mr. John McElwee, Mayor Kevin Johnson (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), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public) and Ms. Tanyika Johns, Deputy Clerk (Public)

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

**Ordinance No. 2010-02: An Ordinance Of The Township Of Edgewater Park, County Of Burlington, State Of New Jersey, Amending Chapter 10.04 Of The Township Code, Entitled "Through Streets And Stop Intersections."**

Mrs. Dougherty discussed at previous meetings, Mr. Noel Rainey, 7 Spring Lane discussed Silver Park West residents did not want some of the stop signs that were previously installed. Township Committee discussed and questioned the safety of removing the Stop Signs at Silver Park West.

Mr. Noel Rainey discussed he would be willing to assist and notify the neighbors of Silver Park West.

Upon discussion, Township Committee agreed to have the Engineer submit recommendations on an easy transition to remove the stop signs at Silver Park West.

**Purchase of Fire Official Ford Aerostar with approximately 12,000 miles for use as a Property Maintenance Vehicle for the price of \$750.00.**

Moved by: Mr. Booker Second: Mr. Johnson  
Hearing no discussion:  
Roll Call: Mrs. Belgard - yes, Mr. Booker - yes, Mr. McElwee – yes, Mayor Johnson-yes

## **PROCLAMATIONS**

### **READ ACROSS AMERICA –MARCH 2, 2010**

**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 106<sup>th</sup> 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, 2010;

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

Moved by: Mr. Booker Second: Mr. McElwee  
Discussion: Mrs. Dougherty informed Township Committee that if anyone would like to read to the children in Edgewater Park Schools please contact Debbie Cunningham by email. Mrs. Dougherty further informed Township Committee the school is flexible with the times.  
Hearing no further discussion:  
Roll Call: Mrs. Belgard - yes, Mr. Booker - yes, Mr. McElwee - yes, Mayor Johnson-yes

## **REPORTS**

Report from Municipal Clerk/Administrator

### **Freeholders-Police Academy**

Township Committee had questions and concerns on the closing of the Burlington County Police Academy. One of the concerns was the cost for out of county fees to train our officers if the Burlington County Academy is closed. There will be a meeting concerning the closing of the Burlington County Police Academy on February 17 that will be attended by Mr. Brian, Chief of Police; Committee members will also try to attend.

**Budget**

Mayor Johnson discussed that the department heads do not need to be present for the budget meeting on February 23, 2010.

There Were No Other Reports

**REPORT ACCEPTANCE**

Moved by: Mayor Johnson

Second: Mr. Booker

Hearing no discussion:

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

**AUTHORIZATIONS:**

Donation for Boys and Girls State to American Legion Post #79, cost is \$185.00 for a boy and \$210.00 for a girl.

Upon discussion Township Committee motioned to table the decision until the March 2, 2010 meeting.

Moved by: Mayor Johnson

Second: Mrs. Belgard

Hearing no discussion:

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

**APPOINTMENTS/RESIGNATIONS:**

Temporary Construction Official – Michael Stallone, Feb 8, 2010 to Feb 12, 2010

Temporary Building Inspector – Bill Brown, Feb 8, 2010 to Feb 12, 2010

Moved by: Mr. Booker

Second: Mr. McElwee

Hearing no discussion:

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

**FUNCTION APPLICATIONS:****PUBLIC FUNCTIONS: NONE****SOLICITOR'S PERMIT**

Ralph Hubbard on behalf of Disabled Veterans of America, Soliciting Donations Collection Dates May 3 through May 15, 2010 at Pathmark. Letters of Authorization from businesses pending) All fees have been paid. A letter is on file from the Chief of Police advising that there is nothing in the background check that would preclude Committee from considering the permit application.

Moved by: Mr. McElwee

Second: Mr. Johnson

Hearing no discussion:

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

**REPORT OF OFFICIALS*****Committeeman McElwee:***

**Liaison to Environmental:** Mr. McElwee reported Environmental had their first meeting and Mr. Maupin was re-appointed as the chairman.

**Liaison to EPAA:** Mr. McElwee discussed the monthly report from EPPA attached hereto.

***Committeewoman Belgard:***

**Liaison to Senior Advisory:** Mrs. Belgard reported Senior Advisory is planning to meet tomorrow.

**Liaison to Planning Board:** Mrs. Belgard reported the Planning Board is scheduled to meet Thursday night.

***Committeeman Booker:***

**Liaison to the School Board:** Mr. Booker reported the School Board Meeting is tomorrow. The impact numbers for reduction in state aid are suppose to be published next week.

**Liaison to Recreation:** Mr. Booker reported the Breakfast with the Bunny will be held on March 27, 2010.

***Mayor Johnson:***

**Liaison to Neighborhood Watch:** Mayor Johnson reported that the Memorial Day Fundraiser is scheduled for Saturday, February 20 at the 45<sup>th</sup> Street Pub; tickets are still available.

Mayor Johnson reported Mr. Maupin is very ill and everyone should keep him in their prayers.

**ORDINANCE(S):**

**Ordinance No. 2010-02: An Ordinance Of The Township Of Edgewater Park, County Of Burlington, State Of New Jersey, Amending Chapter 10.04 Of The Township Code, Entitled “Through Streets And Stop Intersections.”**

Motion to table the Ordinance 2010-2 until March 2, 2010 for further review.

Moved by: Mr. Booker Second: Mrs. Belgard

Hearing no discussion:

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

**Ordinance No. 2010-03: (Second Reading and Public Hearing) An Ordinance Amending And Supplementing A Bond Ordinance Of The Township Of Edgewater Park, Finally Adopted On October 12, 2004 Entitled “A Bond Ordinance Of The Township Of Edgewater Park, County Of Burlington Authorizing The Construction Of Sidewalk Curbing, And Lighting Improvements Along Cooper Street And West Franklin Avenue; Appropriating The Sum Of \$500,000 Therefore And Authorizing The Issuance Of \$475,000 Bonds Or Notes Of The Township For Financing Such Appropriations; 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 thereof affirmatively concurring) AS FOLLOWS:

Section A. Section 6(d) of Bond Ordinance 9-2004 is amended, revised, replaced,

and supplemented to read as follows:

(d) An aggregate amount not exceeding \$100,500 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.

Section B. All other ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

Section C. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed as separate, distinct and independent provisions and such holding shall not effect the validity of the remaining portion of the Ordinance adopted by the Township Committee on October 12, 2004.

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

Moved by: Mr. McElwee

Second: Mr. Booker

**OPEN TO THE PUBLIC:** The Mayor opened this portion of the meeting to public comment on Ordinance No. 2010-3 only.

**CLOSE:** Hearing no one wishing to speak the Mayor closed this portion of the meeting to public comment on Ordinance No. 2010-3 only.

Hearing no discussion:

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

## **RESOLUTIONS**

Motion to Approve Resolution No. 2010 -32 through 2010-37 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: Mayor Johnson

Second: Mr. McElwee

Hearing no discussion:

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

## **RESOLUTION NO. 2010-32**

### *Extending the Due Date for 2010 1<sup>st</sup> Quarter Property Taxes*

**WHEREAS**, the Township Committee of the Township of Edgewater Park is desirous to extend the grace period for 2010 First Quarter Taxes through February 12, 2010; and

**WHEREAS**, the Township Committee of the Township of Edgewater Park determined that due to inclement weather conditions it was not feasible to travel on the roads, for reason beyond the control of the Township of Edgewater Park and its taxpayers; and

**WHEREAS**, the Township Committee of the Township of Edgewater Park has determined that tax payers are entitled to a reasonable extension of time to make the payments of the first quarter 2010 taxes, without imposition of penalties;

**NOW, THEREFORE, BE IT RESOLVED**, the Township Committee of the Township of Edgewater Park, assembled in public session this 16<sup>th</sup> day of February, 2010 that the Tax Collector of

the Township of Edgewater Park be and hereby authorized to extend the grace period for the first quarter of 2010 property taxes through February 12, 2010; and

**Section I.** The Township Committee of the Township of Edgewater Park hereby authorizes a twelve day grace period starting on February 1, 2010 and ending on February 12, 2010, and

**Section II.** The Township Committee of the Township of Edgewater Park hereby authorizes any 1<sup>st</sup> quarter 2010 taxes paid after February 12, 2010 be subject to interest and penalties from February 1, 2010.

**Section III.** The Township Committee of the Township of Edgewater Park request that certified copies of this resolution shall be forwarded to the Treasurer and the Tax Collector of the Township of Edgewater Park.

**RESOLUTION NO. 2010-33**

*Resolution Authorizing Refund Of Overpayment Due  
To Double Payments*

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 a veteran deduction:

Block 1805 Lot 2  
Talamas Almonord  
504 Jamestown Road  
Edgewater Park, NJ 08010  
\$1,278.10

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. 2010-34**

*Resolution of the Township of Edgewater Park, County of Burlington,  
and State of New Jersey Authorizing the Mayor and Clerk to Enter  
Into a Contract with the Chief Financial Officer*

WHEREAS, the Township wishes to enter into a contract of employment with the Chief Financial Officer, Margaret M. Peak for a one year period, from April 21, 2009 to April 30, 2010;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, County of Burlington, State of New Jersey, that the Mayor and Clerk of the TOWNSHIP OF EDGEWATER PARK are hereby authorized to enter into an Agreement with the EDGEWATER PARK TOWNSHIP, a copy of which is attached hereto, effective as of April 21, 2009.

**Resolution No. 2010-35**

*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, 2009 and continuing through November 18, 2009; 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. 2010-36**

*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 2010; 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.

#### **RESOLUTION NO. 2010-37**

Resolution of the Township of Edgewater Park, County of Burlington,  
State of New Jersey Authorizing the Amendment to the Township Clerk's Contract

**WHEREAS**, the Township of Edgewater Park entered into an employment contract with Linda Dougherty as Township Clerk from April 1, 2005 to March 31, 2009; and

**WHEREAS**, the Township wishes to modify the annual compensation of the employment contract with the Township Clerk for a one year period from April 1, 2008 to March 31, 2009; and

**WHEREAS**, the Township Clerk voluntarily, due to budgetary constraints, agreed to reduce the annual rate of compensation, under Section 11 Titled: "Compensation" of the existing contract for term period April 1, 2008 to March 31, 2009 from \$60,292.20 to \$57,843.62; and

**WHEREAS**, effective year 2010 the observance of Lincoln's and Washington's Birthday will be combined to one holiday, President's Day; for year 2010 this will be observed on February 15, 2010. The net effect will be a loss of one paid holiday effective and proceeding forward year 2010; and

**WHEREAS**, all other terms and conditions of the employment contract with Mrs. Dougherty as Township Clerk shall remain in effect.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, County of Burlington, State of New Jersey that the Township Clerk's employment contract as stipulated above for all services rendered by Mrs. Dougherty as Township Clerk is hereby approved and this resolution shall be appended to the contract.

#### **APPROVAL OF BILLS**

Approval of Bills from February 2, 2010 through February 12, 2010

Moved by: Mr. McElwee Second: Mrs. Belgard

Discussion: Mrs. Belgard questioned the payment to Game Time. Mr. Painter explained Game Time is a company which supplies trash receptacles to the Township.

Hearing no further discussion:

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

#### **APPROVAL OF MINUTES**

January 19, 2010 open and closed session

Moved by: Mr. Booker Second: Mrs. Belgard

Hearing no discussion:

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

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

Mr. Dennis Robbins, 9 Crystal Drive, questioned why the Emergency Squad does not take patients to dialysis appointments during inclement weather.

Mrs. Dougherty stated the County has programs which offers ride to patients.

Upon discussion, Township Committee stated they would look into other services to help the patients travel to their dialysis appointments.

Mr. Robbins further stated the snow is problematic in the Silver Park West development and requested that different plow patterns be developed.

Mr. Noel Rainey, 7 Spring Lane, thanked Mr. Painter for his hard work at Silver Park West during the snowstorms.

Mr. Rainey further stated he would like a closure to the Silver Park West litigation.

**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. 2010-38  
Closed Session***

*Where it is necessary to ascertain legal advice and discuss matters concerning personnel and contractual obligations. Where it is necessary to ascertain legal advice concerning Township of Edgewater Park vs Silver Park West, LLC et seq. Where it is necessary to discuss matters regarding Township of Edgewater Park to Miller Group. Where it is necessary to discuss matters regarding potential economic development. 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 Johnson      Second: Mr. Booker      Time: 7:46 PM

Hearing no discussion:

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

**RE-ENTER PUBLIC SESSION**

Moved by: Mayor Johnson      Second: Mrs. Belgard      Time: 8:58 PM

Hearing no discussion:

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

**ROLL CALL:** Mrs. Belgard Mr. Booker Mr. McElwee Mayor Johnson

**THERE WAS NO OTHER BUSINESS**

**ADJOURN**

Moved by: Mrs. Belgard      Second: Mr. McElwee      Time: 8:58 PM

Hearing no discussion:

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

*Kevin Johnson*

Kevin Johnson, Mayor

*Linda M. Dougherty*

Linda M. Dougherty, RMC/Administrator